



MOSS
ENVIRONMENTAL



OzEnvironmental
underpays our people

OzEnvironmental Pty Ltd is now proudly part of the Moss Group of companies

RUSHES CREEK FARM PROJECT

Independent Audit

Moss Environmental
1/342 Peel Street
Tamworth NSW 2340

ProTen Tamworth (Pty) Ltd - Rushes Creek Farm
22 Showground Road
Tamworth NSW 2340

Lead Environmental Auditor: Shonelle Gleeson Willey

Application number: SSD-7704, SSD-7704-Mod-1, SSD-7704-Mod-2, SSD-7704-Mod-3, SSD-7704-Mod-4, SSD-7704-Mod-5

Issued date: 06 March 2026

Certified by: Shonelle Gleeson-Willey

Rev	Date	Prepared by	Reviewed by	Approved by	Remarks
A	06/03/2026	Shonelle Gleeson-Willey	Nico Brits	Shonelle Gleeson-Willey	Draft issued for Proten comment
00	6/3/2026	Shonelle Gleeson-Willey	Kristie Stevens	Shonelle Gleeson-Willey	Reviewed by Proten, no changes. Issued as Final.



CONTENTS

1. EXECUTIVE SUMMARY	1
2. INTRODUCTION	2
2.1 Background	2
2.2 Audit team	2
2.3 Audit objectives	3
2.4 Audit scope	3
2.5 Audit period	3
3. AUDIT METHODOLOGY	4
3.1 Selection and endorsement of audit team	4
3.2 Independent Audit scope development.....	4
3.3 Compliance evaluation.....	4
3.3.1 Opening meeting.....	4
3.3.2 Conduct of audit.....	4
3.4 Site interviews	5
3.4.1 Summary of Stakeholder Interviews	5
3.5 Site inspections	6
3.6 Consultation	6
3.7 Compliance status descriptors	6
4. AUDIT FINDINGS	8
4.1 Approval and document list.....	8
4.1.1 Report / Plans	8
4.1.2 Certificates / statements.....	8
4.1.3 Correspondence / emails	9
4.1.4 Lists / registers	9
4.1.5 Agreements.....	10
4.1.6 Presentations	10
4.2 Compliance performance	10
4.3 Summary of agency notices, orders, penalty notices or prosecutions	10
4.4 Non-compliances	10
4.5 Previous audit recommendations.....	14
4.6 EMP, Sub-plans and compliance documents	14
4.7 Environmental performance	14
4.8 Consultation outcomes.....	15
4.9 Complaints	16
4.10 Incidents	17
4.11 Actual verses predicted environmental impacts	17
4.12 Site inspection.....	17
4.13 Site interviews	17
4.14 Previous Annual Review or Compliance Report recommendations.....	17
4.15 Improvement opportunities.....	18
4.16 Key strengths	18
5. RECOMMENDATIONS	20
5.1 Non-compliances	20
5.2 Opportunities for improvement.....	21
6. CONCLUSION	22



7. APPENDICES 23

TABLES

Table 2.1: Project details.....	2
Table 3.1: Audit criteria (PAR, 2020).....	6
Table 4.1: Compliance table	10
Table 4.2: Audit non-compliances.....	11
Table 4.3: Previous audit recommendations.....	14
Table 4.4: Pre-audit consultation outcomes.....	16
Table 4.5: Summary of the complaints as per Complaints Register.....	17
Table 7.1: Independent audit table (Consolidated Consent)	24
Table 7.2: Independent audit table (EPL)	43
Table 7.3: Site audit photos	56

APPENDICES

7.1 APPENDIX A – INDEPENDENT AUDIT TABLE.....	24
7.2 APPENDIX B - PLANNING SECRETARY AUDIT TEAM AGREEMENT	61
7.3 APPENDIX C – CONSULTATION	62
7.4 APPENDIX D – AUDIT MEETING ATTENDANCE REGISTER.....	63
7.5 APPENDIX E – SITE AUDIT INTERVIEWS	64
7.6 APPENDIX F - INDEPENDENT AUDIT DECLARATION FORM	65

1. Executive summary

The Rushes Creek Poultry Farm is located at Rushes Creek, Tamworth NSW. The Project is a State Significant Development (SSD-7704) and was granted development approval by the Department of Planning, Industry and Environment (DPIE) on 14 April 2020.

Proten Tamworth Pty Ltd engaged Moss Environmental to undertake an independent environmental audit of the Project site in compliance with the SSD 7704 conditions of consent, the Environment Protection Licence (EPL) 21569 for the Project and Independent Audit-Post Approval Requirements (PAR, 2020).

The Post Approval Independent Audit was conducted on 14 January 2026 in accordance with the Department of Planning, Industry and Environment's Independent Audit Post Approval Requirements (2020) and the Moss Environmental Standard Operating Procedure-Independent Auditing for State Significant Projects.

The audit was undertaken using a three-step process of pre-assessment, site audit and inspection followed by gathering of requested documentation.

Overall, the project environmental performance is in compliance with Development Conditions of Consent SSD 7704, EPL 21569 and Post-approval requirements and met with the following key strengths noted;

- Management plans as required by the Conditions of Consent have been developed as per the requirements.
- Complaints have been recorded and responded to appropriately.
- Waste segregation is in place.
- Sensitive areas such as the heritage sites are fenced off.
- Activities to address the non-compliances identified in relation to the unauthorised burrow pits are ongoing. The Southern Burrow Pit has been rehabilitated, while construction to convert the Northern Burrow Pit into a storage dam is still in progress.
- The site is well maintained overall, including the grassed swale drains and access roads.

Rushes Creek Poultry Farm achieved a score of 96.88% compliance using the Moss Environmental auditing system which is based on the Independent Audit Post Approval Requirements (2020) and the Moss Environmental Standard Operating Procedure-Independent Auditing for State Significant Projects.

The audit resulted in:

- 8 action items (for non-compliances noted) to be assessed during the next audit.

2. Introduction

2.1 Background

ProTen Tamworth Pty Ltd obtained Development Consent SSD-7704 from the then Department of Planning, Industry and Environment (DPIE) on 14 April 2020 to construct and operate a large-scale poultry farm at Rushes Creek, Tamworth NSW. The Development comprises four individual poultry production units (PPUs), identified as Farms 1 to 4, where broiler birds will be grown for the purpose of producing poultry meat (for human consumption). Each farm will contain between 10 and 18 fully enclosed climate-controlled poultry sheds along with associated support and servicing infrastructure. The development will comprise a total of 54 poultry sheds and house a combined site population of 3,051,000 birds.

A development modification was approved by Department of Planning and Environment (DPE) on 15 June 2021 (MOD 1) allowing for the remediation of a former sheep dip on-site (as opposed to the soil being excavated and transported to Sydney for landfill disposal) and removal of a condition requiring the excavation of an Aboriginal hearth (Bondah H1). Modification 2 corrected timing outlined in condition B53 of SSD 7704 for the timing of the establishment of the PPU vegetation screens. Modification 2 was approved on 2 September 2021. Modification 3 was approved on 9 March 2022 and allowed for concurrent construction and operations, adjusted infrastructure layout, and permitted the use of diesel generators for power supply at Farm 2. Modification 4 was approved on 22 September 2023 and allowed the use of diesel generators as the primary operational power supply at Farm 2 for an additional period of six months, formalise the operational power supply arrangements for the development, permit the installation of solar arrays on the roof of 11 poultry sheds and at the Namoi River water pump, regularise Farm 2 poultry shed flooring, constructed using an alternate construction design and permit the alternate poultry shed flooring at Farms 1, 3 and 4 and reduce the number of farm managers dwellings from eight to seven and construct these dwellings as 'slab on ground'.

The most recent modification (Modification 5) was approved on 22 March 2024 and extended the use of generators as the primary operational power supply.

The Environment Protection Authority (EPA) issued an Environment Protection Licence (EPL) 21569 for the Project on 11 August 2021.

Table 2.1: Project details

Description	Details
Project Name	Rushes Creek Farm
Project Application Number	SSD 7704
Project Address	1582 Rushes Creek Road, Rushes Creek, NSW, 2346
Project Phase	Operational phase
Project Activity Summary	Construct and operate a large-scale poultry farm at Rushes Creek

2.2 Audit team

Details of the Moss Environmental auditor for this audit was submitted to the Department of Planning, Housing and Infrastructure (DPHI). Endorsement by DPHI of the auditor was granted prior to the conduct of the audit, on 23 December 2025 by Ann Hagerthy. Refer to Appendix B.

Name	Company	Reference
Shonelle Gleeson-Willey	Moss Environmental	SSD-7704-PA-94

2.3 Audit objectives

The objectives of this audit were to assess Rushes Creek Farm against the requirements of the approval conditions in SSD-7704 and the conditions of the EPL (Licence number 21569), in accordance with the Departments Independent Audit Post Approval Requirements (PAR, 2020).

2.4 Audit scope

The scope of this audit comprised a review of the Project's systems, processes, and procedures to assess compliance with:

- Development consent SSD-7704;
- EPL (Licence number 21569);
- Independent Audit Post Approval Requirements;
- Operational Environmental Management Plan (OEMP) and sub plans;
 - Air Quality Management Plan;
 - Soil and Water Management Plan;
 - Traffic Management Plan;
 - Emergency Disposal and Biosecurity Strategy (EDBS); and
 - Aboriginal Cultural Heritage Management Plan (ACHMP).

The Post Approval Independent Audit site inspection was conducted on 14 January 2026 in accordance with the Departments Independent Audit Post Approval Requirements (2020) and the Moss Environmental Standard Operating Procedure-Independent Auditing for State Significant Projects. The scope of the audit was determined prior to the Preliminary Audit being conducted and is consistent with the conditions of Consent and Independent Audit-Post Approval Requirements (PAR, 2020), see Appendix C.

Construction commenced on 30 September 2021, with the Project entering the operational phase on 23 September 2022. Construction-related conditions and requirements that fall outside the audit period (e.g. notification of commencement, evidence of construction staging) and that were assessed as part of the first independent audit were not reassessed for this audit. Where point-in-time non-compliances were identified during the previous independent audit, these were not automatically carried forward into the current audit. However, where a previously identified non-compliance remains unaddressed and continues to result in, or has the potential to result in, environmental impact, a new non-compliance has been raised. In general, the scope of this audit and assessment is limited to the current audit period only (refer to Section 2.5).

2.5 Audit period

Under Part C, Condition C13 the audit is to be conducted "*Independent auditing of the operation of the development must be carried out in accordance with the Independent Audit Post Approval Requirements (Department, 2020)*". It is a requirement from this guideline that independent audits be undertaken at intervals no greater than 3 years or as otherwise agreed by the Secretary. The site inspection for the previous independent audit was 17 October 2022 and therefore the site inspection of the subsequent independent audit should have been 17 October 2025. It was indicated by ProTen Tamworth that the DPPI is aware of the audit being undertaken outside this timeframe.

The independent audit covers the period from 17 October 2022 (the site inspection of the previous audit) to the date of this independent audit site inspection (14 January 2026).

This report is based on the results of sampling and supplied documentation/records during the pre-audit document review (13 January 2026) and review of site activities on the days of the site audit and inspection (14 January 2026).



3. Audit methodology

3.1 Selection and endorsement of audit team

The Auditor has been approved by the DPHI, See Appendix B.

3.2 Independent Audit scope development

This audit has been prepared, undertaken and finalised in accordance with the Departments Independent Audit Post Approval Requirements (2020) and the relevant conditions of consent and Post Approval Requirements. Moss Environmental developed the audit scope and a checklist based on the Project Development Consent Requirements SSD 7704, conditions of the EPL (Licence number 21569), and consultation with the relevant departmental stakeholders. Refer to Appendix C.

3.3 Compliance evaluation

3.3.1 Opening meeting

The audit was conducted through a combination of remote auditing (through a document request) and a site audit and inspection.

An opening meeting was held on 14 January 2026 as part of the site inspection and included ProTen personnel and the Moss Environmental auditor. Due to biosecurity arrangements, the opening meeting was held outside the property and within the vehicle used for the site inspection. See the Audit Meeting Attendee Register attached as Appendix E of this report. A close out meeting was held with ProTen personnel on 14th January, Appendix E.

The opening and closing meetings was attended by the following:

- Kristie Stevens – ProTen National SHEQ Coordinator;
- Shonelle Gleeson-Willey – Moss Environmental Lead Auditor; and
- Nico Brits – Moss Environmental Audit support.

Key items which were discussed include:

- Project background and status of construction;
- Audit objectives, scope and criteria;
- Audit methodology;
- Audit timetable;
- Main point of contact;
- Audit resources and facilities;
- Confidentiality;
- Occupational health and safety, emergency and security procedures;
- Presentation of preliminary audit findings;
- Response to audit findings;
- Previous audits undertaken (if any); and
- ProTen objectives and expectations of audit.

3.3.2 Conduct of audit

The audit activities included the following:

- Review of project documentation to verify compliance with Development Consent SSD 7704 and the conditions of the EPL (Licence number 21569);

- Conduct of the site audit by following the audit procedure and templates that were prepared by Moss Environmental based on the conditions of consent and EPL;
- Interviewing site personnel and a review of evidence provided to demonstrate compliance; and
- Conduct of a site inspection to review implementation of mitigation measures, environmental controls and post approval requirements.

Any findings from the audit and site inspection, and any action items were discussed with site personnel at the closing meeting. The closing meeting was held on 14th January 2026 with a representative from ProTen. General feedback and the findings of the audit were discussed.

3.4 Site interviews

Site interviews were conducted using an interview template developed specifically for Rushes Creek Farm and to reflect the Departments requirements and special areas for investigation through the audit. Site interviews were conducted with all project staff who attend site regularly and are in a managerial role. These included;

- Kristie Stevens – National SHEQ Coordinator; and
- Graeme Attwell – Regional Operations Manager.

The results of the site audit interviews are provided in Appendix C and summarised below.

3.4.1 Summary of Stakeholder Interviews

Two audit interviews were undertaken to assess the implementation of conditions of consent, EPL conditions, EIS requirements, and management plan commitments, with specific reference to the environmental management system.

Overall, the interviews confirmed that environmental compliance is managed through a structured governance framework, with defined roles and responsibilities across the organisation. A centralised compliance function is in place, with oversight provided by the National SHEQ Manager and day-to-day compliance monitoring undertaken by dedicated compliance personnel. Site-based staff provide inputs as required. Environmental inspections, monitoring, and corrective actions are tracked through formal systems, including the Lucidity platform, which is currently being expanded to further automate compliance actions and reporting.

Incident management processes were described as clearly defined and effective. Incidents are reported through established escalation pathways, with appropriate internal notifications and regulatory reporting undertaken where required. Interviewees confirmed that corrective and preventative actions arising from past incidents have been implemented effectively, including updates to management plans and infrastructure improvements.

Waste management practices were described as consistent with the waste hierarchy. All waste streams are removed from site, with no long-term storage. Specific procedures are in place for the management and disposal of dead birds, including refrigerated storage and regular collection by licensed contractors. Procurement-related considerations were noted as being managed by separate teams.

Key environmental risks identified for the site include potential discharge events and the loss of a significant number of birds; however, interviewees advised that these risks are considered low due to the presence of backup power supply, adequate water storage, and established operational procedures. Heritage impacts were also identified as a risk, although the likelihood of impact was described as low.

In relation to previous audit recommendations and specific consent conditions, interviewees confirmed that an ecologist was engaged to inspect vegetation screening works and that consultation with receptor R15 was undertaken verbally. While written evidence of consultation was not available, the landowner reportedly indicated no objection to the development and a willingness to provide written confirmation if required.

Overall, the audit interviews indicate that appropriate systems and processes are in place to manage environmental compliance, with ongoing improvements being implemented to enhance system automation, clarity of responsibilities, and reporting consistency.

3.5 Site inspections

The site inspection was carried out by the auditors and Kristie Stevens on 14 January 2026. The inspection assessed the implementation of environmental controls and concentrated on the following general areas from the conditions of consent:

- Harm to the environment;
- Odour management;
- Dust management;
- Noise management;
- Water management;
- Biodiversity;
- Aboriginal heritage;
- Visual amenity;
- Operating conditions;
- Hazards;
- Storage and handling of dangerous goods; and
- Waste management.

The site inspection notes and photographs can be found in Appendix A.

In general, the site is compliant with the conditions of consent assessed as part of the site inspection. One non-compliance was noted. The establishment of the vegetation screen required under Condition B53(a) was previously identified as a non-compliance during the first independent audit, which is outside the current audit period. However, during the site inspection undertaken on 14 January 2026, the vegetation screen remained not fully established. At the time of the inspection, the vegetation screen did not completely surround the Farm 2 sheds to form a full perimeter of the PPU, and therefore the intent of Condition B53 had not been met.

3.6 Consultation

Consultation with DPHI was conducted on 12 February 2026. DPHI requested consultation be conducted with the NSW EPA and Tamworth Regional Council.

The Department would also like a focus on the following:

- Compliance with reporting requirements.
- Management of water structures.
- Closing out of previous audit recommendations. Where an action has not been closed out, please provide details as to why and any recommendations to close this action out. Where actions have not been closed out, new dates must be set for closing them out.
- Section 4.2.3 of the IA PAR requires exception reporting of all non-compliances. This should be presented in a table for clarity and I would like an additional column for this table to indicate if a non-compliance is a repeat non-compliance from the previous audit.

Refer to Appendix C for records of the consultation.

3.7 Compliance status descriptors

The following audit criteria were used for the rating of audit findings.

Table 3.1: Audit criteria (PAR, 2020)

Status	Description
Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit



Non-compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not Triggered	A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

4. Audit findings

4.1 Approval and document list

The following documents, email correspondence and plans were reviewed as part of the audit:

4.1.1 Report / Plans

- Aboriginal Cultural Heritage Management Plan (ACHMP) dated 16 August 2024 from SLR Consulting Australia.
- Air Quality Management Plan – Rushes Creek Poultry Production Farm dated 05 September 2024 from Astute Environmental Consulting.
- Animal Welfare and Biosecurity Audit (Broiler) dated 11 December 2024 from Baiada.
- Chemical Application and Storage Reports (various) from Baiada.
- Construction traffic management plan Rushes Creek Poultry Production Farm dated 16 August 2024 from SLR Consulting Australia.
- Contractor Induction Program from ProTen outlining requirements for contractors.
- Emergency Disposal and Biosecurity Strategy (EDBS) dated 28 June 2024 from SLR Consulting Australia.
- Equipment service reports (various) from Generator Power (Australia) Pty Ltd.
- New Employee Induction Handbook (PRT-P&P-HR-023) dated 11 March 2025 from ProTen outlining induction requirements for new employees.
- Operational Environmental Management Plan (OEMP) dated 05 September 2024 from SLR Consulting Australia.
- Pre-placement report dated 23 September 2024 from Baiada.
- RSPCA Approved Farming Scheme - Meat Chicken Assessment Report dated 06 February 2024 from Jarrad Carter.
- Rushes Creek Odour Surveys – April 2023 dated 26 April 2023 from Astute Environmental Consulting.
- Rushes Creek Odour Surveys – February 2024 dated 23 February 2024 from Astute Environmental Consulting.
- Rushes Creek Odour Surveys – February 2025 dated 06 March 2025 from Astute Environmental Consulting.
- Rushes Creek Odour Surveys – October 2023 dated 26 October 2023 from Astute Environmental Consulting.
- Rushes Creek Odour Surveys – October 2024 dated 28 October 2024 from Astute Environmental Consulting.
- Rushes Creek Poultry Farm Development Independent Environmental Audit 2022 dated January 2023 from Integrated Environmental Management Australia assessing compliance with construction related conditions of the Conditions of Consent.
- Rushes Creek Poultry Farm Modification Report, Modification 4, SSD 7704 dated May 2023 from SLR Consulting Australia Pty Ltd requesting an alternate shed flooring design.
- Rushes Creek Poultry Production Farm (SSD 7704) Stage 1 Soil and Water Management Plan dated 07 May 2025 from Sage Environmental Services.
- Rushes Creek Poultry Production Farm Development Consent SSD 7704 Stage 1 Construction Environmental Management Plan dated 07 February 2024 from SLR Consulting Australia.
- SCR Maintenance Report dated 09 October 2023 from ECI Australia.

4.1.2 Certificates / statements

- Annual Return Statement of Compliance – Licence Details (reporting period 11/8/2022 – 10/8/2023 from Proten Tamworth Limited).
- Annual Return Statement of Compliance – Licence Details (reporting period 11/8/2023 – 10/8/2024 from Proten Tamworth Limited).
- Annual Return Statement of Compliance – Licence Details (reporting period 11/8/2024 – 10/8/2025 from Proten Tamworth Limited).
- Certificate of Electrical Compliance HV dated 14 June 2024 from Essential Energy enabling connection and operation prior to fully energising and putting plant into service.
- Construction Certificate 21038A/01 dated 01 November 2011 from Hunter Building Certifications certifying the piers and concrete slabs were completed in accordance with the plans.



- Final Occupation Certificate 21038E/01 (Residential) dated 26 August 2025 from Hunter Building Certifications certifying the construction of the single storey dwelling in accordance with the requirements of the BCA.
- Occupation Certificate 21038C/03 dated 05 September 2023 from Hunter Building Certifications certifying the construction of Sheds 15-17 in accordance with the requirements of the BCA.
- Occupation Certificate 21038C/04 dated 05 September 2023 from Hunter Building Certifications certifying the construction of Sheds 13, 14 and 18 in accordance with the requirements of the BCA.
- Vaisala WINDCAP® Ultrasonic Wind Sensor WXT532 technical data sheet from Vaisala.

4.1.3 Correspondence / emails

- Email dated 04 November 2024 from EPA confirming receipt of the report.
- Email dated 10 March 2025 from EPA confirming receipt of the report.
- Email dated 19 March 2024 from EPA confirming receipt of the report.
- Email dated 27 October 2023 from EPA confirming receipt of the report.
- Email from EPA dated 15 September 2022 from EPA accepting Astute Environmental as suitably qualified to undertake odour monitoring.
- Incident acknowledgement letter dated 8 May 2023 from DPE confirming key dates associated with the 4 April 2023 incident.
- Incident notification letter dated 04 April 2023 from ProTen.
- Incident notification letter dated 21 November 2022 from ProTen.
- Letter (reference: SSD-7704-PA-72) dated 19 September 2024 from DPHI approving the updated OEMP.
- Letter (reference: SSD-7704-PA-86) dated 07 March 2025 from DPHI requesting additional information on the submission of the 2023-2024 compliance report.
- Letter (reference: SSD-7704-PA-89) dated 29 May 2025 from DPHI confirming that the existing Stage 1 operations are compliant with s.129 of the Protection of the Environment Operations Act 1997 (POEO Act). As such, the OMP for Stage 1 of the development (Farm 2) could cease, pursuant to Condition B5(c) of the consent.
- Letter (reference: SSD-7704-PA-91) dated 06 November 2025 from DPHI accepting 2024-2025 compliance report.
- Letter dated 04 February 2023 from ProTen notifying DPE of the review of management plans following two incidents.
- Letter dated 07 February 2025 from EPA indicating that no regulatory action would be taken in relation to the incident.
- Non-compliance acknowledgement letter dated 27 June 2024 from DPE confirming key dates associated with the 22 May 2024 non-compliance.
- Non-compliance notification letter dated 22 May 2024 from ProTen.
- Response Letter to Show Cause Letter dated 09 December 2024 from ProTen.
- Response to Auditor Recommendations (RAR) – 2022 Independent Environmental Audit – Rushes Creek dated 31 January 2023 from ProTen.
- Show Cause Letter dated 04 December 2024 from EPA.

4.1.4 Lists / registers

- Enviro Schedule Spreadsheet 2024 – 2025 from ProTen.
- Generators Check spreadsheet from Baiada showing generator usage.
- Meteorological data sheet with data from October 2022 to December 2025.
- Pesticide/Chemical Application Record Sheet from ProTen.
- Pre-Start Checklist dated 01 October 2025 from ProTen for Tractor.
- Pre-Start Checklist dated 24 December 2025 from ProTen for RTV.
- ProTen Environmental Complaints Register dated 1 December 2025 from ProTen.
- Rushes Creek Water Testing Spreadsheet from ProTen.
- Site Environmental Inspection Checklist dated 02 June 2025 from ProTen confirming that records are maintained on the online Lucidity system.

- Site Environmental Inspection Checklists dated 16 September 2024 and 15 December 2023 from ProTen showing that the water management system is inspected.
- Stocking records for period 2022 – 2025 from ProTen Tamworth providing stocking rates.
- Various Batch Verification Schedules from Baiada confirming that inspections are undertaken.
- Various Confirmation of Understanding for Operational Driver Code of Conduct.

4.1.5 Agreements

- ProTen Residential Tenancy Agreement – on Farm dated 04 September 2025 detailing person/s occupying the farm manager accommodation.
- ProTen Residential Tenancy Agreement (reference number PRT-F-FIN-010) (undated) detailing person/s occupying the farm manager accommodation.
- ProTen Residential Tenancy Agreement (undated) detailing person/s occupying the farm manager accommodation.

4.1.6 Presentations

- Toolbox talks dated 01 February 2024 and 19 December 2025.

4.2 Compliance performance

The audit determined that Rushes Creek Poultry Farm has generally implemented the project specific environmental controls within the operational and management activities being undertaken. The comparison of audit findings and compliance ratings is as follows:

Table 4.1: Compliance table

SSD Requirements	Findings
Schedule 2 – Administrative Conditions	Compliant – 21 Non-compliant – 2 Not triggered – 16
Schedule 2 – Environmental Conditions	Compliant – 36 Non-compliant – 2 Not triggered – 27
Schedule 4 – Environmental Management, Reporting and Auditing	Compliant – 9 Non-compliant – 2 Not triggered – 6
EPL	Compliant – 65 Non-compliant – 2 Not triggered – 36

4.3 Summary of agency notices, orders, penalty notices or prosecutions

Rushes Creek Farm confirmed that no agency notices, orders, penalty notices, or prosecutions have been issued for the audit period.

4.4 Non-compliances

There were seven non-compliances recorded as part of this audit.



Table 4.2: Audit non-compliances

Condition number	Relevant consent condition	Details of non-compliance	Non-compliance ID number	Recommended action	Repeat non-compliance (Yes/No)
Condition A2 of Schedule 2	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 Modification Assessments; (e) in accordance with the Development Layout in Appendix 1; and (f) in accordance with the management and mitigation measures in Appendix 2.	Non-compliances with the conditions of this consent were identified during the audit. Accordingly, a non-compliant finding has been raised in relation to this condition, as the development has not been carried out in accordance with the consent requirements.	NC1	Ensure that the recommendations associated with each non-compliance identified in this audit report are implemented.	Yes
Condition A39 of Schedule 2	The Applicant must provide a copy of the documentation given to the Certifier under condition A38 to the Planning Secretary within seven days after the Certifier accepts it.	No evidence was provided to demonstrate that the documentation submitted to the Certifier for sheds 13 – 18 was also provided to the Planning Secretary and therefore a non-compliance is raised.	NC2	While this condition cannot be rectified retrospectively, it is still recommended that the required information be submitted to the Planning Secretary.	Yes
Condition B53 of Schedule 2	The Applicant must: (a) establish a vegetation screen around the perimeter of each PPU a minimum width of 40 metres prior to the commencement of operation. (b) maintain the vegetation screens on the site for the life of the development.	The establishment of the vegetation screen required under Condition B53(a) was previously identified as a non-compliance during the first independent audit, which is outside the current audit period. However, during the site inspection undertaken on 14 January 2026, the vegetation screen remained not fully established. At the time of the inspection, the vegetation screen did not completely surround the Farm 2 sheds to form a full perimeter of the PPU, and therefore the intent of Condition B53 had not been met.	NC3	<ul style="list-style-type: none"> Replanting failed trees with appropriate native species as originally specified. Applying mulch and other establishment measures to support tree survival and growth. Develop a monitoring and maintenance program to ensure successful establishment, including irrigation, replacement of any failed plantings, and regular inspections until the screen is fully established. Documentation and reporting of all replanting and maintenance activities, including photographic evidence, to demonstrate compliance with Condition B53(a). 	Yes



Condition B54A of Schedule 2	Prior to the commencement of installation of the solar arrays at the Namoi River water pump, the Applicant must offer further vegetation screening to the landowner of sensitive receiver R15, as identified in Appendix 1, Figure 2 of this consent. Evidence of this consultation must be provided to the Planning Secretary prior to the commencement of installation of the solar arrays at the Namoi River water pump. If further screening is requested, the Applicant must seek the views of the landowner on the species, extent and location of the screening required.	The Applicant indicated that sensitive receptor R15 was consulted during the 2023–2024 Compliance Reporting period regarding a screen for the solar panels at the Namoi River water pump, following their installation. Receptor R15 stated that they did not require a vegetation screen, as the solar panels did not impact them. Evidence of this consultation, as well as confirmation that it was submitted to the Planning Secretary, was not provided.	NC4	Conduct additional documented consultation with the landowner of R15 regarding vegetation screening. Document the R15 landowners response. Maintain a record for inclusion in subsequent audits.	No
Condition C7 of Schedule 2	The Applicant must: (a) not commence operation until the OEMP is approved by the Planning Secretary; and (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).	A non-compliance was identified against Condition B53 of Schedule 3, which relates to the establishment of vegetation screening around each PPU. As Condition B53 is also a requirement of the OEMP, non-compliance with Condition B53 constitutes non-compliance with the OEMP and, consequently, this condition.	NC5	Ensure that the recommendations associated with the non-compliance identified under Condition B53 are implemented.	Yes
Condition C13 of Schedule 2	Independent auditing of the operation of the development must be carried out in accordance with the Independent Audit Post Approval Requirements (Department, 2020).	The first independent environmental audit was conducted by Integrated Environmental Management Australia on 17 October 2022 and covered construction as well as the first operational component. The PAR (2020) requires that ongoing independent audits are undertaken during the operation phase at intervals no greater than 3 years or as otherwise agreed by the Secretary. This audit report is in support of compliance of this requirement however, it was not undertaken within 3 years of the previous independent audit.	NC6	This condition cannot be rectified retrospectively. The Applicant should ensure that the next independent audit is carried out within three years of this audit.	Yes
Condition O4.7 of the EPL	A vegetation screen shall be planted around the perimeter of each Poultry Production Unit as follows: a) minimum total width of 40 metres; b) contain consistent, yet random plantings of a variety of tree and shrub species of differing growth habits, at a spacing of 4 metres to 7 metres; c) include species with long, thick and rough foliage;	As raised under Condition B53 of Schedule 2 of the Conditions of Consent, the vegetation screen remained not fully established.	NC7	Ensure that the recommendations associated with the non-compliance identified under Condition B53 of the Conditions of Consent are implemented.	Yes



	<p>d) achieve a porosity of 0.5 (50% of the screen will be air space);</p> <p>e) include species that are hardy and fast growing;</p> <p>f) foliage from base to crown (ie lower and upper storey vegetation).</p>				
Condition R1.5 of the EPL	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').	It was confirmed during the interview process that annual reports are signed electronically. Once signed, an email confirmation is received, which constitutes final submission. After reviewing the email during the interview process it was confirmed that the final submission of the 2025 Annual Report was on 13 October 2025, which is after the due date of 9 October 2025.	NC8	This condition cannot be rectified retrospectively. The Applicant should ensure that the next annual return is submitted no later than 60 days after the end of the reporting period.	No

4.5 Previous audit recommendations

The following recommendations, in response to non-compliances, have been noted in the previous independent audit report:

- NC REC 1: ProTen to implement the actions of the Show Cause Notice and any other requests from DPE relating to undertaking work outside of the approved activities (i.e. Borrow Pits 1 and 2).
- NC REC 2: Investigate the suitability of an internal compliance tracking system for Rushes Creek to track and manage requirements of approvals and improve record-keeping.
- NC REC 3: Update the SWMP to contain correct cross-references throughout the document.
- NC REC 4: Update the CEMP to include defined frequency for construction noise monitoring as no monitoring in this audit period occurred. This could be based on when construction activities are predicted to be at their most noisy, or at a more defined frequency. Liaise with the EPA on the optimal monitoring method to confirm construction noise levels.
- NC REC 5: Ensure all chemical containers (full or empty) are stored on or in bunds until they are taken off-site for disposal by a licenced waste company.
- NC REC 6: At the end of plantings or six months from the end of planting, engage an ecologist to inspect the vegetation screen as a record of completion of planting as well as to assess the vegetation screen against EPL condition O4.7.
- NC REC 7: Ensure the wheel wash is installed as soon as reasonably practicable to meet the timing requirements of the OEMP.
- NC REC 8: Future non-compliances should be reported as per conditions C9 and C10.
- NC REC 9: ProTen should liaise with DPE to determine if further Construction audits or Initial Operational audits are required for future stages of the Rushes Creek development (Stage 2), or whether the development is correct to proceed with Ongoing Operation audits (every 3 years, until Closure/Rehabilitation Phase). If Rushes Creek proceeds with Ongoing Operation frequency, the next IEA will be October 2025.

4.6 EMP, Sub-plans and compliance documents

The management plans were reviewed and considered adequate and having identified suitable controls for managing environmental impacts of the Project.

4.7 Environmental performance

This is the second independent site audit conducted for this Project. Table 4.3 outlines the status / progress towards closing out recommendations made towards non-compliances in the previous independent audit.

Table 4.3: Previous audit recommendations

Previous recommendations	Progress / status of recommendations	Status
NC REC 1: ProTen to implement the actions of the Show Cause Notice and any other requests from DPE relating to undertaking work outside of the approved activities (i.e. Borrow Pits 1 and 2).	<p>The Applicant indicated that no further operation of borrow pits was allowed until the DPE has approved utilisation of the Northern Burrow Pit into a Dam for water security and the South Burrow Pit to be returned to pasture.</p> <p>A Development Application to convert the Northern Burrow Pit to a storage dam was submitted to the Tamworth Regional Council and was approved on 28 August 2024. The Applicant indicated that this project is managed separately from SSD-7704 approval. Construction on the storage dam was ongoing at the time of the site inspection (Photo 2 in Appendix A).</p> <p>The Southern Burrow pit has been rehabilitated, as confirmed during the site inspection (Photo 19 in Appendix A).</p>	Ongoing until conversion of Northern Burrow Pit to a dam is completed.
NC REC 2: Investigate the suitability of an internal compliance tracking system for Rushes Creek to	A planner is maintained for all ProTen sites, including Rushes Creek Poultry Farm, which functions as a	Closed out



track and manage requirements of approvals and improve record-keeping.	risk management tracker. The planner is reviewed regularly to ensure compliance with key commitments such as audits and monitoring. Routine environmental inspections are recorded and tracked through the Lucidity program.	
NC REC 3: Update the SWMP to contain correct cross-references throughout the document.	The SWMP has been revised several times since this recommendation was made, with updates in March 2023, November 2023, December 2023 and May 2025. All cross-references have now been corrected.	Closed out
NC REC 4: Update the CEMP to include defined frequency for construction noise monitoring as no monitoring in this audit period occurred. This could be based on when construction activities are predicted to be at their most noisy, or at a more defined frequency. Liaise with the EPA on the optimal monitoring method to confirm construction noise levels.	From review of the Response to Auditor Recommendations (RAR) – 2022 Independent Environmental Audit document, the Applicant indicated that the condition does not require noise monitoring and that should a noise complaint be raised, a noise investigation (which could include noise monitoring) will be undertaken.	Closed out
NC REC 5: Ensure all chemical containers (full or empty) are stored on or in bunds until they are taken off-site for disposal by a licenced waste company.	Chemical containers observed onsite were stored within bunded areas and securely locked in the chemical store (Photo 14 of Appendix A). No issues were identified during the site inspection.	Closed out
NC REC 6: At the end of plantings or six months from the end of planting, engage an ecologist to inspect the vegetation screen as a record of completion of planting as well as to assess the vegetation screen against EPL condition O4.7.	ProTen engaged Leo DeGroot to undertake an inspection of the tree plantings and assess compliance with EPL Condition O4.7. Evidence of this engagement was provided via an email dated 30 October 2023.	Closed out
NC REC 7: Ensure the wheel wash is installed as soon as reasonably practicable to meet the timing requirements of the OEMP.	The wheel wash was confirmed to be installed during the site inspection (Photo 20 of Appendix A).	Closed out
NC REC 8: Future non-compliances should be reported as per conditions C9 and C10.	From review of the Response to Auditor Recommendations (RAR) – 2022 Independent Environmental Audit document, the Applicant committed to ensuring that all members of the project group and construction are aware of the Approval and EPL requirements via training and inclusion in contracts. One non-compliance was reported to the DPE (see Condition C10 of Appendix A), indicating that this recommendation has been successfully implemented.	Closed out
NC REC 9: ProTen should liaise with DPE to determine if further Construction audits or Initial Operational audits are required for future stages of the Rushes Creek development (Stage 2), or whether the development is correct to proceed with Ongoing Operation audits (every 3 years, until Closure/Rehabilitation Phase). If Rushes Creek proceeds with Ongoing Operation frequency, the next IEA will be October 2025.	It was confirmed with DPE that independent audits should be undertaken every 3 years during the operational phase.	Closed out

With reference to this independent audit, overall environmental performance was assessed and where poor or an area for improvement identified, a non-compliance or recommendation was given and an action was raised. Non-compliances and action items are discussed in section 5.

4.8 Consultation outcomes

At the time of drafting this audit report, the following responses have been received. Refer to Appendix C for records of the consultation.

Table 4.4: Pre-audit consultation outcomes

Stakeholder	Response	Audit reference
Development Assessment and Sustainability - Department of Planning, Housing and Infrastructure	<p>The Department requests that consultation be conducted with the NSW EPA and Tamworth Regional Council.</p> <p>The Department would also like a focus on the following:</p> <ul style="list-style-type: none"> • Compliance with reporting requirements. • Management of water structures. • Closing out of previous audit recommendations. Where an action has not been closed out, please provide details as to why and any recommendations to close this action out. Where actions have not been closed out, new dates must be set for closing them out. • Section 4.2.3 of the IA PAR requires exception reporting of all non-compliances. This should be presented in a table for clarity and I would like an additional column for this table to indicate if a non-compliance is a repeat non-compliance from the previous audit. 	<p>NSW EPA and Tamworth Regional Council were consulted as part of the independent audit. See responses in this table below.</p> <p>Compliance with reporting requirements were assessed as part of the independent audit. Refer to Appendix A – Independent audit table for the various assessments.</p> <p>The management of the stormwater management system was assessed as part of Condition B20 of the Conditions of Consent (refer to Appendix A – Independent audit table).</p> <p>Refer to Table 4.3 above for a review and status of previous recommendations made as part of the first independent audit report.</p> <p>Refer to Table 4.2 for a table with non-compliances. A column was added indicating whether the non-compliance is a repeat non-compliance from the previous audit.</p>
Tamworth Regional Council	Tamworth Regional Council was given 21 days to provide a response as part of the consultation process. No response was received.	
NSW EPA	<p>From memory the proponent has installed a couple of large dams in the last year or two. Not sure where these are up to but could consider if appropriate erosion and sed control have been applied, walls/ soil stockpiles appropriately stabilised/revegetated, rip rap for any discharge points etc.</p> <p>A 2022 EPA inspection revealed that there was not any provision for an overflow from the detention dam as well (dam directly north that wraps around Farm 2 that receives surface run-off). This may have been rectified now but might be worth confirming this.</p>	<p>Construction of the two dams is still in progress. The Contractor Site Manager confirmed that erosion and sediment (ErSed) controls have been installed in accordance with the design. However, the northern earth bund, which was constructed in place of the sediment fence along the northern and eastern sides of the spoil stockpiles, has been covered with spoil material. The Contractor has advised that the earth bund will be reinstated and will provide photographic evidence over the next few days. At the time of audit submission, no photos had been provided.</p> <p>The Applicant confirmed that discharges from the detention basin are currently managed manually via a pump, with notifications to the EPA made in accordance with discharge requirements, as no emergency spillway has yet been constructed. Plans for the emergency spillway are complete, and survey pegs are on site to mark its location. However, approval of the spillway forms part of Mod6, which has not yet been approved, so construction cannot commence at this stage. (see Photo 21 to Photo 24 under Appendix A).</p>

4.9 Complaints

A Complaints Register is available where information regarding complaints was recorded, including the relevant resolution. The register is available on the website. A summary of the complaints is below.

4.15 Improvement opportunities

No additional improvement opportunities, beyond the recommendations provided for the identified non-compliances, have been identified. The following recommendations in relation to non-compliances have been made:

- Condition A2 of Schedule 2 - The development may only be carried out in compliance with the conditions of this consent.
 - Ensure that the recommendations associated with each non-compliance identified in this audit report are implemented.
- Condition A39 of Schedule 2 - The Applicant must provide a copy of the documentation given to the Certifier under condition A38 to the Planning Secretary within seven days after the Certifier accepts it.
 - While this condition cannot be rectified retrospectively, it is still recommended that the required information be submitted to the Planning Secretary.
- Condition B53 of Schedule 2 - The Applicant must establish a vegetation screen around the perimeter of each PPU a minimum width of 40 metres prior to the commencement of operation and maintain the vegetation screens on the site for the life of the development.
 - Replanting failed trees with appropriate native species as originally specified.
 - Applying mulch and other establishment measures to support tree survival and growth.
 - Develop a monitoring and maintenance program to ensure successful establishment, including irrigation, replacement of any failed plantings, and regular inspections until the screen is fully established.
 - Documentation and reporting of all replanting and maintenance activities, including photographic evidence, to demonstrate compliance with Condition B53(a).
- Condition B54A of Schedule 2 – The Applicant must conduct additional documented consultation with the landowner of Sensitive receiver R15 regarding vegetation screening. Document the R15 landowners response. Maintain a record for inclusion in subsequent audits.
- Condition C7 of Schedule 2 - The Applicant must operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).
 - Ensure that the recommendations associated with the non-compliance identified under Condition B53 are implemented.
- Condition C13 of Schedule 2 - Independent auditing of the operation of the development must be carried out in accordance with the Independent Audit Post Approval Requirements (Department, 2020).
 - This condition cannot be rectified retrospectively. The Applicant should ensure that the next independent audit is carried out within three years of this audit.
- Condition O4.7 of the EPL - A vegetation screen shall be planted around the perimeter of each Poultry Production Unit.
 - Ensure that the recommendations associated with the non-compliance identified under Condition B53 of the Conditions of Consent are implemented.
- Condition R1.5 of the EPL - 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').
 - This condition cannot be rectified retrospectively. The Applicant should ensure that the next annual return is submitted no later than 60 days after the end of the reporting period.

4.16 Key strengths

Overall, the project environmental performance is in compliance with Development Conditions of Consent SSD 7704, and Post-approval requirements and met with the following key strengths noted:

- Management plans as required by the Conditions of Consent have been developed as per the requirements.
- Complaints have been recorded and responded to appropriately.
- Waste segregation is in place.
- Sensitive areas such as the heritage sites are fenced off.
- Activities to address the non-compliances identified in relation to the unauthorised burrow pits are ongoing. The Southern Burrow Pit has been rehabilitated, while construction to convert the Northern Burrow Pit into a storage dam is still in progress.

- The site is well maintained overall, including the grassed swale drains and access roads.

5. Recommendations

5.1 Non-compliances

The following non-compliances have been noted (also refer to Section 4.4 above):

Condition A2 of Schedule 2 requires that the development be carried out in compliance with the conditions of this consent, among other requirements. Non-compliances with the conditions of this consent were identified during the audit. Accordingly, a non-compliant finding has been raised in relation to this condition, as the development has not been carried out in accordance with the consent requirements.

Condition A39 of Schedule 2 requires the Applicant must provide a copy of the documentation given to the Certifier under condition A38 to the Planning Secretary within seven days after the Certifier accepts it. No evidence was provided to demonstrate that the documentation submitted to the Certifier for sheds 13 – 18 was also provided to the Planning Secretary and therefore a non-compliance is raised.

Condition B53 of Schedule 2 requires the Applicant must establish a vegetation screen around the perimeter of each PPU a minimum width of 40 metres prior to the commencement of operation and maintain the vegetation screens on the site for the life of the development. The establishment of the vegetation screen required under Condition B53(a) was previously identified as a non-compliance during the first independent audit, which is outside the current audit period. However, during the site inspection undertaken on 14 January 2026, the vegetation screen remained not fully established. At the time of the inspection, the vegetation screen did not completely surround the Farm 2 sheds to form a full perimeter of the PPU, and therefore the intent of Condition B53 had not been met.

Condition B54A of Schedule 2 requires that prior to the commencement of installation of the solar arrays at the Namoi River water pump, the Applicant must offer further vegetation screening to the landowner of sensitive receiver R15, as identified in Appendix 1, Figure 2 of this consent. Evidence of this consultation must be provided to the Planning Secretary prior to the commencement of installation of the solar arrays at the Namoi River water pump. If further screening is requested, the Applicant must seek the views of the landowner on the species, extent and location of the screening required. A non-compliance was identified against Condition B54A due to the consultation conducted with the landowner of R15 being verbal only, therefore evidence was not collected or provided to the Planning Secretary.

Condition C7 of Schedule 2 requires the Applicant must operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time). A non-compliance was identified against Condition B53 of Schedule 3, which relates to the establishment of vegetation screening around each PPU. As Condition B53 is also a requirement of the OEMP, non-compliance with Condition B53 constitutes non-compliance with the OEMP and, consequently, this condition.

Condition C13 of Schedule 2 requires that independent auditing of the operation of the development must be carried out in accordance with the Independent Audit Post Approval Requirements (Department, 2020). The first independent environmental audit was conducted by Integrated Environmental Management Australia on 17 October 2022 and covered construction as well as the first operational component. The PAR (2020) requires that ongoing independent audits are undertaken during the operation phase at intervals no greater than 3 years or as otherwise agreed by the Secretary. This audit report is in support of compliance of this requirement however, it was not undertaken within 3 years of the previous independent audit.

Condition O4.7 of the EPL requires that a vegetation screen shall be planted around the perimeter of each Poultry Production Unit. As raised under Condition B53 of Schedule 2 of the Conditions of Consent, the vegetation screen remained not fully established.

Condition R1.5 of the EPL requires that 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'). It was confirmed

during the interview process that annual reports are signed electronically. Once signed, an email confirmation is received, which constitutes final submission. After reviewing the email during the interview process it was confirmed that the final submission of the 2025 Annual Report was on 13 October 2025, which is after the due date of 9 October 2025.

5.2 Opportunities for improvement

The following opportunities for improvement, associated with the non-compliance raised above, have been identified:

Condition A2 of Schedule 2 - Ensure that the recommendations associated with each non-compliance identified in this audit report are implemented.

Condition A39 of Schedule 2 - While this condition cannot be rectified retrospectively, it is still recommended that the required information be submitted to the Planning Secretary.

Condition B53 of Schedule 2

- Replanting failed trees with appropriate native species as originally specified.
- Applying mulch and other establishment measures to support tree survival and growth.
- Develop a monitoring and maintenance program to ensure successful establishment, including irrigation, replacement of any failed plantings, and regular inspections until the screen is fully established.
- Documentation and reporting of all replanting and maintenance activities, including photographic evidence, to demonstrate compliance with Condition B53(a).

Condition B54A of Schedule 2 - While this condition cannot be rectified retrospectively, it is recommended that the Applicant conduct additional documented consultation with the landowner of Sensitive receiver R15 regarding vegetation screening. Document the R15 landowners' response. Maintain a record for inclusion in subsequent audits.

Condition C7 of Schedule 2 - Ensure that the recommendations associated with the non-compliance identified under Condition B53 are implemented.

Condition C13 of Schedule 2 - This condition cannot be rectified retrospectively. The Applicant should ensure that the next independent audit is carried out within three years of this audit.

Condition O4.7 of the EPL - Ensure that the recommendations associated with the non-compliance identified under Condition B53 of the Conditions of Consent are implemented.

Condition R1.5 of the EPL - This condition cannot be rectified retrospectively. The Applicant should ensure that the next annual return is submitted no later than 60 days after the end of the reporting period.

6. Conclusion

Rushes Creek Poultry Farm achieved a score of 96.43% compliance for the Conditions of Consent and the EPL in the Moss Environmental auditing system which is based on the Independent Audit Post Approval Requirements (2020) and the Moss Environmental Standard Operating Procedure-Independent Auditing for State Significant Projects.

The audit resulted in:

- 8 non-compliances.
- 8 action items (for non-compliances) to be assessed during the next audit.

7. Appendices

7.1 APPENDIX A – INDEPENDENT AUDIT TABLE

Table 7.1: Independent audit table (Consolidated Consent)

Condition of Consent	Requirements	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Unique Identification on Non-compliance
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.		<p>Material harm is defined in the Consolidated Consent as:</p> <p><i>Material harm is harm that:</i></p> <ul style="list-style-type: none"> involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or 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). <p>The Auditor is satisfied that the Applicant has implemented reasonable and feasible measures to prevent material harm to the environment.</p>	Compliant	
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 Modification Assessments; (e) in accordance with the Development Layout in Appendix 1; and (f) in accordance with the management and mitigation measures in Appendix 2.		<p>Non-compliances with the conditions of this consent were identified during the audit. As a result, a non-compliant finding has been raised in relation to this condition, as the development has not been carried out in accordance with the consent requirements.</p> <p>Recommended action: Ensure that the recommendations associated with each non-compliance identified in this audit report are implemented.</p>	Non-compliant	NC1
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).		This condition is noted.	Compliant	
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) A2(d) and A2(f). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), A2(d) and A2(f), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.		This condition is noted.	Compliant	
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.	Rushes Creek Poultry Farm Development Independent Environmental Audit 2022 dated January 2023 from Integrated Environmental Management Australia assessing compliance with construction related conditions of the Conditions of Consent.	Construction commenced on 30 September 2021, with the Project entering the operational phase on 23 September 2022. This consent is therefore valid and has not lapsed.	Not triggered	
Farm Operations					
A20	The Applicant must ensure: (a) the development does not exceed a maximum population of 3,051,000 broilers at any one time; (b) the stocking densities of the development comply at all times with the RSPCA Standards (2013) specification for maximum stocking density of 34 kilograms per square metre; (c) the development is not populated with 3,051,000 broilers simultaneously at the commencement of each production cycle; (d) the maximum bird density within a shed, expressed as live bird weight, must not exceed 34 kilograms per square metre at any time; (e) the maximum number of sheds to be populated per day is a maximum of 12 sheds.	Stocking records for period 2022 – 2025 from ProTen Tamworth providing stocking rates.	<p>a) and c) A review of the stocking records provided indicates that the number of birds placed on the farm between 2022 and 2025 ranged between 759,349 and 967,255 at any given time. On this basis, a compliant finding is recorded in relation to the maximum broiler population at any given time.</p> <p>b) and d) A review of the stocking records provided indicates that the stocking densities between 2022 and 2025 ranged between 30.75 and 32.97. On this basis, a compliant finding is recorded in relation to the stocking densities.</p> <p>e) Review of stocking records indicate that no more than 12 sheds are populated per day.</p>	Compliant	

Farm Manager Accommodation																							
A21	The residential dwellings for farm manager's accommodation as described in the EIS are only to be occupied by persons employed by the Applicant, their partner and dependants in conjunction with the operation of a poultry farm for the operational life of the development and shall not be occupied or let for any other purpose.	<p>ProTen Residential Tenancy Agreement – on Farm dated 04 September 2025 detailing person/s occupying the farm manager accommodation.</p> <p>ProTen Residential Tenancy Agreement (undated) detailing person/s occupying the farm manager accommodation.</p> <p>ProTen Residential Tenancy Agreement (reference number PRT-F-FIN-010) (undated) detailing person/s occupying the farm manager accommodation.</p>	<p>Tenancy agreements were provided for the following employees, confirming that the farm manager's accommodation has been occupied by persons employed by the Applicant:</p> <ul style="list-style-type: none"> • Mark Livingston • Nicholas Havet • Jae St Leon. 	Compliant																			
A22	<p>Concurrent construction and operation of Stage 1 (Farm 2) of the development is permitted but is limited to a maximum period of 10 months and must be carried out in accordance with the timetable detailed in Table A below, unless otherwise agreed with the Planning Secretary.</p> <p>Table A: Farm 2 Concurrent Construction and Operation Timetable</p> <table border="1"> <thead> <tr> <th>Sub-Stage</th> <th>Construction Activities</th> <th>Operational Activities</th> </tr> </thead> <tbody> <tr> <td>1A</td> <td>Earthworks, northern site access road and internal roads</td> <td>None</td> </tr> <tr> <td>1B</td> <td>Sheds 1 – 8 and ancillary infrastructure</td> <td>None</td> </tr> <tr> <td>1C</td> <td>Sheds 9 – 12</td> <td>Sheds 1 – 8</td> </tr> <tr> <td>1D</td> <td>Sheds 13 – 16</td> <td>Sheds 1 – 12</td> </tr> <tr> <td>1E</td> <td>Sheds 17 - 18</td> <td>Sheds 1 – 16</td> </tr> </tbody> </table>	Sub-Stage	Construction Activities	Operational Activities	1A	Earthworks, northern site access road and internal roads	None	1B	Sheds 1 – 8 and ancillary infrastructure	None	1C	Sheds 9 – 12	Sheds 1 – 8	1D	Sheds 13 – 16	Sheds 1 – 12	1E	Sheds 17 - 18	Sheds 1 – 16	<p>Rushes Creek Poultry Farm Development Independent Environmental Audit 2022 dated January 2023 from Integrated Environmental Management Australia assessing compliance with construction related conditions of the Conditions of Consent.</p> <p>Stocking records for period 2022 – 2025 from ProTen Tamworth providing stocking rates.</p>	<p>As per the first independent audit, "Project is currently in Stage 1C (based on site discussions this commenced on 23 September 2022). It is proposed that on 25 November 2022 Proten will move into Stage 1D. Farm 2 has 18 sheds being constructed or already constructed. Sheds 1 - 8 are occupied with chickens, with operational activities beginning 23 September 2022 at sheds 6-8, 26 September 2022 at sheds 1 and 5, and 27 September 2022 at sheds 2-4 (based on Weekly Supplier report spreadsheet). Sheds 9 to 18 are at various stages of construction. At the time of the site inspection, pads were being prepared for sheds 13 and 18. Because sheds 1-8 became operational on 23 September 2022, ProTen have until 23 July 2023 to finish construction of remaining sheds at Farm 2. This condition is compliant within this IEA period."</p> <p>From review of the stocking records, all sheds were stocked in March 2023 thereby confirming that constructing of all sheds was completed before the 23 July 2023 deadline.</p>	Compliant	
Sub-Stage	Construction Activities	Operational Activities																					
1A	Earthworks, northern site access road and internal roads	None																					
1B	Sheds 1 – 8 and ancillary infrastructure	None																					
1C	Sheds 9 – 12	Sheds 1 – 8																					
1D	Sheds 13 – 16	Sheds 1 – 12																					
1E	Sheds 17 - 18	Sheds 1 – 16																					
Use of Emergency Backup Diesel Generators																							
A22B	<p>The use of emergency backup diesel generators as the primary operational power supply for Stage 1 (Farm 2) of the development permitted but is limited to a maximum period of 21 months and subject to the following restrictions:</p> <p>(a) the 21 month period commencing from the date of the commencement of operation of the first sub-stage of the development, being poultry sheds 1 – 8 (Sub-Stage 1C, as described in Table A in Condition A22A), notified to the Department under condition A23 of the consent</p> <p>(b) no more than two 440 kVA emergency backup diesel generators at Farm 2 and one 45 kVA emergency backup diesel generator at the Namoi River water supply pump operating at any one time during the 21 month period</p> <p>(c) any diesel generator that operates for a period of more than 200 hours or more per year must comply with the nitrogen oxide emission limits specified in Schedule 4 of the Protection of the Environment Operations (Clean Air) Regulation 2021.</p>	<p>Certificate of Electrical Compliance HV dated 14 June 2024 from Essential Energy enabling connection and operation prior to fully energising and putting plant into service.</p> <p>Generators Check spreadsheet from Baiada showing generator usage.</p> <p>SCR Maintenance Report dated 09 October 2023 from ECI Australia.</p> <p>Equipment service reports (various) from Generator Power (Australia) Pty Ltd.</p>	<p>a) Sub-Stage 1C commenced on 23 September 2022. Accordingly, this condition permitted the use of emergency backup diesel generators as the primary operational power supply until 23 June 2024. The reticulated electricity supply was commissioned on 11 April 2024, with the Certificate of Compliance from Essential Energy finalised on 14 June 2024.</p> <p>b) Review of the Generator Check spreadsheet confirmed that two generators were used as backup generators at the Farm: Generator 3 (Backup 1), located at the bottom of the sheds, and Generator 4 (Backup 2). From review of maintenance reports the use of the 45 kVA generator was also confirmed.</p> <p>c) The Applicant advised that NO_x scrubbers are fitted to the generators. The generators are also equipped with real-time NO_x monitoring devices (Photo 1), which alert the Site Manager and Main PC if NO_x concentrations exceed prescribed limits. In accordance with Schedule 4 of the Protection of the Environment Operations (Clean Air) Regulation 2021, the standard concentration limit for NO_x is 450 mg/m³. Review of a grab sample of NO_x monitoring records identified no exceedances of this limit.</p>	Compliant																			
A22C	<p>In the event an alternate primary operational power supply is not commissioned by the end of the 21 month period specified in condition A22B(a), the Applicant must completely destock all poultry sheds prior to the conclusion of the 21 month period and not place another batch of broilers in any shed at the development until one of the following has been satisfied:</p> <p>(a) the originally planned reticulated electricity power supply via the extension of Essential Energy's overhead infrastructure from Manilla to the development site has been installed and commissioned, or</p> <p>(b) an alternate primary operational power supply (such as an off-grid solar/battery system) has been approved, installed and commissioned to the satisfaction of the Planning Secretary.</p> <p>Note: Condition A22C(b) does not preclude the requirement for the Applicant to seek the appropriate approvals/consent for any alternate primary operational power supply for the development.</p>		<p>Refer to the discussion under Condition A22B above. The alternate primary power supply was commissioned on 14 June 2024, prior to the expiry of the 21-month period. Accordingly, this condition was not triggered.</p>	Not triggered																			
A22D	<p>Notwithstanding condition A22B above, in the event the reticulated electricity power supply via the extension of Essential Energy's overhead infrastructure from Manilla to the development site has been installed and commissioned prior to the conclusion of the 21 month period, the Applicant must connect to the reticulated electricity supply as soon as practicable following the commissioning of this infrastructure.</p>		<p>The connection to the reticulated electricity supply was completed on 14 June 2024, just nine days prior to the expiry of the 21-month period.</p>	Compliant																			

A22E	The Applicant must ensure the flooring of all poultry sheds is constructed using an impermeable material in accordance with the Department of Primary Industry's Best Practice Management for Meat Chicken Production in NSW (2012), being limited to either concrete or a cement treated base with an asphalt overlay top coated with a polymer sealant, as described in the report prepared by Agribiz dated 12 April 2023, Appendix D of the Modification Report for SSD-7704-Mod-4.	Rushes Creek Poultry Farm Modification Report, Modification 4, SSD 7704 dated May 2023 from SLR Consulting Australia Pty Ltd requesting an alternate shed flooring design. Construction Certificate 21038A/01 dated 01 November 2011 from Hunter Building Certifications certifying the piers and concrete slabs were completed in accordance with the plans.	As part of Modification 4, the Applicant sought approval to rectify non-compliances relating to the poultry shed flooring and to adopt an alternative shed floor construction design. The proposed design comprised a cement treated base (CTB) with an asphalt layer and polymer seal, in lieu of a concrete floor. Modification 4 has since been approved by the Department. The poultry shed floors have been constructed in accordance with the approved alternative design, consisting of a polymer-sealed asphalt surface over a cement treated aggregate base. Construction Certificate 21038A/01 confirms that the construction of piers and slabs was undertaken in accordance with the approved designs.	Compliant	
NOTIFICATION OF COMMENCEMENT					
A23	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: (a) construction; (b) operation; (c) cessation of operations.		Both the commencement of construction and the commencement of operation occurred prior to the current audit period, with compliance for these stages addressed as part of the first independent audit. The Project remains in the operational phase; therefore, the requirement to notify the Department of cessation of activities is not triggered.	Not triggered	
A24	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.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered	
Concurrent Construction and Operation of Stage 1 (Farm 2)					
A24A	Prior to the commencement of operation of Sub-Stages 1C, 1D and 1E (as described in condition A22A), the Applicant must notify the Planning Secretary of the commencement date of the relevant sub-stage, in accordance with condition A24, and provide a report on the progress of the proposed alternate primary operational power supply arrangements for the development to the satisfaction of the Planning Secretary.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered	
A24B	The Applicant must not commence operation of Sub-Stages 1C, 1D or 1E until the Planning Secretary has advised in writing it has approved the alternate primary operational power supply progress report submitted prior to the commencement of each relevant sub-stage, as required by condition A24A.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered	
EVIDENCE OF CONSULTATION					
A25	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.	All Management Plans, letters and emails provided.	Consultation undertaken in accordance with the requirements of the condition, as evidenced in applicable conditions.	Compliant	
STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS					
A26	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).	All Management Plans, letters and emails provided.	Evidence was provided of regular updates of various management plans, programs and strategies throughout the construction and operation phase of the Project. This ensured that the plans are up to date with current activities and potential risks to the environment.	Compliant	
A27	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.		No such agreement has been provided by the Planning Secretary to date therefore, this condition is not triggered.	Not triggered	
A28	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.	All Management Plans, letters and emails provided.	Where updates to management plans have been made, approval from the Planning Secretary has been sought. Approvals of management plans have been reviewed and addressed throughout this audit report where required.	Compliant	
PROTECTION OF PUBLIC INFRASTRUCTURE					
A29	Before the commencement of construction, the Applicant must:		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered	

	(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;				
A30	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.		Based on document review and site inspection, no evidence of damage to, or repair of, public infrastructure was identified. Accordingly, this condition is not triggered.	Not triggered	
DEMOLITION					
A31	All demolition must be carried out in accordance with Australian Standard AS 2601-2001 The Demolition of Structures (Standards Australia, 2001).		Demolition occurred prior to the current audit period, with compliance addressed under the first independent audit. No demolition activities were undertaken during this audit period and therefore, this condition is not triggered.	Not triggered	
STRUCTURAL ADEQUACY					
A32	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.	Rushes Creek Poultry Farm Development Independent Environmental Audit 2022 dated January 2023 from Integrated Environmental Management Australia assessing compliance with construction related conditions of the Conditions of Consent. Occupation Certificate 21038C/04 dated 05 September 2023 from Hunter Building Certifications certifying the construction of Sheds 13, 14 and 18 in accordance with the requirements of the BCA. Occupation Certificate 21038C/03 dated 05 September 2023 from Hunter Building Certifications certifying the construction of Sheds 15-17 in accordance with the requirements of the BCA. Final Occupation Certificate 21038E/01 (Residential) dated 26 August 2025 from Hunter Building Certifications certifying the construction of the single storey dwelling in accordance with the requirements of the BCA.	This condition has been assessed for Sheds 1 – 12 as part of the first independent audit and was found to be compliant. Sheds 13 – 18 have since been constructed and occupation certificates confirming that such were constructed in accordance with the requirements of the BCA were provided. A Final Occupation Certificate was also provided for the additional dwelling.	Compliant	
SUBDIVISION					
A33	Prior to the issue of a Subdivision Certificate, detailed work-as-executed drawings shall be prepared and signed by a Registered Surveyor, which show the finished surface levels of the access road, internal roads, drainage and any areas of fill, carried out under this consent. The work-as-executed drawing must be submitted to the certifier and Council prior to the issue of a Subdivision Certificate.		No subdivision certificate has been issued within the audit period. These conditions are therefore not triggered.	Not triggered	
A34	Prior to the issue of a Subdivision Certificate, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements, have been lodged for registration or registered at the Land Registry Services.			Not triggered	
A35	Prior to the issue of a Subdivision Certificate, a certificate from an electricity and telecommunications provider must be submitted to the Certifier certifying that satisfactory service arrangements to the site have been established.			Not triggered	
A36	The Applicant is required to undertake the subdivision to ensure that each farm and the associated manager's accommodation are wholly contained within its own allotment. Evidence of lodgement with the Land Titles Office is to be submitted to the Certifier prior to the issue of any Occupation Certificate for the development.			Not triggered	
EXTERNAL WALLS AND CLADDING FLAMMABILITY					
A37	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.		Refer to discussion under Condition A32 above.	Compliant	
A38	Prior to 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		This condition has been assessed for Sheds 1 – 12 as part of the first independent audit and was found to be compliant.	Compliant	

	(b) an Occupation Certificate, the Applicant must provide the Certifying Authority 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.		Refer to Condition A32 above. Sheds 13 – 18 have since been constructed and occupation certificates confirming that such were constructed in accordance with the requirements of the BCA were provided.		
A39	The Applicant must provide a copy of the documentation given to the Certifier under condition A38 to the Planning Secretary within seven days after the Certifier accepts it.		<p>This condition has been assessed for Sheds 1 – 12 as part of the first independent audit and was found to be compliant.</p> <p>No evidence was provided to demonstrate that the documentation submitted to the Certifier for sheds 13 – 18 was also provided to the Planning Secretary and therefore a non-compliance is raised.</p> <p>Recommended action: While this condition cannot be rectified retrospectively, it is still recommended that the required information be submitted to the Planning Secretary.</p>	Non-compliant	NC2
COMPLIANCE					
A40	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.	<p>Contractor Induction Program from ProTen outlining requirements for contractors.</p> <p>New Employee Induction Handbook (PRT-P&P-HR-023) dated 11 March 2025 from ProTen outlining induction requirements for new employees.</p> <p>Toolbox talks dated 01 February 2024 and 19 December 2025.</p>	<p>All contractors visiting the Project are required to complete induction training via the Online Induct system. The induction covers key topics relevant to the conditions of this consent.</p> <p>All new employees are provided with a New Employee Induction Handbook. Section 9 of the Handbook outlines the key environmental risks associated with the Project and references the environmental management plans that have been developed to manage these risks.</p> <p>Toolbox talks are managed through the Online Lucidity system. Two examples of completed toolbox talks were provided to the Auditors.</p>	Compliant	
CONTRIBUTIONS TO COUNCIL					
A41	<p>Before the issue of a construction certificate for any part of the development, a contribution under section 7.12 of the EP&A Act of \$579,580.00 (adjusted on a quarterly basis (from the date of this consent), to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)), must be paid to Council in accordance with the Tamworth Regional Council Section 7.12 (formerly S94A) Development Contributions Plan 2013 to cater for the increased demand to community infrastructure. The amount payable to Council may be varied, subject to the approval of Council in writing.</p> <p>Note: The Tamworth Regional Council Section 7.12 (formerly 94A) Development Contributions Plan may be viewed at www.tamworth.nsw.gov.au or a copy may be inspected at Council's Administration Centre during normal business hours</p>		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered	
OPERATION OF PLANT AND EQUIPMENT					
A42	<p>All plant and equipment used on site, or to monitor the performance of the development, must be:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	<p>Various Batch Verification Schedules from Baiada confirming that inspections are undertaken.</p> <p>Pre-Start Checklist dated 24 December 2025 from ProTen for RTV.</p> <p>Pre-Start Checklist dated 01 October 2025 from ProTen for Tractor.</p>	<p>Pre-start checks and inspection records are maintained through the online Lucidity system. Any issues identified are either rectified immediately or managed for repair and maintenance by the Farm Manager. The Farm Manager raises purchase orders, which are tracked as planned or unplanned items within the maintenance budget and reviewed monthly by Regional Management.</p> <p>Examples of pre-start checklists and batch verification schedules were provided to the Auditors.</p> <p>No evidence of plant or equipment being operated in an improper or inefficient manner was observed during the site inspection.</p>	Compliant	
UTILITIES AND SERVICES					
A43	Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Certificate of Electrical Compliance HV dated 14 June 2024 from Essential Energy enabling connection and operation prior to fully energising and putting plant into service.	<p>Compliance with this condition relating to the construction of fire safety systems (hydrants), gas, and electrical equipment across the Project was assessed as part of the first independent audit.</p> <p>In addition to the observations made during the first independent audit, the reticulated electricity supply was commissioned on 11 April 2024, with the Certificate of Compliance from Essential Energy finalised on 14 June 2024 (refer to Condition A22B above).</p>	Compliant	
WORKS AS EXECUTED PLANS					
A44	Before the issue of the relevant 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.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered	

APPLICABILITY OF GUIDELINES					
A45	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.		This condition is noted.	Compliant	
A46	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.		This condition is noted.	Compliant	
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.		A Development Application to convert the Northern Burrow Pit to a storage dam was submitted to the Tamworth Regional Council and was approved on 28 August 2024. The Applicant indicated that this project is managed separately from SSD-7704 approval. Construction of the storage dam is ongoing (Photo 2). No other unlawful activities were noted during the site inspection.	Compliant	
Schedule 2 – Part B: Environmental Conditions					
AIR QUALITY					
Meteorological Monitoring					
B1	Prior to the commencement of any works on the site, and for the life of the development, the Applicant must ensure that there is a suitable meteorological station operating on the site that: (a) complies with the requirements in the latest version of EPA's Approved Methods for Sampling of Air Pollutants in New South Wales (DEC, 2007) (as may be updated or replaced from time to time); and (b) is capable of continuous real-time measurement of the following parameters: air temperature, wind direction, wind speed, solar radiation, rainfall and relative humidity and any other requirements specified in the EPL.	Installation Report dated 07 December 2025 from Environdata Weather Stations Pty Ltd providing confirmation that a new meteorological station has been installed. Meteorological data sheet with data from October 2022 to December 2025. Show Cause Letter dated 04 December 2024 from EPA. Response Letter to Show Cause Letter dated 09 December 2024 from ProTen. Letter dated 07 February 2025 from EPA indicating that no regulatory action would be taken in relation to the incident.	Review of the meteorological data sheet confirmed that all parameters required by the EPL are being collected. A Show Cause Notice (Reference: REG-5693, Letter ID: 3510885) was issued on 4 December 2024 following a self-report submitted to the EPA on 14 October 2024. The report identified that the weather monitoring station at the premises was non-operational between 23 July 2024 and 4 October 2024. This outage, which went undetected for over 10 weeks, constituted a breach of the continuous monitoring requirements. ProTen provided a formal response on 9 December 2024, outlining proposed corrective actions. The response included engagement with Environdata to assess the feasibility and benefits of a full replacement of the weather station. Proposed upgrades were to include technical support and automated alert notifications to designated ProTen personnel. As of the response date, no final decision regarding replacement had been confirmed. A Letter of Determination was subsequently received from the EPA on 7 February 2025, indicating that no regulatory action would be taken in relation to the incident. Subsequent outages were recorded on 22 March 2025, 29 April 2025, 7 July 2025, 19 July 2025, and 4 August 2025. All incidents have been formally communicated to the EPA via email. Capital expenditure approval was obtained for the procurement and installation of a new weather monitoring station, which was installed on 10 December 2025, ensuring compliance with the requirements of this condition (Photo 3).	Compliant	
Dust Minimisation					
B2	The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.		The Applicant confirmed that, although the Farm regularly experiences rain that keeps roads wet, a water cart is available if roads become dry (Photo 4). No dust-related concerns were observed during the site inspection.	Compliant	
B3	During construction, the Applicant must ensure that: (a) exposed surfaces and stockpiles are suppressed by regular watering; (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 activities occurred at the start of the audit period. However, construction is now complete, and no construction activities relevant to this Condition of Consent are currently underway. Therefore, compliance could not be verified during the site inspection. Accordingly, this condition is not triggered.	Not triggered	
Air Quality Management Plan					
B4	Prior to the commencement of operation, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by condition C5. The AQMP must: (a) be prepared by a suitably qualified and experienced person(s) in consultation with EPA; (b) detail and rank all emissions from all sources of the development, including particulate emissions;	Air Quality Management Plan – Ruses Creek Poultry Production Farm dated 05 September 2024 from Astute Environmental Consulting. Letter (reference: SSD-7704-PA-89) dated 29 May 2025 from DPHI	The submission of the AQMP prior to the commencement of operation was covered as part of the first independent audit. An updated AQMP was submitted to the Department as part of the revised OEMP, which was approved by DPHI on 17 September 2024. Condition B4(f) requires the implementation of the odour monitoring program. Odour monitoring records were provided for April 2023, October 2023, February 2024, October 2024, and February 2025. Specific target	Compliant	

	<p>(c) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators;</p> <p>(d) identify the control measures that that will be implemented for each emission source;</p> <p>(e) nominate the following for each of the proposed controls:</p> <p>(i) key performance indicator;</p> <p>(ii) monitoring method;</p> <p>(iii) location, frequency and duration of monitoring;</p> <p>(iv) record keeping;</p> <p>(v) complaints register;</p> <p>(vi) response procedures; and</p> <p>(vii) compliance monitoring.</p> <p>(f) include an odour monitoring program which must:</p> <p>(i) be carried out by a suitably qualified and experienced person(s) approved in writing by the EPA;</p> <p>(ii) be carried out at least once per production cycle during the following periods, under odour enhancing meteorological and stocking conditions:</p> <p>a. 1 February – 30 May inclusive; and</p> <p>b. 1 September – 30 November;</p> <p>(iii) target times that present an increased risk of odour emissions that might impact surrounding sensitive receptors (i.e. periods of peak stocking density in the sheds on the farm, and periods when receptors are most likely to be home) and when meteorological conditions are most likely to transport odour emissions towards receptor locations; and</p> <p>(iv) be implemented for a period of at least two years from the commencement of operation, or as otherwise agreed to by the Planning Secretary.</p>	<p>confirming that the existing Stage 1 operations are compliant with s.129 of the Protection of the Environment Operations Act 1997 (POEO Act). As such, the OMP for Stage 1 of the development (Farm 2) could cease, pursuant to Condition B5(c) of the consent.</p> <p>Rushes Creek Odour Surveys – April 2023 dated 26 April 2023 from Astute Environmental Consulting.</p> <p>Rushes Creek Odour Surveys – February 2024 dated 23 February 2024 from Astute Environmental Consulting.</p> <p>Rushes Creek Odour Surveys – February 2025 dated 06 March 2025 from Astute Environmental Consulting.</p> <p>Rushes Creek Odour Surveys – October 2023 dated 26 October 2023 from Astute Environmental Consulting.</p> <p>Rushes Creek Odour Surveys – October 2024 dated 28 October 2024 from Astute Environmental Consulting.</p> <p>Email from EPA dated 15 September 2022 from EPA accepting Astute Environmental as suitably qualified to undertake odour monitoring.</p>	<p>times are detailed in the monitoring reports. Survey periods were scheduled to align with existing workloads and to be conducted in the lead-up to the first thinning (i.e., near peak density). Astute Environmental was approved as suitably qualified to undertake the odour monitoring by the EPA in an email dated 15 September 2022.</p> <p>On 29 May 2025, DPHI confirmed that the existing Stage 1 operations are compliant with Section 129 of the Protection of the Environment Operations Act 1997 (POEO Act). Accordingly, approval was granted to cease the Odour Monitoring Program for Stage 1 of the development (Farm 2), pursuant to Condition B5(c) of the consent.</p>		
B5	<p>The Applicant must:</p> <p>(a) not commence operation until the Air Quality Management Plan required by condition B4 is approved by the Planning Secretary;</p> <p>(b) implement the most recent version of the Air Quality Management Plan approved by the Planning Secretary for the duration of the development; and</p> <p>(c) not cease the Odour Monitoring Program required by condition B4(f) without the approval of the Planning Secretary.</p> <p>Note: The odour monitoring program will be reviewed by the EPA at the completion of two years. At the completion of the review, the EPA will determine if it is appropriate for the program to continue, cease or if additional odour mitigation measures are required at the premises.</p>		<p>The submission of the AQMP prior to the commencement of operations was assessed as part of the first independent audit.</p> <p>Overall, it was noted that the latest AQMP, as approved by the Planning Secretary, is being implemented. Key observations include:</p> <ul style="list-style-type: none"> Implementation of speed limits below 60 km/h across the Project (Photo 5). Maintenance of internal roads (Photo 6). Generators housed within acoustic enclosures (Photo 7). Noise validation monitoring results confirmed these acoustic enclosures are effective. No stockpiling of litter and prompt removal of any waste. <p>With reference to Condition B5c, refer to discussion under Condition B4 above.</p>	Compliant	
B6	<p>The results of the Odour Monitoring Program required by condition B4 must be submitted to the EPA within two weeks of the carrying out of each odour survey.</p>	<p>Email dated 27 October 2023 from EPA confirming receipt of the report.</p> <p>Email dated 19 March 2024 from EPA confirming receipt of the report.</p> <p>Email dated 04 November 2024 from EPA confirming receipt of the report.</p> <p>Email dated 10 March 2025 from EPA confirming receipt of the report.</p>	<p>Submissions of odour monitoring results have been reviewed as follows:</p> <ul style="list-style-type: none"> April 2023 monitoring report – Survey dates were 16 April – 18 April 2023. The report was submitted to the EPA on 2 May 2023. October 2023 – Survey dates were 15 – 17 October 2023. The report was submitted to the EPA on 27 October 2023. February 2024 – Survey dates were 12 – 14 February 2024. The report was submitted to the EPA on 19 March 2024. October 2024 – Survey dates were 14 – 16 October 2024. The report was submitted to the EPA on 04 November 2024. February 2025 – Survey dates were 17 – 19 February 2025. The report was submitted to the EPA on 10 March 2025. <p>The February 2024, October 2024, and February 2025 reports were not submitted within two weeks of conducting the surveys. The Applicant advised that this was due to late submissions of results from the consultant to them. In all cases, the Applicant submitted the reports within two weeks of receiving them from the consultant and accordingly, a compliant finding is noted.</p>	Compliant	
B7	<p>Should the Odour Monitoring Program required by condition B4 reveal that offensive odour is impacting surrounding sensitive receptors during normal operating conditions, the EPA may require the Applicant to implement odour mitigation technologies.</p>	<p>Letter (reference: SSD-7704-PA-89) dated 29 May 2025 from DPHI confirming that the existing Stage 1 operations are compliant with s.129 of</p>	<p>See discussion under Condition B4 above. DPHI confirmed that the existing Stage 1 operations are compliant with Section 129 of the Protection of the Environment Operations Act 1997 (POEO Act).</p>	Compliant	

		the Protection of the Environment Operations Act 1997 (POEO Act). As such, the OMP for Stage 1 of the development (Farm 2) could cease, pursuant to Condition B5(c) of the consent.			
Odour Management					
B8	The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	Letter (reference: SSD-7704-PA-89) dated 29 May 2025 from DPHI confirming that the existing Stage 1 operations are compliant with s.129 of the Protection of the Environment Operations Act 1997 (POEO Act). As such, the OMP for Stage 1 of the development (Farm 2) could cease, pursuant to Condition B5(c) of the consent.	See discussion under Condition B4 above. DPHI confirmed that the existing Stage 1 operations are compliant with Section 129 of the Protection of the Environment Operations Act 1997 (POEO Act).	Compliant	
B9	The development must be designed, constructed, operated and maintained in a manner that does not preclude the retrofit of air quality (including odour) emissions controls and management measures including, but not limited to, stacks to vertically exhaust emissions from the tunnel ventilation fans at height and odour abatement measures such as scrubbers.		Vents and fans were noted on all sheds during the site inspection. No further concerns were noted (Photo 8).	Compliant	
TRAFFIC AND ACCESS					
Construction Traffic Management Plan					
B10	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 Council and Transport for NSW; (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.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered	
B11	The Applicant must: (a) not commence construction until the Construction Traffic Management Plan required by condition B10 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.		The requirement that construction is not allowed to commence until the CTMP is approved fall outside the current audit period, with compliance assessed as part of the first independent audit. Construction activities occurred at the start of the audit period. However, construction is now complete, and no construction activities relevant to this Condition of Consent are currently underway. Therefore, compliance with the CTMP could not be verified during the site inspection. Accordingly, this condition is not triggered.	Not triggered	
B11A	Prior to the commencement of installation of the solar arrays at the Namoi River water pump, the Applicant must update the Construction Traffic Management Plan to the satisfaction of the Planning Secretary.	Construction traffic management plan Rushes Creek Poultry Production Farm dated 16 August 2024 from SLR Consulting Australia.	Construction of the solar arrays at Namoi River commenced in November 2023. The CTMP was updated on 09 June 2023 as part of the Modification 4 application, which was submitted to the Department. The Modification 4 application was approved on 22 September 2023, prior to the commencement of construction of the solar arrays at the Namoi River.	Compliant	
Parking					
B12	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 streets.		Parking is available outside the site, immediately prior to entering the main access gate (Photo 9). At the time of the site inspection, parking capacity was adequate and no vehicles were observed parking on public streets.	Compliant	
Operating Conditions					
B13	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		The construction related requirements associated with this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Roads within and surrounding the site are well maintained (Photo 6). During the site inspection, no vehicle queuing was observed on the public road, and no vehicles were parked on local roads or footpaths. A truck was	Compliant	

	<p>AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002);</p> <p>(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;</p> <p>(c) the development does not result in any vehicles queuing on the public road network;</p> <p>(d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;</p> <p>(e) all vehicles are wholly contained on site before being required to stop;</p> <p>(f) all loading and unloading of materials is carried out on-site;</p> <p>(g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network;</p> <p>(h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times; and</p> <p>(i) the transportation of birds, feedstock and waste materials to and from the development are restricted to Rushes Creek Road from the Oxley Highway.</p>		<p>observed offloading onsite at the time of the inspection, confirming that unloading occurs within the site and that the truck's load was appropriately covered (Photo 10).</p>		
Operational Driver Code of Conduct					
B14	<p>Prior to the commencement of operation, the Applicant must prepare a Driver Code of Conduct. The Driver Code of Conduct must form part of the OEMP required by condition C6 and be prepared in accordance with condition C1. The Code of Conduct should include but not limited to:</p> <p>(a) map of the primary transport route/s highlighting critical locations;</p> <p>(b) safety initiatives for transport through residential areas and/or school zones;</p> <p>(c) measures to ensure vehicles used for the transportation of birds use the Oxley Highway and Rushes Creek Road only;</p> <p>(d) an induction process for vehicle operators and regular toolbox meetings;</p> <p>(e) a complaints resolution and disciplinary procedure;</p> <p>(f) a directive to drivers to slow down and provide right-of-way to any livestock and/or farm machinery on the transport routes; and</p> <p>(g) a directive to drivers to avoid the use of compression braking along Rushes Creek Road.</p>		<p>The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.</p>	Not triggered.	
B15	<p>The Applicant must:</p> <p>(a) not commence operation until the Driver Code of Conduct required by condition B14 has been approved by the Planning Secretary; and</p> <p>(b) implement the most recent version of the Driver Code of Conduct approved by the Planning Secretary for the duration of the development.</p>	<p>Operational Environmental Management Plan (OEMP) dated 05 September 2024 from SLR Consulting Australia.</p>	<p>The requirements of Condition B15(a) fall outside the current audit period, with compliance assessed as part of the first independent audit.</p> <p>The Drivers Code of Conduct has been incorporated into the updated OEMP, dated 05 September 2024. No concerns with the implementation of the Drivers Code of Conduct were identified.</p>	Compliant	
SOILS, WATER QUALITY AND HYDROLOGY					
Imported Soil					
B16	<p>The Applicant must:</p> <p>(a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;</p> <p>(b) keep accurate records of the volume and type of fill to be used; and</p> <p>(c) make these records available to the Planning Secretary upon request.</p>		<p>The Applicant indicated that no soils or materials were imported for the audit period.</p>	Not triggered.	
Erosion and Sediment Control					
B17	<p>Prior to the commencement of any construction or other surface disturbance 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.</p>		<p>The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.</p>	Not triggered.	
B18	<p>Clean water diversions shall be constructed and stabilised prior to the commencement of earthworks at each PPU.</p>		<p>The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.</p>	Not triggered.	
Discharge Limits					
B19	<p>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.</p>		<p>No evidence of water pollution was observed during the site inspection.</p>	Compliant	
Stormwater Management System					
B20	<p>Prior to the commencement of operation, the Applicant must design, install and operate a stormwater management system for the development. The system must:</p> <p>(a) be designed by a suitably qualified and experienced person(s);</p> <p>(b) be generally in accordance with the conceptual design in the EIS and RtS;</p> <p>(c) be in accordance with applicable Australian Standards;</p>	<p>Operational Environmental Management Plan (OEMP) dated 05 September 2024 from SLR Consulting Australia.</p>	<p>The design and installation related requirements associated with this condition fall outside the current audit period, with compliance assessed as part of the first independent audit.</p> <p>With respect to the operation of the stormwater management system, the Applicant has updated the OEMP and the Soil & Water Management Plan since the first independent audit. These documents now describe the</p>	Compliant	

	<p>(d) 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;</p> <p>(e) divert existing clean surface water around operational areas of the site and discharged into natural drainage lines in a manner that prevents scouring; and</p> <p>(f) be designed such that:</p> <p>(i) all vegetated swales and other stormwater conveyances within the controlled drainage areas are underlain by a compacted clay layer of at least 300 mm thickness and with a permeability of less than 1 x 10⁻⁹ m/s, or other material providing an equivalent barrier to percolation;</p> <p>(ii) all wastewater, recycled (irrigation) and other contaminated runoff is captured in the closed surface water management system; and</p> <p>(iii) no discharges are to occur from the detention dams for events up to the 1% AEP.</p>	<p>Rushes Creek Poultry Production Farm (SSD 7704) Stage 1 Soil and Water Management Plan dated 07 May 2025 from Sage Environmental Services.</p>	<p>engineered Surface Water Management System. The stormwater management system was generally found to be operated in accordance with this condition, with the following observation made during the site inspection:</p> <ul style="list-style-type: none"> Clean surface water runoff is diverted around the Project via a diversion trench located to the east of the sheds (Photo 11). This trench directs clean water around the site and discharges downstream of the Detention Basin. The discharge point could not be inspected for evidence of scouring, as this area is located adjacent to the demarcated construction zone for the new dams. 		
Water Management					
B21	<p>The detention dams at each PPU are to be inspected annually or following significant rainfall events, and desilted if required.</p>	<p>Site Environmental Inspection Checklists dated 16 September 2024 and 15 December 2023 from ProTen showing that the water management system is inspected.</p> <p>Site Environmental Inspection Checklist dated 02 June 2025 from ProTen confirming that records are maintained on the online Lucidity system.</p>	<p>Monthly site inspections are carried out across the site to verify requirements contained within this Conditions of Consent. The Site Environmental Inspection Checklist provided for review includes inspection of management systems such as drains and silt fencing (where applicable). Observations recorded during the inspections are maintained within the online Lucidity system.</p>	Compliant	
Water Management Plan					
B22	<p>Prior to the commencement of operation, the Applicant must prepare a Water Management Plan to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required by condition C5 and must:</p> <p>(a) be prepared by a suitably qualified and experienced person(s)</p> <p>(b) be prepared in consultation with the Department's Water Group and the Natural Resources Access Regulator;</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) contain a Surface Water Management Plan, including;</p> <p>(i) a program to monitor:</p> <ol style="list-style-type: none"> surface water flows and quality; surface water storage and use; sediment basin operation; and <p>d. the surface water discharge point from the two main drainage lines on the site;</p> <p>(ii) a trigger action and response plan (TARP) program to investigate potential adverse surface water impacts, including where surface water quality parameters exceed the Australian and New Zealand Environment Conservation Council (ANZECC) guidelines;</p> <p>(iii) a protocol for the investigation and mitigation where the surface water impact assessment criteria has been exceeded; and</p> <p>(h) contain a Groundwater Management Plan, including:</p> <p>(i) baseline data on groundwater levels and quality;</p> <p>(ii) a program to monitor groundwater levels and quality (including nutrients and pathogens);</p> <p>(iii) groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts; and</p> <p>(iv) a protocol for the investigation and mitigation of identified exceedances of the groundwater impact assessment criteria.</p> <p>(i) contain a contingency plan for the operational water supply for the facility during extreme weather events such as heat wave or drought.</p>		<p>The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.</p>	Not triggered.	
B23	<p>The Applicant must:</p> <p>(a) not commence operation until the Water Management Plan required by condition B22 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>	<p>Operational Environmental Management Plan (OEMP) dated 05 September 2024 from SLR Consulting Australia.</p> <p>Rushes Creek Poultry Production Farm (SSD 7704) Stage 1 Soil and Water Management Plan dated 07 May 2025 from Sage Environmental Services.</p>	<p>The requirements of Condition B23(a) fall outside the current audit period, with compliance assessed as part of the first independent audit.</p> <p>The Soil & Water Management Plan has been updated since the completion of the first independent audit and has been incorporated into the OEMP. The following observations were made during the site inspection in relation to the implementation of the Water Management Plans:</p>	Compliant	

			<ul style="list-style-type: none"> Washdown water and rainfall runoff within the poultry farm are conveyed via grassed swale drains to the Detention Basin (Photo 12). As noted above, a clean water diversion trench has been constructed upstream of site activities, diverting clean runoff around the site (Photo 11). The grassed swale drains were observed to be well maintained, with evidence of ongoing maintenance (Photo 12). No evidence of water pollution was observed during the inspection. 											
Potable Water														
B24	Prior to the commencement of operation, the Applicant must prepare a quality assurance program (or drinking water management system) in accordance with the 'NSW Private Water Supply Guidelines' (NSW Health 2016).		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.										
NOISE														
Hours of Work														
B25	<p>The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.</p> <p><i>Table 1 Hours of Work</i></p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Day</th> <th>Time</th> </tr> </thead> <tbody> <tr> <td>Earthworks and construction</td> <td>Monday – Friday Saturday</td> <td>7 am to 6 pm 8 am to 1 pm</td> </tr> <tr> <td>Operation</td> <td>Monday – Sunday</td> <td>24 hours</td> </tr> </tbody> </table>	Activity	Day	Time	Earthworks and construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm	Operation	Monday – Sunday	24 hours		<p>This audit period spans both the construction and operational phases and working hours for each phase have been assessed.</p> <p>Sign-in and sign-out records are maintained through the Online Induct system, providing an overview of working hours during the construction phase. The operational phase stipulates a 24/7 working schedule, and no issues with work outside standard hours were identified.</p>	Compliant	
Activity	Day	Time												
Earthworks and construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm												
Operation	Monday – Sunday	24 hours												
B26	<p>Works outside of the hours identified in condition B25 may be undertaken in the following circumstances:</p> <p>(a) works that are inaudible at the nearest sensitive receivers;</p> <p>(b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or</p> <p>(c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.</p>		Based on evidence received, no out-of-hours works were undertaken in the audit period.	Compliant										
Construction Noise Limits														
B27	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 Appendix 2 of this consent.		Construction activities have been completed for the Project and therefore this condition is no longer triggered.	Not triggered										
Operational Noise Limits														
B28	<p>The Applicant must ensure that noise generated by operation of the development does not exceed 35 dB(A) LAeq(15 minute) at all times (day, evening and night) at all residential receivers.</p> <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 1 for the location of residential sensitive receivers.</p>		The Applicant indicated that noise mitigation and management measures have been implemented for operational activities, and that no noise complaints were received during the 2022–2025 audit reporting period. Accordingly, the Applicant considers that no further action is required to implement ongoing monitoring and verification of compliance with Condition B28 at this time.	Compliant										
Concurrent Construction and Operation Noise Limits														
B28A	The Applicant must ensure that noise generated during concurrent construction and operation of Stage 1 (Farm 2) of the development does not exceed 40 dB(A) LAeq(15 minute) at all times (day, evening and night) at all residential receivers.	ProTen Environmental Complaints Register dated 1 December 2025 from ProTen.	Although no noise monitoring has been undertaken during the concurrent construction and operation of Stage 1, this condition does not require noise monitoring. The complaints register has been reviewed for the audit period and confirmed that no noise complaints were received.	Compliant										
Noise Validation Monitoring														
B28B	<p>Within the first month of Stage 1 (Farm 2) operations commencing, the Applicant must carry out noise validation monitoring. Monitoring must be carried out in accordance with the requirements of the Environment Protection Authority and the EPL, and within the following parameters:</p> <p>(a) at receptors R24 and R25 as identified in Appendix 1 of this consent;</p> <p>(b) within 10 days of operations commencing at Farm 2 while concurrently operating one 440 kVA diesel generator at Farm 2;</p> <p>(c) within 10 days of the commencement of operation of two 440 kVA diesel generators at Farm 2 concurrent with Farm 2 operations; and</p> <p>(d) during the night period as defined in the Noise Policy for Industry (EPA, 2017) for a minimum of one hour during the night.</p>		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.										
Road Traffic Noise														

B29	Prior to the commencement of construction, the Applicant must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Applicant must update the Driver Code of Conduct and induction training for construction and operation and must implement the Code of Conduct for the life of the development.	Operational Environmental Management Plan (OEMP) dated 05 September 2024 from SLR Consulting Australia. Various Confirmation of Understanding for Operational Driver Code of Conduct.	The Drivers Code of Conduct was updated and incorporated into the revised OEMP dated 5 September 2024. Signed Operational Drivers Code of Conduct forms for various Multiquip employees were provided to the Auditors, confirming that the requirements have been communicated to all heavy vehicle drivers. No concerns with the implementation of the Drivers Code of Conduct were identified.	Compliant	
ANIMAL WELFARE AND BIOSECURITY					
Animal Welfare					
B30	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) RSPCA Approved Farming Scheme Standards – Meat Chickens (RSPCA Australia 2013) (RSPCA Standards) (b) National Animal Welfare Standards for Livestock Processing Establishments 2nd edition (Meat and Livestock Australia, 2009); (c) Australian Animal Welfare Standards and Guidelines – Land Transport of Livestock (Animal Health Australia, 2012); (d) National Animal Welfare Standards for the Chicken Meat Industry (Barnett et al. 2008) (e) NSW DPI Best Practice Management for Meat Chicken Production in NSW – Manual 2 (2012); (f) National Farm Biosecurity Manual for Chicken Growers (ACMF, 2000); (g) Model Code of Practice for the Welfare of Animals – Domestic Poultry, 4th Edition (PISC, 2002); (h) Model Code of Practice for the Welfare of Animals, Land Transport of Poultry (PISC, 2006); and (i) any other relevant document that supersedes the above.	Emergency Disposal and Biosecurity Strategy (EDBS) dated 28 June 2024 from SLR Consulting Australia. RSPCA Approved Farming Scheme - Meat Chicken Assessment Report dated 06 February 2024 from Jarrad Carter. Pre-placement report dated 23 September 2024 from Baiada. Animal Welfare and Biosecurity Audit (Broiler) dated 11 December 2024 from Baiada.	The EDBS has been prepared in accordance with the requirements of this condition (see Section 1.3 – Relevant Guidelines of the EDBS). The Applicant has provided the Auditors with evidence demonstrating that livestock welfare is being prioritised.	Compliant	
Emergency Disposal and Biosecurity					
B31	Prior to the commencement of operation, 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, DPI and other relevant public authorities; (b) be consistent with the relevant AUSTVETPLAN manuals and supporting documents; (c) describe the notification procedures; (d) detail all transport routes to be used in a mass mortality event; (e) detail any requirements to stage the mass disposal of dead livestock; (f) detail the burial location(s) for the disposal of dead livestock, including plans and drawings; (g) detail the measures to maintain quarantine control; (h) detail measures to prevent ground water contamination; and (i) detail the mass mortality disposal procedures and options.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
B32	The Applicant must: (a) not commence operation until the Emergency Disposal and Biosecurity Protocol required by condition B31 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.	Emergency Disposal and Biosecurity Strategy (EDBS) dated 28 June 2024 from SLR Consulting Australia. Operational Environmental Management Plan (OEMP) dated 5 September 2024 from SLR Consulting Australia.	The requirements of Condition B32(a) fall outside the current audit period, with compliance assessed as part of the first independent audit. Based on discussions with the Applicant, no implementation of the EDBS was triggered during the audit period.	Compliant	
ABORIGINAL HERITAGE					
Aboriginal Cultural Heritage Management Plan (ACHMP)					
B33	Before the commencement of any clearing or construction works, the Applicant must prepare an ACHMP for the development. The plan must form part of the CEMP required by condition C2 and must: (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties and EES; (b) be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the development; (c) describe the management actions for all Aboriginal sites within the development site; and		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	

	(d) describe the measures to salvage the artefacts in Happy Hills-IF3, Bondah-IF1, Bondah-IF2, Bondah-IF7, Bondah-IF8, Happy Hills-OS3 and Bondah-OS11, including mapping, analysis and collection, and protect them in perpetuity.				
B34	The Applicant must: (a) not commence construction until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary; and (b) implement the most recent version of the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary for the duration of the development.	Aboriginal Cultural Heritage Management Plan (ACHMP) dated 16 August 2024 from SLR Consulting Australia. Operational Environmental Management Plan (OEMP) dated 5 September 2024 from SLR Consulting Australia.	The requirements of Condition B34(a) fall outside the current audit period, with compliance assessed as part of the first independent audit. The ACHMP has been updated since the completion of the first independent audit and was submitted to the Department as part of the updated OEMP. The following observations were made during the site inspection in relation to the implementation of the ACHMP: <ul style="list-style-type: none">No unauthorised disturbance outside the approved development footprint was observed.The heritage site at the Namoi River pumping station has been demarcated to prevent unauthorised access and potential damage (Photo 13).	Compliant	
Unexpected Finds Protocol					
B35	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) the Heritage Division of DPC must be contacted immediately.	Aboriginal Cultural Heritage Management Plan (ACHMP) dated 16 August 2024 from SLR Consulting Australia.	The chance find procedure is outlined in Section 7 of the ACHMP. The Applicant indicated that no unexpected Aboriginal heritage finds were recorded during the audit period.	Compliant	
B36	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.		See discussion under Condition B35 above. No unexpected heritage finds were recorded and therefore this condition has not been triggered.	Not triggered	
BIODIVERSITY					
B37	Prior to any clearing or construction works, the Applicant must purchase and retire 29 White Box grassy woodlands – derived grassland (PCT 1383) credits to offset the removal/ disturbance of 1.17 hectares of White Box grassy woodlands – derived grassland at the site. The ecosystem credits must be retired in accordance with the requirements of EES's Biodiversity Offsets Scheme and the Biodiversity Conservation Act 2016.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
B38	The requirement to retire ecosystem credits (see condition B37) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of ecosystem credits, as calculated by the EES Group's Biodiversity Offsets Payment Calculator.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
B39	The Applicant must provide the Planning Secretary with evidence that: (a) the retirement of ecosystem credits has been completed (see condition B37); or (b) a payment has been made to the Biodiversity Conservation Fund (see condition B38), prior to undertaking any clearing of native vegetation or activities that have the potential to impact upon this native vegetation.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
HAZARDS AND RISK					
Pre-construction					
B40	At least one month prior to the commencement of construction of the development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Planning Secretary may agree, the Applicant must prepare and submit for the approval of the Planning Secretary the studies set out under subsections (a) to (b) below (the pre-construction studies). Construction, other than of preliminary works, must not commence until approval has been given by the Planning Secretary. (a) A Fire Safety Study for the development. This 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 (NSW HMPCC, 1994). The study must meet the requirements of Fire and Rescue NSW. (b) A Final Hazard Analysis of the development, prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
Pre-commissioning					
B41	Prior to commissioning of the development, or within such further period as the Planning Secretary may agree, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development. The plan must be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
Further Requirements					

B42	The Applicant must store all chemicals, fuels and oils used on-site in accordance with: (a) the requirements of all relevant Australian Standards; and (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook, if the chemicals are liquids.		No significant issues regarding the storage and handling of dangerous materials were identified during the site audit.	Compliant	
B43	In the event of an inconsistency between the requirements B42(a) and B42(b), the most stringent requirement must prevail to the extent of the inconsistency.		This condition is noted.	Compliant	
Dangerous Goods					
B44	Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with: (a) all relevant Australian Standards; (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and (c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management – technical bulletin (EPA, 1997).		No issues regarding the storage and handling of dangerous materials were identified during the site audit (Photo 14).	Compliant	
B45	In the event of an inconsistency between the requirements B44(a) to B44(c), the most stringent requirement must prevail to the extent of the inconsistency.		This condition is noted.	Compliant	
WASTE MANAGEMENT					
Pests, Vermin and Noxious Weed Management					
B46	The Applicant must: (a) implement suitable measures to manage pests, vermin and declared noxious 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 noxious 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, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.	Chemical Application and Storage Reports (various) from Baiada. Pesticide/Chemical Application Record Sheet from ProTen.	Evidence of pest and weed control, including application records and application and storage reports, was provided to demonstrate compliance with this condition. The Applicant advised that pest and weed control measures are inspected as part of the monthly environmental inspections.	Compliant	
Composting of mortalities on-site					
B47	Composted mortalities cannot be disposed off-site until a Specific Resource Recovery Exemption is granted by the EPA for birds composted at the site. Note: The general manure composting resource recovery exemption does not permit the inclusion of animal waste.		Mortalities are not composted onsite. Dead birds are collected daily and stored in the dead bird freezers (Photo 15). Mortalities are collected weekly from the dead bird freezers and taken to the Baiada rendering facility situated in Tamworth.	Compliant	
Waste Management					
B48	The Applicant shall not stockpile, store or utilise spent bedding material in any way within the development, other than for the composting of birds.		The Applicant stated that old poultry litter is removed by a contractor and applied to paddocks on their farming property. During the site inspection, no evidence was observed of spent bedding material being stored or used onsite.	Compliant	
B49	Broiler mortalities shall not be disposed of to land by burial or any other methods at the site, for the life of the development, unless otherwise permitted by a relevant authority during a bio-security emergency at the site.		Refer to the discussion under Condition B47 above. Mortalities are not disposed of on land; instead, they are sent to the Baiada rendering facility in Tamworth.	Compliant	
CONTAMINATION					
Unexpected Finds					
B50	Prior to the commencement of earthworks, the Applicant must revise the unexpected contamination procedure in consultation with the Site Auditor to ensure that potentially contaminated material (including the Sheep Holding Shed) is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition C2 and must ensure appropriate management of any material identified as contaminated.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
Site Auditor					
B50A	Prior to the commencement of earthworks for the development on site, the Applicant must engage a Site Auditor accredited under the Contaminated Land Management Act 1997 NSW Site Auditor Scheme.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
Remediation					
B51	The Applicant must ensure the remediation works are undertaken by a suitably qualified and experienced consultant(s) in accordance with the approved Remedial Action Plan and relevant guidelines produced or approved under the Contaminated Land Management Act 1997.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
B52	Within one month of the completion of the remediation works, the Applicant must submit a validation report/letter to the Planning Secretary, which has been prepared, or reviewed and approved, by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination)		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	

	scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.				
B52A	<p>Within six months of the completion of the remediation works and prior to the commencement of operation, the Applicant must obtain from the Site Auditor, a Site Audit Statement and a Site Audit Report. The reports must be prepared in accordance with the relevant guidelines under the CLM Act and must confirm:</p> <p>(a) the remedial works approved under this consent have been completed in accordance with the remediation objectives listed in the Remedial Action Plan; and</p> <p>(b) the site is suitable for its intended use.</p> <p>A copy of the final Site Audit Statement and Site Audit Report must be provided to the Planning Secretary and the EPA.</p>		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
Long Term Environmental Management Plan					
B52B	<p>The Long Term Environmental Management Plan (LTEMP) for the development must be submitted for consideration and approval by the Site Auditor, prior to the finalisation of the Site Audit Statement and Site Audit Report. The LTEMP is to:</p> <p>(a) address all environmental impacts of the development's construction and operational phases</p> <p>(b) recommend any systems/controls to be implemented to minimise the potential for any adverse environmental impact(s)</p> <p>(c) include a surveyed drawing prepared by a registered surveyor clearly identifying the location and depth of any remaining on-site contamination</p> <p>(d) incorporate a program for ongoing monitoring and review to ensure that the LTEMP remains contemporary with relevant environmental standards</p> <p>(e) mechanisms to report results to the Planning Secretary and the EPA.</p>		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
B52C	<p>Upon completion of the Site Audit Statement and Site Audit Report, the Applicant must:</p> <p>(a) implement the approved LTEMP;</p> <p>(b) provide evidence to the Planning Secretary the LTEMP is listed on the relevant planning certificate for the land, issued under section 10.7 of the EP&A Act, for the development.</p>		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
VISUAL AMENITY					
Landscaping					
B53	<p>The Applicant must:</p> <p>(a) establish a vegetation screen around the perimeter of each PPU a minimum width of 40 metres prior to the commencement of operation.</p> <p>(b) maintain the vegetation screens on the site for the life of the development.</p>		<p>The establishment of the vegetation screen required under Condition B53(a) was previously identified as a non-compliance during the first independent audit, which is outside the current audit period. However, during the site inspection undertaken on 14 January 2026, the vegetation screen remained not fully established.</p> <p>At the time of the inspection, the vegetation screen did not completely surround the Farm 2 sheds to form a full perimeter of the PPU, and therefore the intent of Condition B53 had not been met (Photo 16 and Photo 17). The Applicant advised that a number of previously planted trees have failed and that replanting is proposed, with mulch to be used to improve establishment. During the site inspection, mulch was observed onsite, indicating preparation for replanting. Notwithstanding this, the vegetation screen remains incomplete and presents an ongoing risk; accordingly, this matter has been raised again as a non-compliance in the current audit.</p> <p>Recommended action:</p> <ul style="list-style-type: none"> Replanting failed trees with appropriate native species as originally specified. Applying mulch and other establishment measures to support tree survival and growth. Develop a monitoring and maintenance program to ensure successful establishment, including irrigation, replacement of any failed plantings, and regular inspections until the screen is fully established. Documentation and reporting of all replanting and maintenance activities, including photographic evidence, to demonstrate compliance with Condition B53(a). 	Non-compliant	NC3
Lighting					
B54	<p>The Applicant must ensure the lighting associated with the development:</p> <p>(a) complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and</p> <p>(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.</p>		The site audit was conducted during daytime hours and, as such, this condition could not be directly assessed. However, the site inspection confirmed that lights are directed downwards. The Applicant further confirmed that onsite lighting is linked to a day-night switch and that all lights have a low and high intensity setting to limit light spill.	Compliant	

B54A	Prior to the commencement of installation of the solar arrays at the Namoi River water pump, the Applicant must offer further vegetation screening to the landowner of sensitive receiver R15, as identified in Appendix 1, Figure 2 of this consent. Evidence of this consultation must be provided to the Planning Secretary prior to the commencement of installation of the solar arrays at the Namoi River water pump. If further screening is requested, the Applicant must seek the views of the landowner on the species, extent and location of the screening required.		The Applicant indicated that sensitive receptor R15 was consulted during the 2023–2024 Compliance Reporting period regarding a screen for the solar panels at the Namoi River water pump, following their installation. Receptor R15 stated that they did not require a vegetation screen, as the solar panels did not impact them. Evidence of this consultation, as well as confirmation that it was submitted to the Planning Secretary, was not provided.	Non-compliant	NC4
COMMUNITY ENGAGEMENT					
B55	The Applicant must consult with the community regularly throughout the development, including consultation with the nearby sensitive receivers identified in Appendix 2, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.		The Applicant has indicated that regular consultation with the community was undertaken throughout the development, including engagement with nearby sensitive receivers, relevant regulatory authorities, Registered Aboriginal Parties, and other interested stakeholders. Consultation was conducted through a range of mechanisms, including direct meetings, submissions to regulatory authorities, and maintenance of a complaints register.	Compliant	
Community Consultation Plan					
B56	The Applicant must prepare a Community Consultation Plan for the development, to the satisfaction of the Planning Secretary. The Plan must: (a) be approved by the Planning Secretary prior to the commencement of site preparation works; (b) be implemented for the life of the development, or as otherwise agreed by the Planning Secretary; (c) assign a central contact person to keep the nearby sensitive receivers regularly informed throughout the development; (d) detail the mechanisms for regularly consulting with: (i) the local community; (ii) nearby sensitive receivers identified in Appendix 2; (iii) relevant regulatory authorities; (iv) Registered Aboriginal Parties; and (v) other interested stakeholders, throughout the development, such as holding regular meetings to inform the community of the progress of the development and report on environmental monitoring results; (e) include contact details for key community groups, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders; and (f) include a complaints procedure for recording, responding to and managing complaints, including: (i) email, toll-free telephone number and postal address for receiving complaints; (ii) advertising the contact details for complaints prior to and during operation, via the local newspaper and through on-site signage; (iii) a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint; and (iv) procedures to resolve any disputes that may arise during the course of the development.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
B57	The Applicant must: (a) not commence construction until the Community Consultation Plan is approved by the Planning Secretary; (b) implement the approved Community Consultation Plan for the duration of the development.		The requirements of Condition B57(a) fall outside the current audit period, with compliance assessed as part of the first independent audit. No concerns with the implementation of the most recent Community Consultation Plan were noted.	Compliant	
Schedule 2 – 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;		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	

	<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; and</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>				
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.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
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 Traffic Management Plan (see condition B10); and (c) Community Consultation and Complaints Handling.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
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.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
C4A	Prior to the commencement of installation of the solar array at the Namoi River water pump, the Applicant must update the Erosion and Sediment Control Plan in the approved Construction Environmental Management Plan to the satisfaction of the Planning Secretary.	Rushes Creek Poultry Production Farm Development Consent SSD 7704 Stage 1 Construction Environmental Management Plan dated 07 February 2024 from SLR Consulting Australia.	Construction of the solar arrays at Namoi River commenced in November 2023. The Erosion and Sedimentation Control Plan (ESCP) is included as Appendix B to the updated Construction Environmental Management Plan (CEMP) dated 7 February 2024. Review of the ESCP indicates that it was updated on 22 June 2022 to incorporate the solar array panels and prior to the commencement of construction.	Compliant	
OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN					
C5	The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 to the satisfaction of the Planning Secretary.	Operational Environmental Management Plan (OEMP) dated 5 September 2024 from SLR Consulting Australia. Letter (reference: SSD-7704-PA-72) dated 19 September 2024 from DPHI approving the updated OEMP.	The initial requirement to prepare a OEMP fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered. The OEMP was since updated in September 2024 and was approved by DPHI on 19 September 2024.	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) Air Quality (see condition B4); (ii) Operational Driver Code of Conduct (see condition B14); (iii) Water (see condition B22)		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	

	(iv) Emergency Disposal and Biosecurity Protocol (see condition B31); and (v) Aboriginal Cultural Heritage (see condition B33).				
C7	The Applicant must: (a) not commence operation until the OEMP is approved by the Planning Secretary; and (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).		The requirements of Condition C7(a) fall outside the current audit period, with compliance assessed as part of the first independent audit. A non-compliance was identified against Condition B53 of Schedule 3, which relates to the establishment of vegetation screening around each PPU. As Condition B53 is also a requirement of the OEMP, non-compliance with Condition B53 constitutes non-compliance with the OEMP and, consequently, this condition. Recommended action: Ensure that the recommendations associated with the non-compliance identified under Condition B53 are implemented.	Non-compliant	NC5
REVISION OF STRATEGIES, PLANS AND PROGRAMS					
C8	Within three months of: (a) the submission of a Compliance Report under condition 0; (b) the submission of an incident report under condition C9; (c) the submission of an Independent Audit under condition 0; (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review, the strategies, plans and programs required under this consent must be reviewed 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.:	Letter dated 04 February 2023 from ProTen notifying DPE of the review of management plans following two incidents.	The following reviews of management plans were undertaken: <ul style="list-style-type: none">Incident report – Management Plans were reviewed within 3 months (notification to DPE on 4 February 2023) following the submission of two incident reports (4 November and 21 November 2022).2023 Compliance Report – the report was submitted on 22 September 2023. The management plans were reviewed in response within 3 months (as per the non-compliance spreadsheet and schedule).2024 Compliance Report – the report was submitted on 11 February 2025. The non-compliance spreadsheet and schedule confirmed that strategies, plans or programs were reviewed within 3 months of the compliance report being submitted.Management plans were also reviewed as per MOD 4 which was dated 23 October 2023.	Compliant	
REPORTING AND AUDITING					
Incident Notification, Reporting and Response					
C9	The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au 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 3.	Incident notification letter dated 21 November 2022 from ProTen. Investigation report dated 14 December 2022 from ProTen. Incident notification letter dated 04 April 2023 from ProTen. Incident acknowledgement letter dated 8 May 2023 from DPE confirming key dates associated with the 4 April 2023 incident.	<ul style="list-style-type: none">Incident on 14 November 2022 - a controlled unlicensed discharge was initiated from a retention dam at Farm 2 at the Rushes Creek Poultry Farm. The DPE was notified of the incident on 21 November 2022 (within 7 days as required by Appendix 3) and an investigation report was submitted on 14 December 2022 (within 30 days of the date of the incident). Both the incident notification and the investigation report complied with the requirements of Appendix 3.Incident on 29 March – 5 April 2023 - a controlled discharge was initiated from a retention dam at Farm 2 at the Rushes Creek Poultry Farm. The DPE was notified of the incident on 4 April 2023 (within 7 days as required by Appendix 3) and a response to the DPE RFI was submitted on 30 April 2023 (within 30 days of the date of the incident). Both the incident notification and the investigation report complied with the requirements of Appendix 3.	Compliant	
Non-Compliance Notification					
C10	The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. 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. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Non-compliance notification letter dated 22 May 2024 from ProTen. Non-compliance acknowledgement letter dated 27 June 2024 from DPE confirming key dates associated with the 22 May 2024 non-compliance.	Non-compliance on 24 April 2024 - ProTen received water quality monitoring results related to the 6 Monthly monitoring event at Rushes Creek Poultry Farm. An initial review of the water quality data indicated that a potential exceedance of the surface water or groundwater trigger values identified in Sections 7.3 and 8.3 of the site Operational Environmental Management Plan and specifically the Stage 1 Soil and Water Management Plan (REV8). The DPE was notified of the non-compliance on 22 May 2024 (not within 7 days as required by this condition) and a response to the DPE RFI was submitted. It is noted that the non-compliance notification was not done within 7 days of the incident, however, the Department has acknowledged in their letter dated 27 June 2024 that the notification and response to the non-compliance generally satisfies the conditions of consent and therefore a non-compliant is not raised for this notification.	Compliant	
Compliance Reporting					
C11	Compliance Reports of the development must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020).	Enviro Schedule Spreadsheet 2024 – 2025 from ProTen.	The compliance reports have been prepared and submitted to the Department:	Compliant	

		<p>Enviro Schedule Spreadsheet 2025 – 2026 from ProTen.</p> <p>Letter (reference: SSD-7704-PA-86) dated 07 March 2025 from DPHI requesting additional information on the submission of the 2023-2024 compliance report.</p> <p>Letter (reference: SSD-7704-PA-91) dated 06 November 2025 from DPHI accepting 2024-2025 compliance report.</p>	<ul style="list-style-type: none"> Rushes Creek Poultry Production Farm - Compliance Report 2023-2024 – Report was submitted on 11 February 2024. Additional information was requested by DPHI in a letter dated 07 March 2025. Rushes Creek Poultry Production Farm - Compliance Report 2024-2025 – Report was submitted on 22 September 2025. The report was accepted by DPHI on 06 November 2025. 		
C12	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 seven days before this is done.		From review of the ProTen website on 29 January 2026, it was confirmed that the compliance reports were made publicly available.	Compliant	
Independent Audit					
C13	Independent auditing of the operation of the development must be carried out in accordance with the Independent Audit Post Approval Requirements (Department, 2020).		<p>Construction of Stage 1 started on 30 September 2021. As per the PAR (2020), the initial independent audit should have been undertaken within 12 weeks of commencement of construction. This requirement falls outside the audit period and was assessed as part of the first independent audit. Therefore, this requirement is not triggered.</p> <p>The first independent environmental audit was conducted by Integrated Environmental Management Australia on 17 October 2022 and covered construction as well as the first operational component. The PAR (2020) requires that ongoing independent audits are undertaken during the operation phase at intervals no greater than 3 years or as otherwise agreed by the Secretary. This audit report is in support of compliance of this requirement however, it was not undertaken within 3 years of the previous independent audit.</p> <p>Recommended action:</p> <p>This condition cannot be rectified retrospectively. The Applicant should ensure that the next independent audit is carried out within three years of this audit.</p>	Non-compliance	NC6
C14	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 C13 of this consent; (b) submit the response to the Planning Secretary; and (c) 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.	Response to Auditor Recommendations (RAR) – 2022 Independent Environmental Audit – Rushes Creek dated 31 January 2023 from ProTen.	A response to the audit findings was submitted to the Department on 31 January 2023. Review of the response confirms that it complies with the requirements of the PAR (2020). From review of the ProTen website on 29 January 2026, it was confirmed that the previous independent audit report and responses were made publicly available.	Compliant	
Monitoring and Environmental Audits					
C15	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.		This condition is noted.	Compliant	
ACCESS TO INFORMATION					
C16	At least 48 hours before the commencement of construction until the completion of all works under this consent, 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) 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;		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	

	(v) 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; (vi) a summary of the current stage and progress of the development; (vii) contact details to enquire about the development or to make a complaint; (viii) a complaints register, updated monthly; (ix) the Compliance Report of the development; (x) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report; (xi) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.				
--	---	--	--	--	--

Table 7.2: Independent audit table (EPL)

Condition of Consent	Requirements	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status	Unique Identification on Non-compliance									
1. Administrative Conditions														
A1 What the licence authorises and regulates														
A1.1	This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2. There are four stages to the scheduled development works of which the following stages are authorised by this licence: Construction of Farm 2 and associated infrastructure.		The activities of the Project align with the scheduled development work outlined below and are conducted at the premises specified in A2.	Compliant										
A1.2	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. <table border="1" data-bbox="400 1010 1181 1140"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Livestock intensive activities</td> <td>Bird accommodation</td> <td>> 1000 - 3000 T accommodation capacity</td> </tr> <tr> <td>Crushing, grinding or separating</td> <td>Crushing, grinding or separating</td> <td>> 100000 - 500000 T annual processing capacity</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Livestock intensive activities	Bird accommodation	> 1000 - 3000 T accommodation capacity	Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity	Stocking records for period 2022 – 2025 from ProTen Tamworth providing stocking rates.	A review of the stocking records indicates that the number of birds placed on the farm between 2022 and 2025 remained within the limits specified under this condition. The activities are also undertaken at the premises identified in Condition A2. No crushing, grinding or separating were undertaken during the audit period.	Compliant	
Scheduled Activity	Fee Based Activity	Scale												
Livestock intensive activities	Bird accommodation	> 1000 - 3000 T accommodation capacity												
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity												
A2 Premises or plant to which this licence applies														
A2.1	The licence applies to the following premises: <table border="1" data-bbox="400 1234 1181 1514"> <thead> <tr> <th>Premises Details</th> </tr> </thead> <tbody> <tr> <td>RUSHES CREEK</td> </tr> <tr> <td>RUSHES CREEK ROAD</td> </tr> <tr> <td>RUSHES CREEK</td> </tr> <tr> <td>NSW 2346</td> </tr> <tr> <td>LOT 1 DP 44215, LOT 26 DP 752169, LOT 86 DP 752169, LOT 101 DP 752169, LOT 118 DP 752169, LOT 171 DP 752169, LOT 143 DP 752189, LOT 1 DP 1108119, LOT 1 DP 1132078, LOT 1 DP 1132298, LOT 62 DP 1276824</td> </tr> </tbody> </table>	Premises Details	RUSHES CREEK	RUSHES CREEK ROAD	RUSHES CREEK	NSW 2346	LOT 1 DP 44215, LOT 26 DP 752169, LOT 86 DP 752169, LOT 101 DP 752169, LOT 118 DP 752169, LOT 171 DP 752169, LOT 143 DP 752189, LOT 1 DP 1108119, LOT 1 DP 1132078, LOT 1 DP 1132298, LOT 62 DP 1276824		The activities are undertaken at the premises identified in this condition.	Compliant				
Premises Details														
RUSHES CREEK														
RUSHES CREEK ROAD														
RUSHES CREEK														
NSW 2346														
LOT 1 DP 44215, LOT 26 DP 752169, LOT 86 DP 752169, LOT 101 DP 752169, LOT 118 DP 752169, LOT 171 DP 752169, LOT 143 DP 752189, LOT 1 DP 1108119, LOT 1 DP 1132078, LOT 1 DP 1132298, LOT 62 DP 1276824														
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.		The activities authorised by this EPL are undertaken in accordance with the licence application, and no issues were identified.	Compliant										
A4 Other administrative conditions														
A4.1	The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.		This condition is noted.	Compliant										
2. Discharges to Air and Water and Applications to Land														

P1 Location of monitoring/discharge points and areas																																																																																					
P1.1	<p>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.</p> <table border="1" data-bbox="403 310 1169 1656"> <thead> <tr> <th colspan="4"><i>Air</i></th> </tr> <tr> <th>EPA identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr><td>6</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 01 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>7</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 02 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>8</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 03 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>9</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 04 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>10</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 05 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>11</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 06 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>12</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 07 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>13</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 08 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>14</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 09 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>15</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 10 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>16</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 11 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>17</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 12 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>18</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 13 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>19</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 14 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>20</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 15 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>21</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 16 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>22</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 17 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> <tr><td>23</td><td></td><td>Discharge to Air</td><td>Tunnel ventilation fans located on Shed 18 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).</td></tr> </tbody> </table>	<i>Air</i>				EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	6		Discharge to Air	Tunnel ventilation fans located on Shed 01 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	7		Discharge to Air	Tunnel ventilation fans located on Shed 02 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	8		Discharge to Air	Tunnel ventilation fans located on Shed 03 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	9		Discharge to Air	Tunnel ventilation fans located on Shed 04 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	10		Discharge to Air	Tunnel ventilation fans located on Shed 05 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	11		Discharge to Air	Tunnel ventilation fans located on Shed 06 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	12		Discharge to Air	Tunnel ventilation fans located on Shed 07 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	13		Discharge to Air	Tunnel ventilation fans located on Shed 08 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	14		Discharge to Air	Tunnel ventilation fans located on Shed 09 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	15		Discharge to Air	Tunnel ventilation fans located on Shed 10 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	16		Discharge to Air	Tunnel ventilation fans located on Shed 11 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	17		Discharge to Air	Tunnel ventilation fans located on Shed 12 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	18		Discharge to Air	Tunnel ventilation fans located on Shed 13 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	19		Discharge to Air	Tunnel ventilation fans located on Shed 14 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	20		Discharge to Air	Tunnel ventilation fans located on Shed 15 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	21		Discharge to Air	Tunnel ventilation fans located on Shed 16 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	22		Discharge to Air	Tunnel ventilation fans located on Shed 17 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).	23		Discharge to Air	Tunnel ventilation fans located on Shed 18 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).		The site inspection confirmed that all 18 sheds referenced under this condition have been constructed, and that each shed is fitted with tunnel ventilation shafts (Photo 8).	Compliant	
<i>Air</i>																																																																																					
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																																																																																		
6		Discharge to Air	Tunnel ventilation fans located on Shed 01 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
7		Discharge to Air	Tunnel ventilation fans located on Shed 02 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
8		Discharge to Air	Tunnel ventilation fans located on Shed 03 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
9		Discharge to Air	Tunnel ventilation fans located on Shed 04 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
10		Discharge to Air	Tunnel ventilation fans located on Shed 05 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
11		Discharge to Air	Tunnel ventilation fans located on Shed 06 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
12		Discharge to Air	Tunnel ventilation fans located on Shed 07 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
13		Discharge to Air	Tunnel ventilation fans located on Shed 08 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
14		Discharge to Air	Tunnel ventilation fans located on Shed 09 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
15		Discharge to Air	Tunnel ventilation fans located on Shed 10 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
16		Discharge to Air	Tunnel ventilation fans located on Shed 11 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
17		Discharge to Air	Tunnel ventilation fans located on Shed 12 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
18		Discharge to Air	Tunnel ventilation fans located on Shed 13 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
19		Discharge to Air	Tunnel ventilation fans located on Shed 14 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
20		Discharge to Air	Tunnel ventilation fans located on Shed 15 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
21		Discharge to Air	Tunnel ventilation fans located on Shed 16 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
22		Discharge to Air	Tunnel ventilation fans located on Shed 17 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
23		Discharge to Air	Tunnel ventilation fans located on Shed 18 as shown on Figure "Site Plan - Vent Fans" submitted to the EPA on 26 August 2022 (CM9 DOC22/760112).																																																																																		
P1.2	<p>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.</p> <table border="1" data-bbox="403 1745 1169 1822"> <thead> <tr> <th colspan="4"><i>Water and land</i></th> </tr> <tr> <th>EPA Identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	<i>Water and land</i>				EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description					<p>Operational Environmental Management Plan (OEMP) dated 05 September 2024 from SLR Consulting Australia.</p> <p>Rushes Creek Water Testing Spreadsheet from ProTen.</p>	<p>A review of the OEMP indicates that groundwater monitoring at the designated monitoring points is to be undertaken six-monthly for the first 24 months of operation, or until baseline conditions are established. Annual monitoring is then recommended thereafter, provided no adverse impacts are identified. A review of the Rushes Creek water testing spreadsheet indicates that groundwater monitoring was last undertaken in August 2023. During the site inspection, the Applicant confirmed that the piezometers have been dry for some time and, as a result, groundwater monitoring cannot currently be undertaken.</p> <p>Monitoring at the discharge point is required during discharge events. A review of the water testing spreadsheet indicates that monitoring was undertaken during overflow events in 2023 and 2024. In addition, a sample</p>	Compliant																																																																					
<i>Water and land</i>																																																																																					
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																																																																																		

	<p>3 Groundwater Monitoring Piezometer REG001 as shown on 'Figure 5 Proposed Surface Water and Groundwater Monitoring Locations (SLR, 2022)' and as submitted to the EPA on 05 August 2022 (refer CM9 DOC22/739443).</p> <p>4 Groundwater Monitoring Piezometer REG002 as shown on 'Figure 5 Proposed Surface Water and Groundwater Monitoring Locations (SLR, 2022)' and as submitted to the EPA on 05 August 2022 (refer CM9 DOC22/739443).</p> <p>5 Groundwater Monitoring Piezometer REG003 as shown on 'Figure 5 Proposed Surface Water and Groundwater Monitoring Locations (SLR, 2022)' and as submitted to the EPA on 05 August 2022 (refer CM9 DOC22/739443).</p> <p>24 Wet Weather Discharge Wet Weather Discharge Discharge point at existing detention dam at Farm 2 identified in "Figure 5 proposed Surface Water and Groundwater monitoring locations" (SLR, 2022) in the Soil and Water Management Plan dated 15 September 2022.</p>		was collected in April 2025 during a non-overflow event to establish baseline data for this monitoring point.								
P1.3	<p>The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.</p> <p style="text-align: center;"><i>Noise/Weather</i></p> <table border="1"> <thead> <tr> <th>EPA identification no.</th> <th>Type of monitoring point</th> <th>Location description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Meteorological Station</td> <td>Weather station located at GPS coordinates -30.8188424 South, 150.5875648 East.</td> </tr> </tbody> </table>	EPA identification no.	Type of monitoring point	Location description	1	Meteorological Station	Weather station located at GPS coordinates -30.8188424 South, 150.5875648 East.	Installation Report dated 07 December 2025 from Envirodata Weather Stations Pty Ltd providing confirmation that a new meteorological station has been installed.	A meteorological station was established at the start of the Project. Capital expenditure approval was obtained for the procurement and installation of a new weather monitoring station, which was installed on 10 December 2025, ensuring compliance with the requirements of this condition (Photo 3).	Compliant	
EPA identification no.	Type of monitoring point	Location description									
1	Meteorological Station	Weather station located at GPS coordinates -30.8188424 South, 150.5875648 East.									
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.		Section 120 of the Protection of the Environment Operations Act 1997 provides that a person who pollutes any waters is guilty of an offence. While several incidents of water overflow from the Detention Dam were identified during the audit period, these incidents were reported and appropriate corrective actions were implemented in accordance with the Conditions of Consent. On this basis, the Applicant is considered to be complying with Section 120 of the Protection of the Environment Operations Act 1997 with respect to the prevention of pollution of water resources.	Compliant							
L2 Waste											
L2.1	The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.		Based on the review of documentation, site interviews, and the site inspection, there was no evidence that waste generated outside the premises is stored, treated, processed, or disposed of at the premises.	Compliant							
L2.2	This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.		This condition is noted.	Compliant							
L3 Noise Limits											
Operational Noise Limits											
L3.1	Noise from the premises must not exceed: a) an LAeq (15 minute) noise emission criterion of 35 dB(A) during the day (7am to 6pm) Monday to Friday and 7am to 1pm Saturday; and, b) an LAeq (15 minute) noise emission criterion of 35 dB(A) during the evening (6pm to 10pm) Monday to Friday; and, c) at all other times, an LAeq (15 minute) noise emission criterion of 35 dB(A), except as expressly provided by a condition of this licence.	ProTen Environmental Complaints Register dated 1 December 2025 from ProTen.	Although no noise monitoring has been undertaken during the concurrent construction and operation of Stage 1, this condition does not require noise monitoring. The complaints register has been reviewed for the audit period and confirmed that no noise complaints were received.	Compliant							
L3.2	The noise limits set out in condition L3.1 apply under all meteorological conditions, including inversion meteorological conditions determined at the meteorological station.		As no complaints were received during the audit period and no noise monitoring was required or undertaken, this condition was not triggered.	Not triggered							
L3.3	For the purposes of condition L3.2: a) Data recorded by the meteorological station identified as EPA Identification Point 1 must be used to determine meteorological conditions; and b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Fact Sheet D - Accounting for Noise-Enhancing Weather Conditions in the NSW Noise Policy for Industry.		As no complaints were received during the audit period and no noise monitoring was required or undertaken, this condition was not triggered.	Not triggered							

L3.4	To determine compliance with the noise limits in condition L3.1, the noise measurement equipment must be located: a) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or b) within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or c) within approximately 50 metres of the boundary of a National Park or Nature Reserve; or d) at the most affected point at a location where there is no dwelling at the location; or e) at the most affected point within an area at a location prescribed by conditions L3.4a.		As no complaints were received during the audit period and no noise monitoring was required or undertaken, this condition was not triggered.	Not triggered	
L3.5	A non-compliance of condition L3.1 will still occur where noise generated from the premises exceeds the appropriate limit as measured: • at a location other than an area prescribed by condition L3.4(a), L3.4(b) and L3.4(c); and/or • at a point other than the most affected point at a location.		As no complaints were received during the audit period and no noise monitoring was required or undertaken, this condition was not triggered.	Not triggered	
L3.6	For the purposes of determining the noise generated at the premises, the modification factors in Fact Sheet C - Corrections for Annoying Noise Characteristics of the NSW Noise Policy for Industry must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.		As no complaints were received during the audit period and no noise monitoring was required or undertaken, this condition was not triggered.	Not triggered	
Construction Noise Limits					
L3.7	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.		Refer to Condition L3.1 above. The complaints register has been reviewed for the audit period and confirmed that no noise complaints were received.	Compliant	
Concurrent Construction and Operation Noise Limits					
L3.8	The licensee must ensure that noise generated during operation of Stage 1 (Farm 2) of the development does not exceed 40 dB(A)LAeq(15 minute) during the evening and night at all residential receivers.	ProTen Environmental Complaints Register dated 1 December 2025 from ProTen.	Refer to Condition L3.1 above. The complaints register has been reviewed for the audit period and confirmed that no noise complaints were received.	Compliant	
L3.9	The licensee must ensure that noise generated during concurrent construction of water storage facilities, and operation of crushing facility with associated plant does not exceed 43 dB(a) LAeq (15 minute) at all residential receivers.	ProTen Environmental Complaints Register dated 1 December 2025 from ProTen.	Refer to Condition L3.1 above. The complaints register has been reviewed for the audit period and confirmed that no noise complaints were received.	Compliant	
L4 Blasting					
L4.1	The airblast overpressure level from blasting operations at the premises must not exceed 120dB at any time. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.		No blasting activities were undertaken during the audit period and, as a result, this condition was not triggered.	Not triggered	
L4.2	The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.		No blasting activities were undertaken during the audit period and, as a result, this condition was not triggered.	Not triggered	
L4.3	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.		No blasting activities were undertaken during the audit period and, as a result, this condition was not triggered.	Not triggered	
L4.4	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.		No blasting activities were undertaken during the audit period and, as a result, this condition was not triggered.	Not triggered	
L4.5	The airblast overpressure and ground vibration levels in conditions L4.1 to L4.4 do not apply at noise sensitive locations that are owned by the licensee or subject to a private agreement, relating to airblast over pressure and ground vibration levels, between the licensee and landowner.		No blasting activities were undertaken during the audit period and, as a result, this condition was not triggered.	Not triggered	
L4.6	Blasting in or on the premises must only be carried out between 0900 hours and 1500 hours, Monday to Friday. Blasting in or on the premises must not take place on Saturdays, Sundays or Public Holidays without the prior approval of the EPA.		No blasting activities were undertaken during the audit period and, as a result, this condition was not triggered.	Not triggered	
L5 Hours of operation					
L5.1	Standard construction hours Unless otherwise specified by any other condition of this licence, all construction activities which includes crushing and screening operations, and associated loading and unloading activities are:		This audit period spans both the construction and operational phases and working hours for each phase have been assessed. Sign-in and sign-out records are maintained through the Online Induct system, providing an overview of working hours during the construction	Compliant	

	a) restricted to between the hours of 7:00am and 6:00pm Monday to Friday; b) restricted to between the hours of 8:00am and 1:00pm Saturday; and c) not to be undertaken on Sunday or Public Holidays.		phase. The operational phase stipulates a 24/7 working schedule, and no issues with work outside standard hours were identified.		
L5.2	This condition does not apply to the delivery of material outside the hours of operation permitted by condition L4.1, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification must be provided to the EPA and affected residents as soon as possible or within a reasonable period in the case of emergency.		No concerns with out of hours working were identified.	Compliant	
L5.3	The hours of construction specified in condition L4.1 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.		No concerns with out of hours working were identified.	Compliant	
L5.4	Activities at the premises, other than construction work, may be carried on 24 hours a day, 7 days a week.		This condition is noted.	Compliant	
L6 Potentially offensive odour					
L6.1	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.	Letter (reference: SSD-7704-PA-89) dated 29 May 2025 from DPHI confirming that the existing Stage 1 operations are compliant with s.129 of the Protection of the Environment Operations Act 1997 (POEO Act). As such, the OMP for Stage 1 of the development (Farm 2) could cease, pursuant to Condition B5(c) of the consent.	On 29 May 2025, DPHI confirmed that the existing Stage 1 operations are compliant with Section 129 of the Protection of the Environment Operations Act 1997 (POEO Act). Accordingly, approval was granted to cease the Odour Monitoring Program for Stage 1 of the development (Farm 2), pursuant to Condition B5(c) of the consent.	Compliant	
L7 Other limit conditions					
L7.1	The total number of poultry meat birds accommodated on the premises must not exceed 3,051,000 birds at any one time.	Stocking records for period 2022 – 2025 from ProTen Tamworth providing stocking rates.	A review of the stocking records provided indicates that the number of birds placed on the farm between 2022 and 2025 ranged between 759,349 and 967,255 at any given time. On this basis, a compliant finding is recorded in relation to the maximum broiler population at any given time.	Compliant	
L7.2	The maximum bird density within a shed, expressed as live bird weight, must not exceed 34 kilograms per square meter at any time.	Stocking records for period 2022 – 2025 from ProTen Tamworth providing stocking rates.	A review of the stocking records provided indicates that the stocking densities between 2022 and 2025 ranged between 30.75 and 32.97. On this basis, a compliant finding is recorded in relation to the stocking densities.	Compliant	
L7.3	The maximum number of sheds to be populated per day is a maximum of 12 sheds.	Stocking records for period 2022 – 2025 from ProTen Tamworth providing stocking rates.	Review of stocking records indicates that no more than 12 sheds were populated per day.	Compliant	
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.		No issues regarding the storage and handling of dangerous materials were identified during the site audit (Photo 14). The Applicant stated that old poultry litter is removed by a contractor and applied to paddocks on their farming property. During the site inspection, no evidence was observed of spent bedding material being stored or used onsite. No issues with the storage and handling of waste were identified during the site audit.	Compliant	
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.	Various Batch Verification Schedules from Baiada confirming that inspections are undertaken. Pre-Start Checklist dated 24 December 2025 from ProTen for RTV. Pre-Start Checklist dated 01 October 2025 from ProTen for Tractor.	Pre-start checks and inspection records are maintained through the online Lucidity system. Any issues identified are either rectified immediately or managed for repair and maintenance by the Farm Manager. The Farm Manager raises purchase orders, which are tracked as planned or unplanned items within the maintenance budget and reviewed monthly by Regional Management. Examples of pre-start checklists and batch verification schedules were provided to the Auditors. No evidence of plant or equipment being operated in an improper or inefficient manner was observed during the site inspection.	Compliant	
O3 Dust					
O3.1	The premises must be maintained in a manner that prevents and/or minimises the emission of air pollutants including dust from the premises.		The Applicant confirmed that, although the Farm regularly experiences rain that keeps roads wet, a water cart is available if roads become dry (Photo 4). No dust-related concerns were observed during the site inspection.	Compliant	
O3.2	All activities carried out in and on the premises must be undertaken in a manner that prevent and/or minimises the emission of air pollutants, including dust, from the premises.		See Condition O3.1 above.	Compliant	

O3.3	Trucks entering and leaving the premises that are carrying loads of excavated material or screened or crushed product must be covered at all times, except during material inspection, loading, and unloading.		No crushing, grinding or separating were undertaken during the audit period. This condition is therefore not triggered.	Not triggered	
O3.4	All plant and equipment (including loaders, excavators, crushers, screen, drill rig, trucks) must be maintained in accordance with manufacturers requirements to minimise malfunction that could result in increased air quality emissions.		No crushing, grinding or separating were undertaken during the audit period. This condition is therefore not triggered.	Not triggered	
O3.5	Watering must be used as a means of dust suppression for the following activities and locations: a) During all crushing and screening operations; b) During all product loading and unloading operations in the product stockpile area; c) During all haulage activities on the premises (road watering), except where alternative dust mitigation measures are implemented in accordance with the Dust Management Plan; d) At all stockpiles and emplacements, except where effective alternative measures are implemented in accordance with the Dust Management Plan.		No crushing, grinding or separating were undertaken during the audit period. This condition is therefore not triggered.	Not triggered	
O4 Other operating conditions					
Shed Design					
O4.1	Each shed must have fully sealed flooring constructed using an impermeable material limited to either concrete or a cement treated base with an asphalt overlay and top coated with a polymer sealant. There must also be a 300mm (minimum) high dwarf concrete bund wall.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered	
O4.2	The premises must be designed, constructed, operated and maintained in a manner that does not preclude the retrofit of air quality (including odour) emissions controls and management measures include, but not limited to: • stacks vertically exhaust emissions from the tunnel ventilation fans at height; and • odour abatement measures such as scrubbers.		Vents and fans were noted on all sheds during the site inspection (Photo 8). No further concerns were noted.	Compliant	
O4.3	Stormwater/sediment control – Construction Phase The licensee shall prepare and implement a Soil and Water Management Plan (SWMP) for the premises. The plan must describe measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities. The SWMP shall be prepared in accordance with the requirements for such plans outlined in Managing Urban Stormwater: Soils and Construction (Landcom, 2004) (available from the Department of Housing).		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered	
O4.4	Stormwater/sediment control - Operation Phase A Stormwater Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities. The Scheme should be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the Scheme should be consistent the guidance contained in the Managing Urban Stormwater: Council Handbook (available from the EPA).	Operational Environmental Management Plan (OEMP) dated 05 September 2024 from SLR Consulting Australia. Rushes Creek Poultry Production Farm (SSD 7704) Stage 1 Soil and Water Management Plan dated 07 May 2025 from Sage Environmental Services.	With respect to the operation of the stormwater management system, the Applicant has updated the OEMP and the Soil & Water Management Plan since the first independent audit. These documents now describe the engineered Surface Water Management System. The stormwater management system was generally found to be operated in accordance with this condition, with the following observation made during the site inspection: <ul style="list-style-type: none">Clean surface water runoff is diverted around the Project via a diversion trench located to the east of the sheds (Photo 11). This trench directs clean water around the site and discharges downstream of the Detention Basin. The discharge point could not be inspected for evidence of scouring, as this area is located adjacent to the demarcated construction zone for the new dams.Washdown water and rainfall runoff within the poultry farm are conveyed via grassed swale drains to the Detention Basin (Photo 12).As noted above, a clean water diversion trench has been constructed upstream of site activities, diverting clean runoff around the site (Photo 11).The grassed swale drains were observed to be well maintained, with evidence of ongoing maintenance (Photo 12).No evidence of water pollution was observed during the inspection.	Compliant	
O4.5	Vegetated swales and other stormwater conveyances within the controlled drainage areas must be underlain by a compacted clay layer of at least 300mm thickness and with a permeability of less than $1 \times 10^{-9} \text{m/s}$, or other material providing an equivalent barrier to percolation.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered	
O4.6	Prior to operations commencing at each sub-stage, the licensee must submit to the EPA records that demonstrate that vegetated swales and other stormwater conveyances within the controlled drainage areas have been constructed in accordance with Condition O4.5.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered	
O4.7	A vegetation screen shall be planted around the perimeter of each Poultry Production Unit as follows: a) minimum total width of 40 metres;		The establishment of the vegetation screen required under this condition was previously identified as a non-compliance during the first independent audit, which is outside the current audit period. However, during the site	Non-compliant	NC7

	<p>b) contain consistent, yet random plantings of a variety of tree and shrub species of differing growth habits, at a spacing of 4 metres to 7 metres;</p> <p>c) include species with long, thick and rough foliage;</p> <p>d) achieve a porosity of 0.5 (50% of the screen will be air space);</p> <p>e) include species that are hardy and fast growing;</p> <p>f) foliage from base to crown (ie lower and upper storey vegetation).</p>		<p>inspection undertaken on 14 January 2026, the vegetation screen remained not fully established.</p> <p>At the time of the inspection, the vegetation screen did not completely surround the Farm 2 sheds to form a full perimeter of the PPU, and therefore the intent of Condition O4.7 had not been met (Photo 16 and Photo 17). The Applicant advised that a number of previously planted trees have failed and that replanting is proposed, with mulch to be used to improve establishment. During the site inspection, mulch was observed onsite, indicating preparation for replanting (Photo 18). Notwithstanding this, the vegetation screen remains incomplete and presents an ongoing risk; accordingly, this matter has been raised again as a non-compliance in the current audit.</p> <p>Recommended action:</p> <p>Ensure that the recommendations associated with the non-compliance identified under Condition B53 of the Conditions of Consent are implemented.</p>																				
O4.8	<p>Contaminated Sites</p> <p>The proponent shall implement remedial works provided in a Remedial Action Plan on Lot 165 DP752169 at the premises.</p>		<p>The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.</p>	Not triggered.																			
O4.9	<p>The proponent shall submit a site validation report to the Environment Protection Authority and Tamworth Regional Council within 30 days of completing remedial works.</p>		<p>The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.</p>	Not triggered.																			
O4.10	<p>All reports relating to contaminated land matters must be prepared, or review and approved, by a 'certified consultant'.</p> <p>'Certified consultant' is defined as a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)), or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.</p> <p>The quality information section of a report submitted, is to include the details of the consultant's certification, which should include a personalised electronic seal for either the CEnvP(SC) scheme or CPSS CSAM scheme.</p>		<p>The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.</p>	Not triggered.																			
Concurrent Construction and Operation - Stage 1 (Farm 2)																							
O4.11	<p>Concurrent construction and operation of Stage 1 (Farm 2) of the development must not exceed a maximum period of 10 months, and must be carried out in accordance with the timetable detailed below.</p> <table border="1" data-bbox="400 1171 1157 1348"> <thead> <tr> <th>Sub-Stage</th> <th>Construction Activities</th> <th>Operational Activities</th> </tr> </thead> <tbody> <tr> <td>1A</td> <td>Earthworks, northern site access road and internal roads</td> <td>None</td> </tr> <tr> <td>1B</td> <td>Sheds 1-8 and ancillary infrastructure</td> <td>None</td> </tr> <tr> <td>1C</td> <td>Sheds 9-12</td> <td>Sheds 1-8</td> </tr> <tr> <td>1D</td> <td>Sheds 13-16</td> <td>Sheds 1-12</td> </tr> <tr> <td>1E</td> <td>Sheds 17-18</td> <td>Sheds 1-16</td> </tr> </tbody> </table>	Sub-Stage	Construction Activities	Operational Activities	1A	Earthworks, northern site access road and internal roads	None	1B	Sheds 1-8 and ancillary infrastructure	None	1C	Sheds 9-12	Sheds 1-8	1D	Sheds 13-16	Sheds 1-12	1E	Sheds 17-18	Sheds 1-16	<p>Rushes Creek Poultry Farm Development Independent Environmental Audit 2022 dated January 2023 from Integrated Environmental Management Australia assessing compliance with construction related conditions of the Conditions of Consent.</p> <p>Stocking records for period 2022 – 2025 from ProTen Tamworth providing stocking rates.</p>	<p>As per the first independent audit, "Project is currently in Stage 1C (based on site discussions this commenced on 23 September 2022). It is proposed that on 25 November 2022 ProTen will move into Stage 1D. Farm 2 has 18 sheds being constructed or already constructed. Sheds 1 - 8 are occupied with chickens, with operational activities beginning 23 September 2022 at sheds 6-8, 26 September 2022 at sheds 1 and 5, and 27 September 2022 at sheds 2-4 (based on Weekly Supplier report spreadsheet). Sheds 9 to 18 are at various stages of construction. At the time of the site inspection, pads were being prepared for sheds 13 and 18. Because sheds 1-8 became operational on 23 September 2022, ProTen have until 23 July 2023 to finish construction of remaining sheds at Farm 2. This condition is compliant within this IEA period."</p> <p>From review of the stocking records, all sheds were stocked in March 2023 thereby confirming that constructing of all sheds was completed before the 23 July 2023 deadline.</p>	Compliant	
Sub-Stage	Construction Activities	Operational Activities																					
1A	Earthworks, northern site access road and internal roads	None																					
1B	Sheds 1-8 and ancillary infrastructure	None																					
1C	Sheds 9-12	Sheds 1-8																					
1D	Sheds 13-16	Sheds 1-12																					
1E	Sheds 17-18	Sheds 1-16																					
Use of Emergency Backup Diesel Generators for Stage 1 (Farm 2)																							
O4.12	<p>The use of emergency backup diesel generators as the primary operational power supply for Stage 1 (Farm 2) must not exceed a period of 21 months.</p>	<p>Certificate of Electrical Compliance HV dated 14 June 2024 from Essential Energy enabling connection and operation prior to fully energising and putting plant into service.</p>	<p>Sub-Stage 1C commenced on 23 September 2022. Accordingly, this condition permitted the use of emergency backup diesel generators as the primary operational power supply until 23 June 2024. The reticulated electricity supply was commissioned on 11 April 2024, with the Certificate of Compliance from Essential Energy finalised on 14 June 2024.</p>	Compliant																			
O4.13	<p>No more than two 440 kVA emergency backup diesel generators at Farm 2 and one 45 kVA emergency backup diesel generator at the Namoi River water supply pump shall operate at any one time during the 21 month period.</p>	<p>Generators Check spreadsheet from Baiada showing generator usage.</p> <p>SCR Maintenance Report dated 09 October 2023 from ECI Australia.</p> <p>Equipment service reports (various) from Generator Power (Australia) Pty Ltd.</p>	<p>Review of the Generator Check spreadsheet confirmed that two generators were used as backup generators at the Farm: Generator 3 (Backup 1), located at the bottom of the sheds, and Generator 4 (Backup 2). From review of maintenance reports the use of the 45 kVA generator was also confirmed.</p>	Compliant																			
O4.14	<p>Any diesel generator that operates for a period of more than 200 hours or more per year must comply with the nitrogen oxide emission limits specified in Schedule 4 of the Protection of the Environment Operations (Clean Air) Regulation 2021.</p>		<p>The Applicant advised that NO_x scrubbers are fitted to the generators. The generators are also equipped with real-time NO_x monitoring devices (Photo 1), which alert the Site Manager and Main PC if NO_x concentrations</p>	Compliant																			

			exceed prescribed limits. In accordance with Schedule 4 of the Protection of the Environment Operations (Clean Air) Regulation 2021, the standard concentration limit for NO _x is 450 mg/m ³ . Review of a grab sample of NO _x monitoring records identified no exceedances of this limit.		
Maintain an Odour Complaint Logbook					
O4.15	In the event of an odour complaint, the licensee must conduct an immediate investigation of the odour sources, take appropriate action to eliminate any identified excessive odour, and document the outcomes and the actions taken.	ProTen Environmental Complaints Register dated 1 December 2025 from ProTen.	The complaints register has been reviewed for the audit period and confirmed that no odour related complaints were received. This condition is therefore not triggered.	Not triggered	
O4.16	If the EPA receives odour complaints the EPA may require: a) a sensitivity analysis report to be undertaken; and/or b) additional odour mitigation works such as outlined in Condition O4.2.		A review of the records provided during the audit confirms that the EPA did not receive any odour complaints during the audit period. Accordingly, this condition was not triggered.	Not triggered	
O4.17	Sediment control measures must be installed and maintained to minimise the discharge of sediment and other pollutants to land and/or waters from crushing and screening areas, stockpiles, and emplacements in accordance the requirements of 'Managing Urban Stormwater: Soils and Construction' guidelines including, Volume 1, 4th edition (Landcom, March 2004) and Volume 2E Mines and Quarries (Department of Environment and Climate Change, June 2008).		No crushing, grinding or separating were undertaken during the audit period. This condition is therefore not triggered.	Not triggered	
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.	Rushes Creek Water Testing Spreadsheet from ProTen. Rushes Creek Odour Surveys – April 2023 dated 26 April 2023 from Astute Environmental Consulting. Rushes Creek Odour Surveys – February 2024 dated 23 February 2024 from Astute Environmental Consulting. Rushes Creek Odour Surveys – February 2025 dated 06 March 2025 from Astute Environmental Consulting. Rushes Creek Odour Surveys – October 2023 dated 26 October 2023 from Astute Environmental Consulting. Rushes Creek Odour Surveys – October 2024 dated 28 October 2024 from Astute Environmental Consulting. Meteorological data sheet with data from October 2022 to December 2025.	Monitoring results required under this EPL, comprising water testing, odour surveys, and meteorological data, were provided to the Auditors.	Compliant	
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.		A review of records provided as part of this independent audit confirmed that the records were legible and maintained for periods exceeding the audit timeframe. The Applicant indicated that these records would be made available to an EPA officer upon request.	Compliant	
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Rushes Creek Water Testing Spreadsheet from ProTen. Water sampling log sheet.	A review of the Water Testing Spreadsheet and the water sampling log sheet confirmed that records specified by this condition are being kept. Odour monitoring and meteorological monitoring records are compliant with this condition.	Compliant	
M2 Requirement to monitor concentration of pollutants discharged					
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Rushes Creek Water Testing Spreadsheet from ProTen.	A review of the Water Testing Spreadsheet confirmed that all sampling points were monitored and all parameters specified in Condition M2.2 were analysed.	Compliant	
M2.2	Water and/ or Land Monitoring Requirements		See discussion under Condition M2.1 above.	Compliant	

POINT 3,4,5					
Pollutant	Units of measure	Frequency	Sampling Method		
Ammonia	milligrams per litre	Every 6 months	Representative sample		
Bicarbonate	milligrams per litre	Every 6 months	Representative sample		
Calcium	milligrams per litre	Every 6 months	Representative sample		
Carbonate	milligrams per litre	Every 6 months	Representative sample		
Chloride	milligrams per litre	Every 6 months	Representative sample		
Conductivity	microsiemens per centimetre	Every 6 months	Representative sample		
Magnesium	milligrams per litre	Every 6 months	Representative sample		
Nitrogen (nitrate)	milligrams per litre	Every 6 months	Representative sample		
Nitrogen (nitrite)	milligrams per litre	Every 6 months	Representative sample		
Nitrogen (total)	milligrams per litre	Every 6 months	Representative sample		
pH	pH	Every 6 months	Representative sample		
Phosphorus	milligrams per litre	Every 6 months	Representative sample		
Potassium	milligrams per litre	Every 6 months	Representative sample		
Sodium	milligrams per litre	Every 6 months	Representative sample		
Standing Water Level	metres (Australian Height Datum)	Every 6 months	In situ		
Sulfide (total)	milligrams per litre	Every 6 months	Representative sample		
Total dissolved solids	milligrams per litre	Every 6 months	Representative sample		
Total organic carbon	milligrams per litre	Every 6 months	Representative sample		
POINT 24					
Pollutant	Units of measure	Frequency	Sampling Method		
Electrical conductivity	microsiemens per centimetre	Each overflow event	In situ		
Nitrogen (total)	milligrams per litre	Each overflow event	Representative sample		
pH	pH	Each overflow event	In situ		
Phosphorus	micrograms per litre	Each overflow event	Representative sample		
Total suspended solids	milligrams per litre	Each overflow event	Representative sample		
M2.3	For the purposes of the table(s) above, monitoring at Points 3, 4 and 5 is not required when the monitoring point is inaccessible due to rainfall, or is dry, or inadequate water is available to collect a sample.	Rushes Creek Water Testing Spreadsheet from ProTen.	A review of the Rushes Creek water testing spreadsheet indicates that groundwater monitoring (points 3, 4 and 5) was last undertaken in August 2023. During the site inspection, the Applicant confirmed that the piezometers have been dry for some time and, as a result, groundwater monitoring cannot currently be undertaken.	Compliant	
M3 Testing methods - concentration limits					
M3.1	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.		This condition is noted.	Compliant	
M4 Weather monitoring					
M4.1	At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively. POINT 1	Meteorological data sheet with data from October 2022 to December 2025.	All parameters listed in this condition are sampled.	Compliant	
Parameter	Sampling method	Units of measure	Averaging period	Frequency	
Rainfall	AM-4	millimetres per hour	1 hour	Continuous	
Sigma theta	AM-2 & AM-4	Degrees	10 minutes	Continuous	
Siting	AM-1	-	-	-	
Temperature at 2 metres	AM-4	degrees Celsius	10 minutes	Bi-Monthly	
Temperature at 10 metres	AM-4	degrees Celsius	10 minutes	Continuous	
Total Solar Radiation	AM-4	Watts per square metre	10 minutes	Continuous	
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	10 minutes	Continuous	
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	10 minutes	Continuous	
M4.2	Alternate sampling methods specified in condition M4.1 may be used provided the alternate method is approved in writing by the EPA.		Monitoring is undertaken as per the methods provided for in Condition M4.1 and therefore this condition is not triggered.	Not triggered	
M4.3	The weather monitoring instrumentation installed and operated at the site must have a stall speed, or lower limit of measure, for measuring wind speed less than 0.2 metres per second.	Installation Report dated 07 December 2025 from Envirodata Weather Stations Pty Ltd providing confirmation that a new meteorological station has been installed. Vaisala WINDCAP® Ultrasonic Wind Sensor WXT532 technical data sheet from Vaisala.	A Vaisala WINDCAP® Ultrasonic Wind Sensor WXT532 has been installed as part of the meteorological station. Review of the sensor's technical data sheet confirms that the wind speed measurement range is 0–60 m/s.	Compliant	

M5 Recording of pollution complaints					
M5.1	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.	ProTen Environmental Complaints Register dated 1 December 2025 from ProTen.	A complaints register is maintained to record all pollution-related complaints.	Compliant	
M5.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	ProTen Environmental Complaints Register dated 1 December 2025 from ProTen.	A review of the complaints register confirms that the requirements outlined in this condition have been met.	Compliant	
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.		This condition is noted.	Compliant	
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.		This condition is noted.	Compliant	
M6 Telephone complaints line					
M6.1	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.	ProTen Environmental Complaints Register dated 1 December 2025 from ProTen.	A review of the complaints register confirms that all complaints received during the audit period were made by telephone, indicating that a telephone complaints line is in operation.	Compliant	
M6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.		A review of the ProTen website conducted on 29 January 2026 confirmed that the public complaints telephone number is displayed on the website and is readily accessible.	Compliant	
M6.3	The preceding two conditions do not apply until one month from the date of the issue of this licence.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
M7 Other monitoring and recording conditions					
Odour Monitoring Program					
M7.1	The licensee must develop and implement an odour monitoring program, prepared by a suitably qualified and experienced person, that applied field based ambient odour assessment survey methods and is consistent with the following standards: a) Verein Deutscher Ingenieure (VDI)-Richtlinien (2006a). Measurement of odour impact by field inspection - Measurement of the impact frequency of recognizable odours; Grid measurement, VDI 3940 Part 1, Kommission Reinhaltung der Luft im VDI und DIN, Dusseldorf. b) Verein Deutscher Ingenieure (VDI)-Richtlinien (2006c). Measurement of odour impact by field inspection - Measurement of the impact frequency of recognizable odours; Plume measurement, VDI 3940 Part 2, Kommission Reinhaltung der Luft im VDI und DIN, Dusseldorf. c) Verein Deutscher Ingenieure (VDI)-Richtlinien (2010). Measurement of odour impact by field inspection - Determination of odour intensity and hedonic odour tone; VDI 3940 Part 3, Kommission Reinhaltung der Luft im VDI und DIN, Dusseldorf.	Rushes Creek Odour Surveys – April 2023 dated 26 April 2023 from Astute Environmental Consulting. Rushes Creek Odour Surveys – February 2024 dated 23 February 2024 from Astute Environmental Consulting. Rushes Creek Odour Surveys – February 2025 dated 06 March 2025 from Astute Environmental Consulting. Rushes Creek Odour Surveys – October 2023 dated 26 October 2023 from Astute Environmental Consulting. Rushes Creek Odour Surveys – October 2024 dated 28 October 2024 from Astute Environmental Consulting.	The development and submission of the AQMP (including odour monitoring program) was covered as part of the first independent audit. From review of the odour monitoring reports provided, the standards as referenced in this condition were considered.	Compliant	
M7.2	The odour monitoring program referred to in condition M7.1 must include but is not limited to the following: a) More than one person to undertake the field survey; b) Prior to conducting the field survey, a consideration of whether the persons' sense of smell is temporarily compromised by factors including, but not limited to, illness, hayfever, pregnancy and wearing strong perfume; c) Strategically located, publicly accessible, odour monitoring locations in the vicinity of the nearest sensitive receptors to the premises and recorded on a map; d) A 360 degree circuit to check for the presence of other odour sources; e) A rapid screening survey to locate any odour plumes, including the odour plume centreline, where odour intensity, character and consistency are recorded at several locations for one minute; f) A 10 minute odour assessment where:	Rushes Creek Odour Surveys – April 2023 dated 26 April 2023 from Astute Environmental Consulting. Rushes Creek Odour Surveys – February 2024 dated 23 February 2024 from Astute Environmental Consulting. Rushes Creek Odour Surveys – February 2025 dated 06 March 2025 from Astute Environmental Consulting.	The requirements outlined in this condition are addressed in the odour monitoring reports (see Section 1.1 of each report).	Compliant	

	<p>i. odour intensity and odour character are recorded at 10 second intervals for 10 minutes at the plume centreline and each odour monitoring location; and</p> <p>ii. wind speed and wind direction are recorded at the beginning and end of each 10 minute assessment period; and</p> <p>iii. each person conducting the assessment records results independently.</p> <p>g) An odour log sheet for the rapid screening survey that records odour intensity and character for 1 minute at several locations, including the plume centreline;</p> <p>h) An odour log sheet for the 10 minute odour assessment that records the following information:</p> <ol style="list-style-type: none"> 1. Odour monitoring location. 2. Time and date of survey. 3. Name of person conducting the assessment. 4. Character and intensity of odour at the monitoring location at 10 second intervals for 10 minutes. 5. Meteorological conditions including temperature, wind speed and wind direction at the monitoring location at the start and end of the 10 minute assessment period. 6. Any changes in wind direction and wind speed during the ten minute assessment period. <p>i) Stocking densities and activities occurring at the premises at the time of the survey.</p> <p>NOTE: In ranking the intensity of the odour, the method used must be consistent with the following German standards:</p> <ul style="list-style-type: none"> • Verein Deutscher Ingenieure (VDI)-Richtlinien (1992). Olfactometry - Determination of Odour Intensity. VDI 3882 Part 1, Kommission Reinhaltung der Luft im VDI und DIN, Dusseldorf. • Verein Deutscher Ingenieure (VDI)-Richtlinien (2010). Measurement of odour impact by field inspection - Determination of odour intensity and hedonic odour tone, VDI 3940 Part 3, Kommission Reinhaltung der Luft im VDI und DIN, Dusseldorf. 	<p>Rushes Creek Odour Surveys – October 2023 dated 26 October 2023 from Astute Environmental Consulting.</p> <p>Rushes Creek Odour Surveys – October 2024 dated 28 October 2024 from Astute Environmental Consulting.</p>			
M7.3	The odour monitoring program and the suitably qualified and experienced person(s) carrying out the odour monitoring program must be approved in writing by the EPA prior to commencement of operations.	Email from EPA dated 15 September 2022 from EPA accepting Astute Environmental as suitably qualified to undertake odour monitoring.	Astute Environmental was approved as suitably qualified to undertake the odour monitoring by the EPA in an email dated 15 September 2022.	Compliant	
M7.4	The odour monitoring program must be carried out at least once per production cycle during the following periods, under odour enhancing meteorological and stocking conditions: <ol style="list-style-type: none"> i. 1 February - 30 May inclusive; and, ii. 1 September - 30 November inclusive. 	<p>Rushes Creek Odour Surveys – April 2023 dated 26 April 2023 from Astute Environmental Consulting.</p> <p>Rushes Creek Odour Surveys – February 2024 dated 23 February 2024 from Astute Environmental Consulting.</p> <p>Rushes Creek Odour Surveys – February 2025 dated 06 March 2025 from Astute Environmental Consulting.</p> <p>Rushes Creek Odour Surveys – October 2023 dated 26 October 2023 from Astute Environmental Consulting.</p> <p>Rushes Creek Odour Surveys – October 2024 dated 28 October 2024 from Astute Environmental Consulting.</p>	Odour monitoring records were provided for April 2023, October 2023, February 2024, October 2024, and February 2025. Specific target times are detailed in the monitoring reports. Survey periods were scheduled to align with existing workloads and to be conducted in the lead-up to the first thinning (i.e., near peak density).	Compliant	
M7.5	The odour monitoring program must target times that present an increased risk of odour emissions that might impact surrounding receptors (i.e. periods of peak stocking density in the sheds on the farm, and periods when receptors are most likely to be home) and when meteorological conditions are most likely to transport odour emissions towards receptor locations.		See Condition M7.4 above.	Compliant	
M7.6	The results of the odour monitoring program, including the survey data sheet must be submitted to the EPA within 2 weeks of the carrying out of each odour survey. Submission is to be via email to: info@epa.nsw.gov.au and marked to the attention of the Armidale EPA Office. Note: The odour monitoring program will be reviewed by the EPA at the completion of two years of surveys (where one year is considered to be the period identified in condition M7.4 i) and ii)). At the completion of the review, the EPA will determine if it is appropriate for the program to continue, cease, or if additional odour mitigation measures are required at the premises.	<p>Email dated 27 October 2023 from EPA confirming receipt of the report.</p> <p>Email dated 19 March 2024 from EPA confirming receipt of the report.</p> <p>Email dated 04 November 2024 from EPA confirming receipt of the report.</p>	<p>Submissions of odour monitoring results have been reviewed as follows:</p> <ul style="list-style-type: none"> • April 2023 monitoring report – Survey dates were 16 April – 18 April 2023. The report was submitted to the EPA on 2 May 2023. • October 2023 – Survey dates were 15 – 17 October 2023. The report was submitted to the EPA on 27 October 2023. • February 2024 – Survey dates were 12 – 14 February 2024. The report was submitted to the EPA on 19 March 2024. • October 2024 – Survey dates were 14 – 16 October 2024. The report was submitted to the EPA on 04 November 2024. 	Compliant	

		<p>Email dated 10 March 2025 from EPA confirming receipt of the report.</p> <p>Letter (reference: SSD-7704-PA-89) dated 29 May 2025 from DPHI confirming that the existing Stage 1 operations are compliant with s.129 of the Protection of the Environment Operations Act 1997 (POEO Act). As such, the OMP for Stage 1 of the development (Farm 2) could cease, pursuant to Condition B5(c) of the consent.</p>	<ul style="list-style-type: none"> February 2025 – Survey dates were 17 – 19 February 2025. The report was submitted to the EPA on 10 March 2025. <p>The February 2024, October 2024, and February 2025 reports were not submitted within two weeks of conducting the surveys. The Applicant advised that this was due to late submissions of results from the consultant to them. In all cases, the Applicant submitted the reports within two weeks of receiving them from the consultant and accordingly, a compliant finding is noted.</p> <p>On 29 May 2025, DPHI confirmed that the existing Stage 1 operations are compliant with Section 129 of the Protection of the Environment Operations Act 1997 (POEO Act). Accordingly, approval was granted to cease the Odour Monitoring Program for Stage 1 of the development (Farm 2), pursuant to Condition B5(c) of the consent.</p>		
M8 Noise monitoring					
Noise Validation Monitoring - Stage 1 (Farm 2) Operations					
M8.1	<p>Attended noise monitoring must be undertaken in accordance with Condition L3.4 and must:</p> <p>a) occur at receptors R24 and R25 as identified in Figure 3 of 'Rushes Creek Poultry Production Farm – SSD 7704 - Modification 3 - Modification Report (EME Advisory, January 2022)'; and,</p> <p>b) occur within 10 days of operations commencing at Farm 2; and,</p> <p>c) occur while operating two 440 kVA generators at Farm 2 concurrent with Farm 2 operations; and,</p> <p>d) occur during the night period as defined in the Noise Policy for Industry (EPA, 2017) for a minimum of 1 hour during the night.</p>		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
M8.2	The licensee must undertake noise, blast and vibration monitoring as directed by an authorised officer of the EPA.		No requests have been made by an EPA officer to conduct noise monitoring, and therefore this condition was not triggered.	Not triggered.	
M8.3	<p>All noise monitoring for the purpose of determining compliance with conditions of this licence must be undertaken by a suitably qualified and experienced person in accordance with:</p> <p>a) Australian Standard AS 2659.1 - 1998: Guide to the use of sound measuring equipment - portable sound level meters; and</p> <p>b) the compliance monitoring guidance in the Noise Policy for Industry (EPA, 2017).</p>		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
M8.4	<p>All blast and vibration monitoring must be:</p> <p>a) undertaken in accordance with the technical guidance provided in the Assessing Vibration: a technical guideline (DEC, 2006); and</p> <p>b) assessed and reported against the acceptable values of human exposure to vibration set out in Tables 2.2 and 2.4 of the Assessing Vibration: a technical guidelines (DEC, 2006).</p>		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
6 Reporting Conditions					
R1 Annual return documents					
R1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <ol style="list-style-type: none"> a Statement of Compliance, a Monitoring and Complaints Summary, a Statement of Compliance - Licence Conditions, a Statement of Compliance - Load based Fee, a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and a Statement of Compliance - Environmental Management Systems and Practices. <p>At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.</p>	<p>Annual Return Statement of Compliance – Licence Details (reporting period 11/8/2022 – 10/8/2023 from Proten Tamworth Limited.</p> <p>Annual Return Statement of Compliance – Licence Details (reporting period 11/8/2023 – 10/8/2024 from Proten Tamworth Limited.</p> <p>Annual Return Statement of Compliance – Licence Details (reporting period 11/8/2024 – 10/8/2025 from Proten Tamworth Limited.</p>	Three annual returns were completed and submitted to the EPA. A review of the annual returns provided during the audit period confirms that they were prepared in accordance with the approved form and the requirements outlined in this condition.	Compliant	
R1.2	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p>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.</p>		Refer to Condition R1.1 above. Three annual returns were prepared, one for each reporting period.	Compliant	
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <p>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</p>		This licence was not transferred to a new licensee and, therefore, this condition was not triggered.	Compliant	

	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. Note: An application to transfer a licence must be made in the approved form for this purpose.				
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.		This licence was not surrendered by the licensee and, therefore, this condition was not triggered.	Compliant	
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').		It was confirmed during the interview process that annual reports are signed electronically. Once signed, an email confirmation is received, which constitutes final submission. After reviewing the email during the interview process it was confirmed that the final submission of the 2025 Annual Report was on 13 October 2025, which is after the due date of 9 October 2025. Recommended action: This condition cannot be rectified retrospectively. The Applicant should ensure that the next annual return is submitted no later than 60 days after the end of the reporting period.	Non-compliant	NC8
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.		Copies of the annual returns that were supplied to the EPA were provided to the auditors.	Compliant	
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.		As mentioned above, annual reports are signed electronically through the eConnect EPA portal. From review of email correspondence during the interview process, it was confirmed that a duly authorised person from the licence holder has signed the annual returns.	Compliant	
R2 Notification of environmental harm					
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555. 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.	Incident notification letter dated 21 November 2022 from ProTen. Investigation report dated 14 December 2022 from ProTen. Incident notification letter dated 04 April 2023 from ProTen. Incident acknowledgement letter dated 8 May 2023 from DPE confirming key dates associated with the 4 April 2023 incident.	The following incidents were reported during the audit period: <ul style="list-style-type: none">Incident on 14 November 2022 - a controlled unlicensed discharge was initiated from a retention dam at Farm 2 at the Rushes Creek Poultry Farm. The DPE was notified of the incident on 21 November 2022 (within 7 days as required by Appendix 3) and an investigation report was submitted on 14 December 2022 (within 30 days of the date of the incident). Both the incident notification and the investigation report complied with the requirements of Appendix 3.Incident on 29 March – 5 April 2023 - a controlled discharge was initiated from a retention dam at Farm 2 at the Rushes Creek Poultry Farm. The DPE was notified of the incident on 4 April 2023 (within 7 days as required by Appendix 3) and a response to the DPE RFI was submitted on 30 April 2023 (within 30 days of the date of the incident). Both the incident notification and the investigation report complied with the requirements of Appendix 3.	Compliant	
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.		See discussion under Condition R2.1 above.	Compliant	
R3 Written report					
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) 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.		Based on the information provided and interviews conducted, a written report was not requested during the audit period and, accordingly, this condition was not triggered.	Not triggered	
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.		Based on the information provided and interviews conducted, a written report was not requested during the audit period and, accordingly, this condition was not triggered.	Not triggered	
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) 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;		Based on the information provided and interviews conducted, a written report was not requested during the audit period and, accordingly, this condition was not triggered.	Not triggered	

	d) 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; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) 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.		Based on the information provided and interviews conducted, a written report was not requested during the audit period and, accordingly, this condition was not triggered.	Not triggered	
R4 Other reporting conditions					
Noise Compliance Assessment Report - Stage 1 (Farm 2)					
R4.1	A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the monitoring required in Condition M8.1. The assessment must be prepared by a competent person and include: a) an assessment of compliance with noise limits presented in Condition L3.1; and, b) an assessment of modifying factors including Low Frequency Noise in accordance with Fact Sheet C of the Noise Policy for Industry; and, c) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in Condition L3.1.		The requirements of this condition fall outside the current audit period, with compliance assessed as part of the first independent audit. Accordingly, this condition is not triggered.	Not triggered.	
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.		A copy of this licence is kept at the site offices.	Compliant	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.		This condition is noted.	Compliant	
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.		This condition is noted.	Compliant	

Table 7.3: Site audit photos





Photo 4 – Dust suppression filling point



Photo 5 – Speed limit signs



Photo 6 – Access road



Photo 7 – Generator



Photo 8 – Vents and fans at the sheds



Photo 9 – Parking area



Photo 10 – Truck offloading at site



Photo 11 – Clean water diversion trench



Photo 12 – Grassed swale drains



Photo 13 – Fenced off heritage site



Photo 14 – Storage of hazardous materials



Photo 15 – Dead bird freezers



Photo 16 – Vegetation screen (western side of operation)



Photo 17 – Vegetation screen (eastern side of operation)



Photo 18 – Mulch stockpile



Photo 19 – Rehabilitated Southern Burrow Pit



Photo 20 – Wheel wash at entrance



Photo 21 – Overflow pegs at existing detention basin



Photo 22 – ErSed controls at two new dams



Photo 23 – Sediment fence covered by spoil material



Photo 24 – Ongoing construction activities at the two new dams



MOSS
ENVIRONMENTAL



OzEnvironmental Pty Ltd is now proudly part of the Moss Group of companies

7.2 APPENDIX B - PLANNING SECRETARY AUDIT TEAM AGREEMENT

Department of Planning, Housing and Infrastructure

NSW Planning ref: SSD-7704-PA-94

James Wentworth
Chief Executive Officer
Proten Pty Limited
23/12/2025

Sent via the Major Projects Portal only

Subject: Rushes Creek Poultry Production Farm - 2026 IEA auditor endorsement request

Dear Mr Wentworth

I refer to your request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Audit of the Rushes Creek Poultry Production Farm, submitted as required by Schedule 2, Condition C13 of SSD-7704 as modified (the consent) to NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 18 December 2025.

NSW Planning has reviewed the independent auditor nomination and based on the information you have provided is satisfied that the proposed person is suitably qualified, experienced, and independent.

In accordance with Schedule 2, Condition 13 of the consent and the NSW Planning, *Independent Audit Post Approval Requirements* (2020), as nominee of the Planning Secretary, I endorse the following auditor:

- Ms Shonelle Gleeson-Willey (Lead Auditor)

Please note:

- This correspondence must be appended to the Independent Audit Report.
- The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of consent and the NSW Planning *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.
- The above auditor is approved for the current operational audit only. Additional approval must be sought from the Planning Secretary for future audits of the development.
- Any change to the auditor or auditor roles must be approved by the Planning Secretary prior to the audit commencing.
- The Lead Auditor must attend the site inspection component of the audit.
- The audit period is the day after the site inspection date of the previous audit, to the final site inspection date of the current audit.

Department of Planning, Housing and Infrastructure

Should you wish to discuss the matter further, please contact Joel Curran, Principal Compliance Officer on 02 4904 2702 or email compliance@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read "A Hagerthy".

Ann Hagerthy
A/Team Leader - Hunter
Compliance

As nominee of the Planning Secretary

7.3 APPENDIX C – CONSULTATION

12/02/2026

Joel Curran
Department of Planning, Housing and Infrastructure
Via email (compliance@planning.nsw.gov.au and joel.curran@planning.nsw.gov.au)

Dear Joel,

I refer to the Rushes Creek Poultry Farm (SSD-7704) and associated MOD 1 to MOD 5 as the approved Lead Auditor by the Department of Planning, Housing and Infrastructure (the Department) and endorsed by the Secretary.

This letter is hereby to acknowledge and conduct the consultation requirement under the Independent Audit Post Approval Requirements (2020) – Section 3.2 for the Scope development of the Rushes Creek Poultry Farm.

“The auditor must consult with the Department, who may request that other parties or agencies are consulted, including the Community Consultative Committee chairperson (if one is required for the project), to obtain their input into the scope of the audit” (page 8)

As indicated in the above exert, I would like to enquire if the department has any requests for consultation with other parties or agencies including the Community Consultative Committee?

Please advise of any Department requests in writing, that may be applicable to the Scope of the audit.

Kind Regards



Shonelle Gleeson-Willey
As the Approved Lead Environmental Auditor 12/02/2026

12/02/2026

NSW EPA
Via email (info@epa.nsw.gov.au)

Dear NSW EPA,

I refer to the Rushes Creek Poultry Farm (SSD-7704) and associated MOD 1 to MOD 5 as the approved Lead Auditor by the Department of Planning, Housing and Infrastructure (the Department) and endorsed by the Secretary.

This letter is hereby issued to acknowledge and conduct the consultation requirement under the Independent Audit Post Approval Requirements (2020) – Section 3.2 for the Scope development of the Rushes Creek Poultry Farm.

“The auditor must consult with the Department, who may request that other parties or agencies are consulted, including the Community Consultative Committee chairperson (if one is required for the project), to obtain their input into the scope of the audit” (page 8)

The Department was consulted regarding the above requirement and has requested that NSW EPA be consulted for input into the scope of the audit. I would like to enquire if NSW EPA has any environmental issues or commentary which should be included in the audit.

Please advise of any requests in writing by 05 March 2026, that may be applicable to the Scope of the audit.

Kind Regards



Shonelle Gleeson-Willey
As the Approved Lead Environmental Auditor 12/02/2026

12/02/2026

Paul Bennett
Tamworth Regional Council – General Manager
Via email (trc@tamworth.nsw.gov.au)

Dear Paul,

I refer to the Rushes Creek Poultry Farm (SSD-7704) and associated MOD 1 to MOD 5 as the approved Lead Auditor by the Department of Planning, Housing and Infrastructure (the Department) and endorsed by the Secretary.

This letter is hereby issued to acknowledge and conduct the consultation requirement under the Independent Audit Post Approval Requirements (2020) – Section 3.2 for the Scope development of the Rushes Creek Poultry Farm.

“The auditor must consult with the Department, who may request that other parties or agencies are consulted, including the Community Consultative Committee chairperson (if one is required for the project), to obtain their input into the scope of the audit” (page 8)

The Department was consulted regarding the above requirement and has requested that Tamworth Regional Council be consulted for input into the scope of the audit. I would like to enquire if Council has any environmental issues or commentary which should be included in the audit.

Please advise of any Council requests in writing by 05 March 2026, that may be applicable to the Scope of the audit.

Kind Regards



Shonelle Gleeson-Willey
As the Approved Lead Environmental Auditor 12/02/2026

7.4 APPENDIX D – AUDIT MEETING ATTENDANCE REGISTER

7.5 APPENDIX E – SITE AUDIT INTERVIEWS

Interview Record – Graeme Attwell

Role: Regional Operations Manager

Project: Rushes Creek Poultry Farm

Interview Date: 11 February 2026

Interview Type: Environmental Audit Interview (Teams)

Question 1: Explain how the conditions of consent, EPL conditions, EIS requirements, and management plan commitments are being implemented, with specific reference to the environmental management system.

Response:

All compliance matters are managed by the compliance team. Kristie monitors and ensures compliance, while Kate oversees the SHEQ aspects.

Follow-up:

Can you provide an overview of the system?

Response:

My role is primarily to provide inputs as required. Kristie is responsible for the overall compliance system.

Follow-up:

If Kristie has a compliance question, how is it communicated to you?

Response:

The Lucidity system will be used in the future to prompt actions for designated personnel. This process is currently in a transition phase.

Question 2: What was not working previously with the system, and what has changed?

Response:

Previously, too many people were involved, which caused inefficiencies. Now, a dedicated department and a primary responsible person manage the process.

Follow-up:

Is the Lucidity process more automated?

Response:

Yes, it provides automated prompts and notifications.

Question 3: The Air Quality and Noise Management Plans require generators to be housed within acoustic enclosures. Is this the case, and are designs available for the audit?

Response:

Generators are housed in self-contained enclosures, not separate rooms or sheds, and are designed to comply with decibel limits.

Follow-up:

Do you have specifications for the generators?

Response:

Yes, I can provide these. Generators are sourced from Gen Power.

Question 4: Do you think the hierarchy of waste management is effectively implemented?

Response:

Dead birds are collected daily by Baiada and stored in refrigerated units until collection. General waste is collected weekly or fortnightly, with additional skips delivered if required. All waste is removed from site; none is stored permanently.

Follow-up:

Is there a procedure for when dead birds are stored longer than required?

Response:

Yes, procedures are in place for the disposal of excess dead birds.

Question 5: How are the specific systems for each job role demonstrated?

Response:

There are different levels within the company, from Farm Managers to farmhands, each with defined roles and responsibilities. Managers are required to refer to manuals and policies more extensively than farmhands.

Question 6: Are roles and responsibilities effectively captured in position descriptions?

Response:

Position descriptions are broad to reflect the farming environment and responsibilities are scaled according to hierarchy.

Question 7: What role have you had in incident management?

Response:

I am the first point of contact for incidents and communicate with Kate, who manages risk and advises on incident management. Specific personnel may also be involved depending on the incident type.

Follow-up:

Will Kate report incidents to the EPA?

Response:

During normal working hours, yes. Kristie can also report incidents if required.

Question 8: Have effective corrective and preventative actions been implemented following past incidents?

Response:

Yes, corrective and preventative actions have been very effective.

Question 9: What do you see as the biggest environmental risk for the site and why?

Response:

Loss of a significant number of birds at the same time, as clean-up would be challenging.

Follow-up:

What is the likelihood of this risk occurring?

Response:

The risk is very low. Backup generators and adequate water storage dams are in place, along with procedures to manage incidents.

Follow-up:

Is this likelihood expected to change in the future?

Response:

No, the risk is expected to remain consistent.

Question 10: NC REC 6 recommendation – Was an ecologist engaged, and what company does Leon work for?

Response:

Yes, an ecologist was engaged. He operates a company that supplies approximately 80% of trees to mines in the area. I can provide an invoice showing the company name.

Question 11: Does procurement consider the waste hierarchy?

Response:

I am not involved with procurement; this question should be directed to the procurement team.

Question 12: Condition B54A – Proof of consultation with receptor R15.

Response:

I consulted with him. He indicated he has no issues with the solar array and is willing to provide written confirmation if required.

Interview Record – Kristie Stevens

Role: National SHEQ Coordinator

Project: Rushes Creek Poultry Farm

Interview Date: 02 February 2026

Interview Type: Environmental Audit Interview (Teams)

Question 1: Explain how the conditions of consent, EPL conditions, EIS requirements, and management plan commitments are being implemented, with specific reference to the environmental management system.

Response:

A planner is maintained for all ProTen sites, including Rushes Creek Poultry Farm, which functions as a risk management tracker. I review the planner regularly to ensure compliance with key commitments such as audits and monitoring. Routine environmental inspections are recorded and tracked through the Lucidity program.

Question 2: Is this system effective in ensuring compliance with commitments/conditions?

Response:

Yes, it is effective.

Follow-up:

Is there anything that could be improved?

Response:

In the future, the environmental planner will also be fully integrated into the Lucidity system, which will further streamline tracking and reporting.

Question 3: NC REC 6 recommendation – Was an ecologist engaged as part of this recommendation?

Response:

Yes. The ecologist's report has been previously submitted as part of the information provided.

Follow-up:

Do you know if Leon, who drafted the report, has a company?

Response:

I am unsure. This question can be directed to Graeme.

Question 4: Do you think the hierarchy of waste management is effectively being implemented?

Response:

Yes. No waste is stored on site.

Follow-up:

What about office waste?

Response:

Office waste is recycled, and bulk waste is collected by Gunnedah Trade for disposal.

Follow-up:

Does procurement consider the waste hierarchy?

Response:

I do not work with procurement directly; this question can be directed to Graeme.

Question 5: How are the specific systems to each job role demonstrated?

Response:

I report to Kate, the National SHEQ Manager. Jason, the Standard SHEQ Officer, reports to me and manages toolbox talks. Monthly SHEQ meetings are held to review processes and responsibilities.

Question 6: What role have you had in incident management?

Response:

Incidents are reported directly to Graeme and then to Kate. My role is primarily as a scribe.

Follow-up:

Do you think corrective and preventative actions have been effectively implemented?

Response:

Yes, in the incidents I was involved with, actions were managed effectively. For example, the discharge incident led to updates to the soil and water management plan, and the meteorological data recording issue was resolved through the installation of a new station.

Question 7: What do you see as the biggest environmental risk for the site and why?

Response:

The main risks are potential discharge events from the dam, though new dams are being constructed, and impacts to heritage sites.

Follow-up:

Why the heritage sites?

Response:

Impacts to heritage sites have significant implications and associated costs; however, the likelihood of damage is low.

Question 8: What is the biggest challenge the site faces in the future?

Response:

Heat, which affects animal welfare. The site is relatively isolated, with few neighboring properties, reducing other operational challenges.

Follow-up:

What could be changed to address the heat challenge?

Response:

Installing larger ventilation fans could mitigate heat-related issues.

Question 9: Condition A20 – “Maximum number of sheds to be populated per day is 12.” How do you interpret this?

Response:

This condition limits us to stocking a maximum of 12 sheds per day. Logistically, it is not possible to stock more than 12 sheds.

Question 10: Condition A39 states “the Applicant must provide a copy of the documentation given to the Certifier under condition A38 to the Planning Secretary within seven days after the Certifier accepts it.” Additional evidence was requested as part of RFI2. Evidence uploaded is for Sheds 1 - 12 and not for 13-18 (which falls within our audit period).

Response:

All relevant evidence has been uploaded to the SharePoint folder, covering submissions for Sheds 1-18.

Question 11: Condition B54A requires that proof of consultation with receptor R15 be submitted to the Planning Secretary. The additional information provided as part of RF12 still does not provide such evidence. If no evidence is available, the PAR (2020) does provide the Auditor with the opportunity to consult with the landowner. We can do so to confirm that consultation was undertaken.

Response:

To my understanding, consultation was verbal only, so no written evidence exists. Graeme can confirm further details.

Question 12: Condition M1.3 of the EPL requires records to be kept of specific information as part of monitoring/sampling. A review of the Water Testing Spreadsheet confirmed that the time the water samples were taken and the name of the person who collected them was not specified. Is there other evidence that you can provide that would confirm compliance (e.g. field sample sheet)?

Response:

I will review the GSG lab reports and provide supporting evidence to confirm compliance with the record-keeping requirements.

Question 13: Conditions R1.5 and R1.7 of EPL refer to the submission of Annual Reports. The Annual Reports provided do not specify a submission date (to be submitted not later than 60 days after the end of reporting period). They are also not signed. Can this be confirmed?

Response:

Annual reports are signed electronically. Once signed, an email confirmation is received, which constitutes final submission.

Follow-up:

Can these emails be provided?

Response:

Yes.

**After reviewing the email during the interview it was confirmed that the final submission of the 2025 Annual Report was on 13 October 2025, which is after the due date of 9 October 2025.*

7.6 APPENDIX F - INDEPENDENT AUDIT DECLARATION FORMS

Declaration of Independence – Auditor

Project Name: Rushes Creek Poultry Farm

Consent Number: SSD 7704-Mod 5

Description of Project: ProTen Tamworth Pty Limited has obtained development consent to construct and operate a large-scale intensive poultry broiler production farm within a rural area known as Rushes Creek in the Tamworth Local Government Area.

Project Address: Rushes Creek, NSW, 2346

Proponent: ProTen Tamworth Pty Ltd

Date: 16/12/2025

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews of auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) 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) 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, \$1 million and for an individual, \$250,000; and
- b) 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)

Name of Proposed Auditor: Shonelle Gleeson-Willey

Signature:

Qualifications:

- Environmental Lead Auditor – SAI Global
- Certificate in Social Impact Assessment – Uni of Strathclyde
- Master of Environmental Management - UNE
- Bachelor of Applied Science (Environmental Management and Tourism) – UWS
- Certified Professional of Erosion and Sediment Control (CPESC) – International Erosion Control Association
- Certified Environmental Practitioner (CEnvP) – Environment Institute of Australia and New Zealand
- Infrastructure Sustainability Accredited Professional (ISAP)-held for 3 years

Company: Moss Environmental

Independent Audit Report Declaration Form

Project Name Ruses Creek Poultry Farm

Consent Number SSD 7704-Mod 5

Description of Project ProTen Tamworth Pty Ltd broiler production farm in Tamworth LGA.

Project Address Ruses Creek, NSW, 2346

Proponent ProTen Tamworth Pty Ltd

Title of Audit Post Approval Independent Audit

Date 6/3/2026

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- a) 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) 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, \$1 million and for an individual, \$250,000; and
- b) 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)

Name of Auditor Shonelle Gleeson-Willey

Signature 

Qualification BaAppSc(EMT), MEM

Company Moss Environmental Pty Ltd

Company Address 1/324 Peel Street, Tamworth NSW 2340