

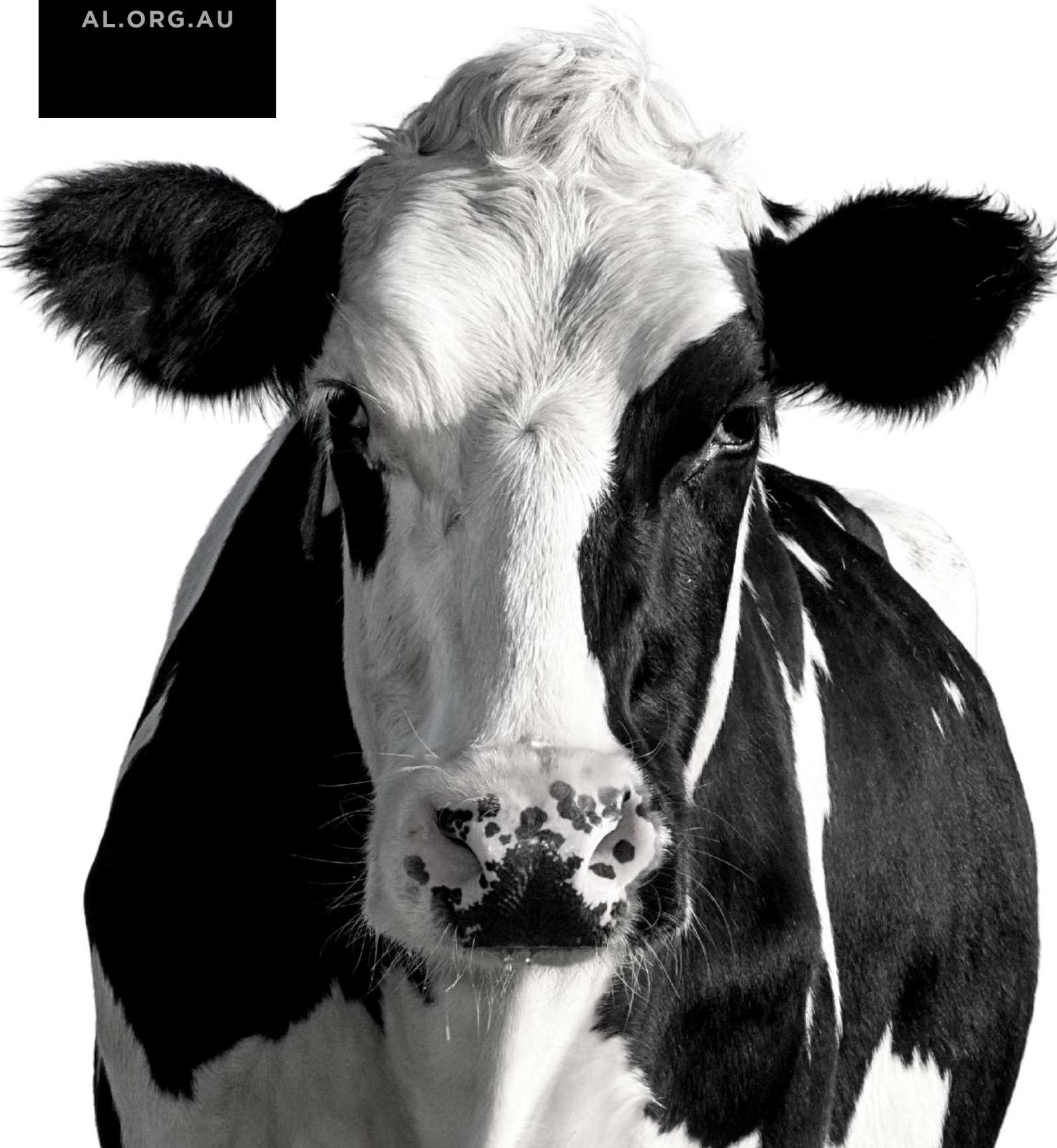
RICHMOND VALLEY COUNCIL

DA NO. 2031/0147
NORTHERN COOPERATIVE
MEAT CO. LTD.

AN ANIMAL LIBERATION SUBMISSION



AL.ORG.AU



We acknowledge the Traditional Owners of country throughout Australia and recognise their continuing connection to land, waters and culture.

We acknowledge that this document was written on land stolen from and never ceded by the Gadigal People.

We pay our respects to their Elders past, present and emerging.





*We don't have a duty to **speak** for the animals;
we have an obligation to be **heard** for the animals.*

Matt Ball (2006)

DOCUMENT DETAILS

Animal Liberation 2021. A submission by Animal Liberation in response to the Development Application (DA) No 2031/0147, and associated Statement of Environmental Effects (SoEE) and plans, lodged with Richmond Valley Council by GeoLINK on behalf of the Northern Co-operative Meat Company Ltd (NCMC), for the construction and operation of a Retail Ready Facility (RRF) addition at the Casino abattoir in the Richmond Valley Council Local Government Area (LGA)

ABOUT ANIMAL LIBERATION

Animal Liberation has worked to permanently improve the lives of all animals for over four decades. We are proud to be Australia's longest serving animal rights organisation. During this time, we have accumulated considerable experience and knowledge relating to issues of animal welfare and animal protection in this country. We have witnessed the growing popular sentiment towards the welfare of animals, combined with a diminishing level of public confidence in current attempts, legislative or otherwise, to protect animals from egregious, undue, or unnecessary harm. Our mission is to permanently improve the lives of all animals through education, action, and outreach.

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CONTACT & ENQUIRIES

Animal Liberation

301/49 York Street, SYDNEY NSW 2000

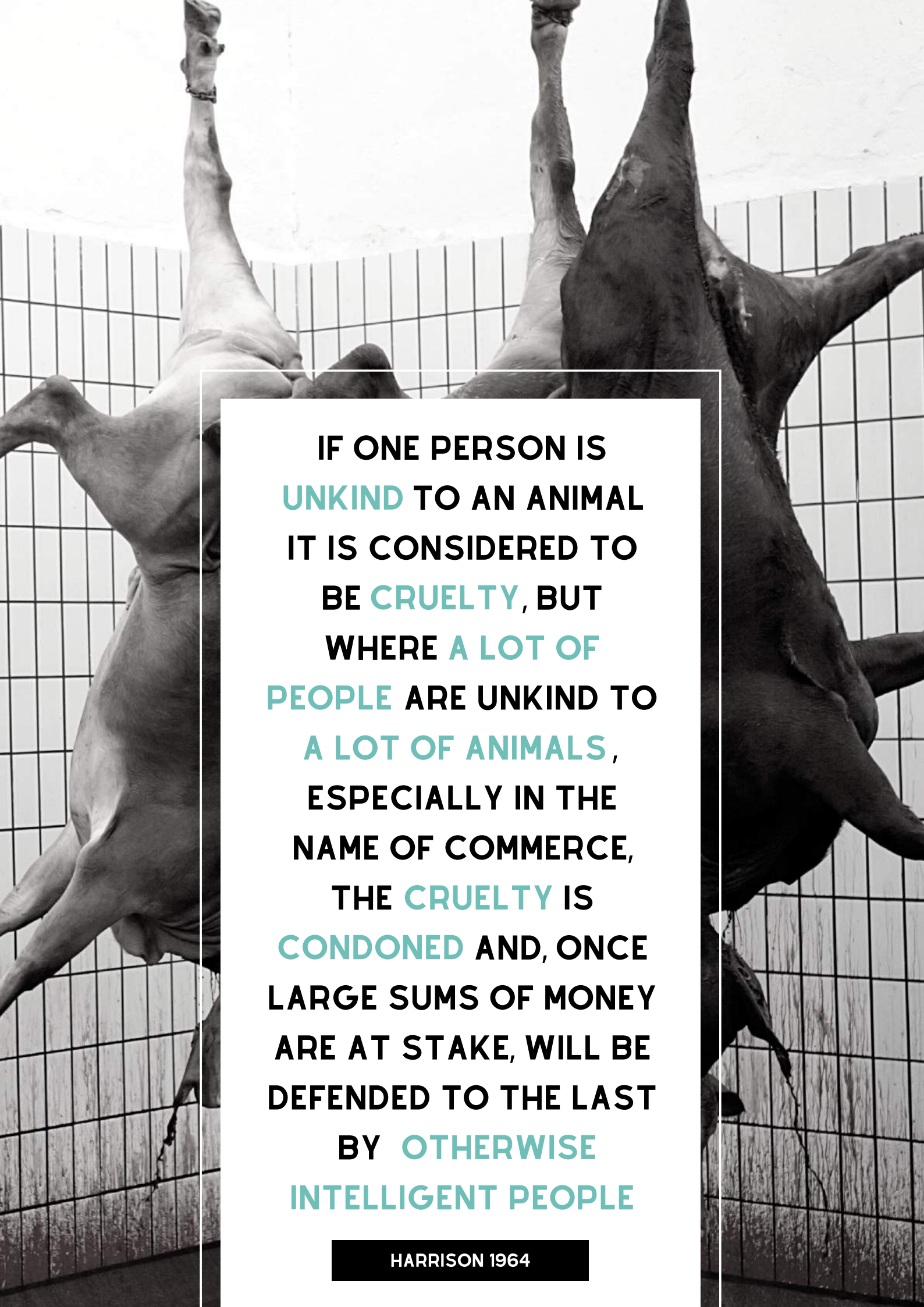
ABN: 66 002228 328

Web: www.al.org.au

Email: lisa.r@animal-lib.org.au and alex@animal-lib.org.au

Phone: (02) 9262 3221

Contact: Lisa J. Ryan, Regional Campaign Co-ordinator
Alex Vince, Campaign Director



**IF ONE PERSON IS
UNKIND TO AN ANIMAL
IT IS CONSIDERED TO
BE CRUELTY, BUT
WHERE A LOT OF
PEOPLE ARE UNKIND TO
A LOT OF ANIMALS,
ESPECIALLY IN THE
NAME OF COMMERCE,
THE CRUELTY IS
CONDONED AND, ONCE
LARGE SUMS OF MONEY
ARE AT STAKE, WILL BE
DEFENDED TO THE LAST
BY OTHERWISE
INTELLIGENT PEOPLE**

HARRISON 1964

25 January 2021

RICHMOND VALLEY COUNCIL
council@richmondvalley.nsw.gov.au



We present this submission on behalf of Animal Liberation.

Animal Liberation is grateful to Richmond Valley Council for the opportunity to lodge a submission in response to the Northern Cooperative Meat Company (NCMC) Ltd 's Development Application (DA) No 2031/0147, and associated Statement of Environmental Effects (SoEE) and plans, for the construction and operation of a Retail Ready Facility (RRF) addition at the Casino abattoir, in the Richmond Valley Local Government Area (LGA).

We request that it be noted from the outset that the following submission is not intended to provide an exhaustive commentary or assessment in response to the issues contained within the scope of the DA, and/or, the corresponding SoEE and plans.

Rather, our submission is intended to provide a general examination and responses to select areas of key concern. As such, the absence of discussion, consideration or analyses of any particular aspect or component must not be read as or considered to be indicative of consent or acceptance. For the purposes of this submission, Animal Liberation's focus covers aspects that we believe warrant critical attention and response.

We appreciate council's assessing staff and decision makers have an onerous responsibility with this complex and technically challenging planning proposal, and that the assessment review must remain independent, objective and informed during the entire process. We acknowledge and further appreciate that this planning proposal includes risks and impacts which extend beyond the Richmond Valley Council LGA, and accordingly, carries an added and heavy burden of responsibility.

Richmond Valley Council as the primary consent authority, is required to thoroughly assess the adequacy of information provided and the measures proposed by the Applicant, to mitigate any potential risks, adverse impacts (including cumulative impacts). This is clearly outlined in the Environmental Planning and Assessment Act 1979 (EP&A Act) which also requires Council give due consideration to social impacts and public interest relating to any proposed development. All these considerations are accordingly a necessary and integral part of any comprehensive, objective and

meaningful development assessment in line with the applicable planning instruments.

Animal Liberation has no 'economic' or 'vested interest' pertinent to this planning proposal, however, we care deeply about Animals, our shared Environment, and People including our 'Humanity' which extends to our unique and valued rural communities. We also support the democratic process of public exhibition and the right to have an opinion and voice that opinion, and we support and encourage a rigorous and robust Council assessment process.

It is Animal Liberation's strong recommendation that in consideration of the highly complex and technical nature of this DA and SoEE, Council has a duty and a responsibility to engage and establish an Independent Hearing and Assessment Panel (IHAP) to ensure key and critical areas which require specialist technical oversight, are adequately assessed by qualified experts in their given fields of knowledge and experience.

We have reviewed the Applicant's DA, SoEE and associated plans, prepared by the Applicant's consultant, GeoLINK, and the relevant planning framework and instruments at Council, State and Commonwealth Government levels, and our primary objections to the proposed development are set out below.

Lisa J. Ryan

Regional campaign co-ordinator

Alex Vince

Campaign director

EXECUTIVE SUMMARY

Animal Liberation is strongly opposed to the DA No 2031/0147 lodged by NCMC for the proposed RFF addition to its existing Casino slaughterhouse in the Richmond Valley Council LGA. Our objection is based on the important and inter-connecting platform of Animals, our shared Environment and People, and can be summarised as follows.

ONE

The Applicant has failed to identify, respond to and address all risks and impacts and cumulative risks and impacts, and has failed to adequately demonstrate how they would monitor, avoid, minimise, mitigate and manage these risks and impacts.

TWO

The Applicant has relied on numerous assumptions and statements indicating they have various levels of "confidence" with many of their non-evidenced control measures, and where many other potential risks and impacts are missing entirely. Such omissions prevent decision makers from undertaking a comprehensive, objective and meaningful development assessment, in line with the applicable planning instruments and community expectations. Such omissions also impede sound and effective assessment, and decision making can become problematic and flawed, and can potentially lead to serious, adverse, ongoing, permanent and irreversible consequences.

THREE

Animal Liberation contends that the proposed development is designated development and that for the purpose of this planning assessment, must be classified and assessed accordingly including the requirement to compile and submit an Environmental Impact Statement (EIS) in line with the Secretary's Environmental Assessment Requirements (SEARs).

FOUR

The Applicant has failed to undertake the necessary and expected level of consultation with key stakeholders including the local Indigenous people, sensitive receptors, and the broad community.

FIVE

There has been a marked shift in public expectations about how we treat non-human animals including those raised and slaughtered for human consumption and byproducts. The broad public are strongly opposed to intensive and industrial animal agriculture on animal welfare, environmental and public health grounds. Public interest is very strong and Council is required to consider contemporary public views and expectations.

SIX

Animal Liberation contends that the proposed development is designated development and that for the purpose of this planning assessment, must be classified and assessed accordingly including the requirement to compile and submit an Environmental Impact Statement (EIS) in line with the Secretary's Environmental Assessment Requirements (SEARs).

SEVEN

If approved, the proposed development will result in numerous adverse impacts and will pose significant risks to the local environment, biodiversity and ecosystems. The 'precautionary principle' must be applied in environmental planning decision-making with the conservation of biological diversity and ecological integrity being a fundamental consideration. The 'precautionary principle' requires decision-making to give the environment the benefit of the doubt.

SIX

The proposed development is not aligned to ecologically sustainable development (ESD) and the conservation of biological diversity and ecological integrity processes which forms part of environmental law and inter generation equality. Council, as the consent authority is required to conserve and enhance the community's resources so that ecological

SIX

processes on which life depends, are maintained, and that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.

SEVEN

The proposed development is not aligned to protecting and preserving native habitat where a fundamental consideration should require all planning and decision making to include an Environmental and Species Impact Statement.

EIGHT

The proposed development is situated in a local water drinking catchment.

NINE

The proposed development, if approved, would result in a highly offensive, and very visible development, notably with sensitive receptors, and will seriously risk and impact nearby residential residents and their ability to enjoy rural living and peaceful amenity including valid concerns about health and general well-being and issues concerning water, air, noise, visual, odour, dust, vibration, disease and biosecurity. The proposed development is situated 400 m from the nearby residential area in contrast to NSW EPA's recommended buffer distance of 500 m to the nearest residence or residential area.

TEN

Apart from facilitating the commercial interests of a private business and shareholders, the proposed development offers minimal benefits to the local community. The Applicant has failed to demonstrate how the proposed development is in the public interest.

ELEVEN

Animal Liberation contends that the proposed 186 space car park is an integral component of the current DA and should not be assessed as a separate DA., but rather as part of this current DA and assessment. The total scale and environmental impact, residual risk and the cumulative effects is designated development and the applicable SEARs should apply.

TWELVE

The Applicant has failed to provide copies of referred to correspondence from Council to the Applicant dated 5 September 2013 and 18 February 2014.

THIRTEEN

The Applicant has failed to clearly differentiate between the construction and operational phases including the applicable risks and impacts during these separate phases. The Applicant's DA and SoEE does not adequately or accurately reflect the full scale and accurate impacts of the proposed development taking into account existing development and operations and the proposed combined development which we believe will result in excessive development.

FOURTEEN

Based on an abundance of credible scientific evidence relating to climate change including current and emerging climate and general weather patterns, we are concerned that much of the available and current SoEE information and data, including numerous 'assumptions', has not fully considered climate change and the 'un-predictability' of our environment.

FIFTEEN

The Applicant has failed to provide an updated/amended management plan.

SIXTEEN

While we acknowledge the removal of 8 trees relates to non-native species, the Applicant fails to acknowledge that this tree removal will likely have an adverse impact on nesting birds and birds or other species seeking protection from the weather including, shade and safety.

WHAT HAPPENS TO THEM MATTERS TO THEM

REGAN 1983



INTRODUCTION & PREFACE

- 1.1 Globally, across Australia and throughout NSW, we have reached a major cross roads because of the animal agricultural revolution, climate change, human-animal relations, and a massive growth in public awareness and public interest. There has been a major shift in the public's expectations. This has been magnified over recent decades during which time 'traditional' animal agriculture has given way to industrial scale intensive animal agriculture, which is by its very nature, based on a model of high volume and fast production and processing to maximise yields and profits for the agri-business producers, not the communities in which they are situated.
- 1.2 Over the last several decades, animal agriculture in Australia has increasingly become industrialised and secretive. Large scale, intensive animal agriculture is becoming commonplace across our rural landscapes. This is changing and negatively impacting our 'country' landscapes permanently. We are increasingly sacrificing for economic gain, and losing all that is unique, beautiful, precious, and so intrinsically woven into the Australian fabric of who we are as a society. Over the past 50 years, agribusiness corporations have replaced family farms. This concentration means that individual profit driven corporations can be responsible for many thousands of animals at any one time, whilst also securing economic and market dominance. These large, often wealthy and powerful individual profit driven corporations benefit much at the expense of Animals, the Environment and People, including our rural communities.
- 1.3 Council will fully appreciate how important animal welfare is to the Australian public and how increasingly the public are far more informed on this topic. A 2018 public survey and report commissioned by the Commonwealth Government's Department of Agriculture and Water Resources, and published by Futureeye, Australia's Shifting Mindset on Farm Animal Welfare, gleaned that the latest official figures on animal welfare issues are unequivocal. The report confirmed that 95% of respondents considered animal welfare to be an area of concern, with at least 91% wanting to see this improved through reforms, and many respondents flagged a lack of trust with regulators and perceived 'conflicts of interest'.
- 1.4 Food production often has a significantly negative impact on our environment, and the production of meat, dairy and, to a lesser extent, eggs has a particularly disproportionate effect on our climate and natural resources. Livestock production has been found to significantly contribute to greenhouse gas emissions. The UN Food and Agriculture Organisation estimates that livestock production is responsible for 18% of greenhouse gas emissions,

- 1.4 while other studies put the figure closer to 51%. Either way, livestock production contributes a bigger share of greenhouse gas emissions than the entire global transport sector.
- 1.5 Industry representatives have disproportionate influence over the animal welfare standard setting process, resulting in welfare standards being established that fail to adequately protect animals and their very function only reinforces existing inadequate industry husbandry practices. Self-regulation and self-auditing member bodies have no regularity powers or authority and accordingly, all inclusion or reference and reliance on these industry bodies and their literature should be ignored. Self-regulation is a conflicted way of managing animal welfare because at its core it relies on a promise by industry to abide by woefully inadequate animal welfare standards, rather than meaningful monitoring and enforcement mechanisms.
- 1.6 In addition to applicable planning Instruments and regulations, and Government Guidelines; Council must also take the following matters into consideration in line with Section 4.15 of the Environmental Planning and Assessment Act 1979. The provisions of particular interest are:
- 1(B) the likely impacts of that development including environmental impacts on both the natural and built environments and social and economic impacts in the locality;
 - 1(C) the suitability of the site for the Development;
 - 1(D) any submissions made in accordance with this Act or the Regulations and;
 - 1(E) the public interest.
- 1.7 This DA is presented by the Applicant as a proposed addition, (for the construction and operation), of a RFF, but factually, this DA is for a proposed expansion of an existing slaughterhouse. The Applicant's DA refers to the livestock as "products" which are "processed"; they are in fact sentient beings slaughtered against their will, at this one (Casino) of two NCMC facilities, which derives exceedingly large profits from the export market (Australia, the Americas, Japan, Korea, European Union and production of halal and organic products), and the export of premium wet-blue leather.

- 1.8 Animal agriculture is an industry shrouded in and reliant on secrecy. Meat, dairy and egg products, involve the slaughtering (killing) of animals, whether directly for human consumption, or as “waste products” of the industry. Most of this killing is carried out at slaughterhouses, also known as abattoirs, which operate primarily for human consumption.
- 1.9 Animals deemed unfit or unsuitable for human consumption are killed at similar, but generally much smaller, facilities called knackeries. By-products from slaughterhouses or knackeries that are not for human consumption are processed at facilities called rendering plants; sometimes the rendering plants are located within the same facility. Every year in Australia, 520-620 million animals are killed at abattoirs, mostly for meat (direct human consumption).
- 1.10 Slaughterhouses can range from being huge industrial facilities with hundreds of workers, to small sheds with only a handful of employees, or even backyard operations run entirely by the owner of the property. There are roughly 250-300 commercial slaughterhouses in Australia, though many of these are no longer operating. The slaughterhouse workforce in Australia consists of around 25,000 employees. It is a predominantly young workforce with around half of all workers younger than 35.
- 1.11 We note the findings from the 2016 Census, confirmed there were 22,807 people in Richmond Valley LGA ,and of those employed people aged 15 years and over, ‘meat processing’ was the predominant occupation with 585 or 7.1% of the total population in Richmond Valley LGA.
- 1.12 Most animals killed at Australian slaughterhouses are supposed to be rendered unconscious by various stunning methods before having their throat cut open to be bled out (referred to as the “sticking” process; a slash across the throat for sheep, a stab into the throat for pigs and cattle), however, this does not always happen, as a small number of facilities have permission from State Governments to kill without prior stunning, and more generally, stunning is not always done effectively/correctly.
- 1.13 An increasing number of cruelty exposés at Australian slaughterhouses highlight the barbaric and terrifying nature of the annual killing of hundreds of millions of animals for human consumption. Organisations like Animal Liberation seek to bring these practices into the public consciousness so that consumers can make informed decisions about whether they want to continue funding such cruelty.
- 1.14 As intensive animal agriculture has rapidly increased and transpired into large and powerful agri-businesses, these

- 1.14 businesses continue to gain significant power and dominance within the industry. This has resulted in slaughterhouses increasingly being forced to meet the demands of these businesses, frequently risking and compromising safe working conditions, public health, environmental management and animal welfare.
- 1.15 High speed kill lines and excessive use of strong chemicals and water for cleaning contribute to worker injury and health and environmental impacts including pollution incidents and water contamination. Slaughterhouses discharge wastewater contaminated with blood, oil and grease, and fats, which contains nitrogen and phosphorus pollution and pathogens, among other contaminants. This can cause algae blooms that suffocate aquatic life and turn rivers, streams and drinking water catchments into bacteria-infected public health hazards.
- 1.16 The serious risks and impacts with slaughterhouses are common and widespread. In an October 2018 report, the Environmental Integrity Project (EIP) found the average slaughterhouse discharged over 330lbs of nitrogen a day in 2017 – the amount of pollution in untreated sewage from a town of 14,000 people. At least 66 of the 98 plants surveyed by EIP were owned by companies with more than \$2bn in annual revenues. The issues are so serious in the US, “A coalition of conservation and community groups representing millions of people is suing the Environmental Protection Agency (EPA) for refusing to update national water pollution standards for slaughterhouses.”
- 1.17 We note the Applicant’s expected capital investment for the proposed development has been quoted at \$4.96 million. Related media reports indicate that part of this capital investment includes \$1.5 million Federal Government Grant (public money) for new equipment. Animal Liberation considers the selectively timed federal government funding announcement by the National Party Federal Member for Page, Kevin Hogan, to be inappropriate given the DA is in the midst of what is supposed to be an independent and objective assessment and that this announcement will potentially place undue pressure on Council’s assessing staff.
- 1.18 Further Animal Liberation is very concerned that the Federal Government and other authorities continue to prop up such employment in a slaughterhouse as suitable for rural residents rather than more sustainable, healthy and personally rewarding employment ventures.

PHOTO COURTESY OF AUSSIE FARMS

AS SOCIETY DEVELOPS, SO TOO MUST THE MANNER IN WHICH IT IS GOVERNED.

POINTS OF OBJECTION

- 2.1 While Animal Liberation's objection focuses primarily on responding to the DA for the proposed RRF "addition", given the addition relates directly to the operations of the existing slaughterhouse, we believe the following slaughterhouse specific comments are warranted and necessary. Animal Liberation contends the "additions" should be assessed in the context of the full scope of the existing facility to ensure adequate consideration and assessment of the full range of risks, impacts and cumulative risks and impacts.
- 2.2 Slaughterhouses pose and result in significant environmental and public health risks and impacts as well as enabling immense "legal" cruelty and violence against sentient beings, and where frequent illegal cruelty and violence is hidden from consumers and the public.
- 2.3 The Definition of abattoirs is listed in Schedule 1 of the Protection of the Environment Operations Act 1997 (POEO Act). The major activities that occur in abattoirs include: receiving and holding of livestock; slaughter and carcass dressing of animals; chilling of carcass product; carcass boning and packaging; freezing of finished carcass and cartoned product; rendering processes; drying of skins; treatment of wastewater and transport of processed material.
- 2.4 NSW EPA include a comprehensive range of literature about abattoirs covering the environmental problems and management strategies associated with water, air and noise pollution, and maintaining community amenity.
- 2.5 The major issues include: the need for a mass disposal area; liquid wastes; effluent salinity; wastewater; stormwater; solid wastes; non-process wastes; airborne wastes; odours; dust; fuel burning emissions; greenhouse gases; diseases; noise.
- 2.6 The following considerations apply to planning matters: waste minimisation; site selection; buffer zones; visual environment; preventing contamination; environmental management plan, water pollution control measures; water conservation; wastewater treatment plant; treated wastewater re-use and disposal; stormwater runoff; solid waste disposal measures; air emission control; dust; fuel burning activities and noise control.

2.7 A report 'Compliance Performance Report—Industry Sector: Livestock Processing Industries' compiled and published by the Compliance Audit Section, NSW APA in 2003 involved compliance audits at 19 licensed livestock processing industry facilities across NSW. NCMC was one of the 19 audited facilities, as listed in Appendix A 'List of Licenced Premises' of the said report.

2.8 Based on the audits, the key areas where the industry needs to improve its compliance and environmental performance include:

- 2.8.1 air pollution—by improving odour controls
- 2.8.2 water pollution—by improving effluent management and the storage of materials
- 2.8.3 monitoring—by improving effluent, soil, surface water and groundwater monitoring
- 2.8.4 accountability—by notifying the public of the company's complaints line.

2.9 Key issues from the audits include:

- 2.9.1 air pollution
- 2.9.2 water pollution
- 2.9.3 monitoring
- 2.9.4 accountability requirements

2.10 In seeking to illustrate some of the numerous risks and issues with slaughterhouses, Animal Liberation has reviewed a case study, authored by A Singh and published in the Journal of Environmental Protection in February 2014. This case study provides important insight into the serious environmental and public health risks and impacts associated with slaughterhouses.

- 2.10.1 "the general environmental impact includes wastewater, solid waste and air pollution. The manufacturing of animal products for human consumption (meat and dairy products) or for other human needs (leather), leads inevitably to the production of waste."
- 2.10.2 "nature is able to cope with certain amounts of waste via a variety of natural cleaning mechanisms. However, if the concentration of waste products increases, nature's mechanisms become overburdened and pollution problems start to occur. As a consequence of the increasing emphasis on large scale production (e.g. for reasons of efficiency,

2.10.2 increase in scale of production and hygiene) considerably greater amounts of waste will be produced.”

- 2.11 Animal Liberation contends that to the untrained eye, the Applicant’s lengthy SoEE and plans will appear comprehensive however, we believe the documents submitted do not include sufficient detail to enable a comprehensive assessment, and nor does the information provided address all the critical planning criteria to the level and standard required in line with the relevant planning instruments.
- 2.12 Situated in the IN1 General Industrial zone, the Applicant claims the NCMC Beef Processing Facility enjoys “Continuing Use Rights” as a Livestock Processing Industry as a subordinate definition of a Rural Industry (Richmond Valley Council Local Environmental Plan 2012 (LEP).” The Applicant considers the proposal should be considered alterations and additions to a Rural Industry, requiring development consent under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act). Animal Liberation strongly disagrees with the Applicant’s proposition.
- 2.13 Further, the Applicant claims that “given the alterations and additions are occurring to what would otherwise be an existing designated development, the alterations must pass the Clause 35 and Clause 36 test within Schedule 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). The RRF complies with Clause 35 and 36 and therefore can be administered as a non-designated development.” Animal Liberation strongly disagrees with the Applicant’s proposition.
- 2.14 Animal Liberation contends that the proposed development is Designated development and that for the purpose of this planning assessment, must be classified and assessed accordingly including the requirement to compile and submit an Environmental Impact Statement (EIS) in line with the Secretary’s Environmental Assessment Requirements (SEARs).
- 2.15 Designated Development refers to developments that are high-impact developments (e.g. likely to generate pollution) or are located in or near an environmentally sensitive area (e.g. a wetland), or are listed in Schedule 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) as being designated development as the following inclusions extracted from Part 1 and Part 2 demonstrate.

AGRICULTURAL PRODUCE INDUSTRIES

- 2.16 Agricultural produce industries (being industries that process agricultural produce, including dairy products, seeds, fruit, vegetables or other plant material):
- 2.16.1 that crush, juice, grind, mill, gin, mix or separate more than 30,000 tonnes of agricultural produce per year, or;
 - 2.16.2 that release effluent, sludge or other waste—
 - 2.16.2(a) in or within 100 metres of a natural waterbody or wetland, or;
 - 2.16.2(b) in an area of high watertable, highly permeable soils or acid sulphate, sodic or saline soils.

LIVESTOCK PROCESSING INDUSTRIES

- 2.17 Livestock processing industries (being industries for the commercial production of products derived from the slaughter of animals or the processing of skins or wool of animals):
- 2.17.1 that slaughter animals (including poultry) with an intended processing capacity of more than 3,000 kilograms live weight per day, or;
 - 2.17.2 that manufacture products derived from the slaughter of animals, including—
 - 2.17.2(a) tanneries or fellmongeries, or;
 - 2.17.2(b) rendering or fat extraction plants with an intended production capacity of more than 200 tonnes per year of tallow, fat or their derivatives or proteinaceous matter, or
 - 2.17.2(b) plants with an intended production capacity of more than 5,000 tonnes per year of products (including hides, adhesives, pet feed, gelatine, fertiliser or meat products).
 - 2.17.3 that scour, top, carbonise or otherwise process greasy wool or fleeces with an intended production capacity of more than 200 tonnes per year, or;

2.17.4 that are located—

- 2.17.4(a) within 100 metres of a natural waterbody or wetland, or;
- 2.17.4(b) in an area of high watertable or highly permeable soils or acid sulphate, sodic or saline soils, or;
- 2.17.4(c) on land that slopes at more than 6 degrees to the horizontal, or;
- 2.17.4(d) within a drinking water catchment, or;
- 2.17.4(e) on a floodplain, or;
- 2.17.4(f) within 5 kilometres of a residential zone and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, odour, dust, lights, traffic or waste.

2.18 Further, and importantly, if a DA is categorised as designated development, the DA must be accompanied by an environmental impact statement (EIS) in accordance with the Planning Secretary's Environmental Assessment Requirements (SEARs); will require public notification for at least 28 days; and can be the subject of a merits appeal to the Land and Environment Court by objectors.

2.19 Schedule 3, Part 2 of the EP&A Regulation refers to alterations or additions and whether such alterations or additions result in a significant increase in the environmental impacts of the total development. "Development involving alterations or additions to development (whether existing or approved) is not designated development if, in the opinion of the consent authority, the alterations or additions do not significantly increase the environmental impacts of the total development (that is the development together with the additions or alterations) compared with the existing or approved development. Development referred to in this clause is not designated development for the purposes of section 4.10 of the Act."

2.20 In forming its opinion as to whether or not development is designated development, a consent authority is to consider:

2.20.1 the impact of the existing development having regard to factors including—

- 2.20.1(a) previous environmental management performance, including compliance with the conditions of any consents, licences, leases or authorisations by a public

- 2.20.1(a) authority and compliance with any relevant codes of practice, and;
- 2.20.1(b) rehabilitation or restoration of any disturbed land, and;
- 2.20.1(c) the number and nature of all past changes and their cumulative effects.

2.20.2 the likely impact of the proposed alterations or additions having regard to factors including—

- 2.20.2(a) the scale, character or nature of the proposal in relation to the development, and;
- 2.20.2(b) the existing vegetation, air, noise and water quality, scenic character and special features of the land on which the development is or is to be carried out and the surrounding locality, and;
- 2.20.2(c) the degree to which the potential environmental impacts can be predicted with adequate certainty, and;
- 2.20.2(d) the capacity of the receiving environment to accommodate changes in environmental impacts, and;

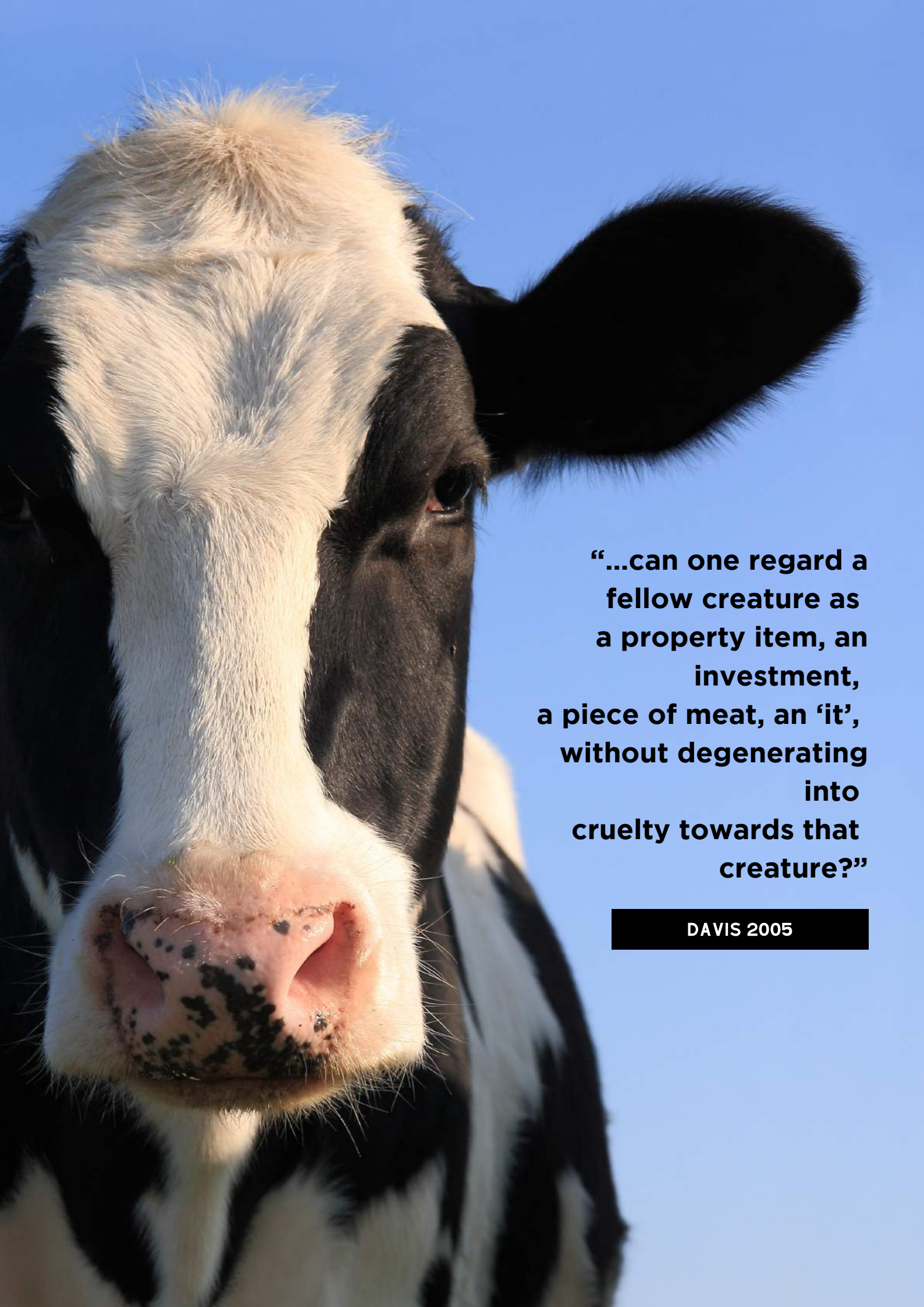
2.20.3 the likely impact of the proposed alterations or additions having regard to factors including—

- 2.20.3(a) to mitigate the environmental impacts and manage any residual risk, and;
- 2.20.3(b) to facilitate compliance with relevant standards, codes of practice or guidelines published by the Department or other public authorities.

2.21 It is Animal Liberation's strong and informed view that the proposed DA additions (DA NO 2031/0147), and taking into consideration the existing operations, and the separate 186 space car park DA, the total scale and environmental impact, residual risk and the cumulative effects is designated development and the applicable SEARs should apply.

2.22 The proposed development is Integrated development under Division 4.8 of the EP& Act. The existing development is classified as a Livestock Processing Activity (slaughtering or processing animals, tanneries or fellmongeries) which is a scheduled activity under the Protection of the

- 2.22 Environment Operations Act 1997. The application requires referral to the NSW Environment Protection Authority (EPA) as the existing Livestock Processing Industry operates under an environmental protection licence (Licence No 1461) and this application seeks consent for an addition to the current operation.
- 2.23 The development is not consistent with the LEP or the Richmond Valley Development Control Plan (DCP). The Applicant's request to vary the building height Development Standard does not demonstrate that the proposed minor variation has planning merit, or is acceptable in the context. Animal Liberation contends that enforced compliance with the Development Standard would be both reasonable and necessary.
- 2.24 Animal Liberation contends that the Applicant's assessment of the development in relation to environmental and amenity related matters is inadequate and that the "minor" mitigation measures are and would be ineffective. We believe that moderate and significant adverse risks and impacts would result, have not been appropriately addressed to a level to demonstrate the merits of the proposal, or that the proposal does not warrant approval.
- 2.25 We note in the Applicant's correspondence to Council dated 9 December 2020, which provides responses to Council's 'Request for Information', under Section 4 'Additional Matters', the Applicant confirms, "The Site Plan previously included a notation referencing a 'future CO₂, Oxygen and gas mixing and gas unload zone' adjacent to the proposed building. This notation has been deleted from the plans and does not form part of the application." Co₂, Oxygen and gas mixing relates to the common stunning method used for pigs. Animal Liberation is concerned that this now deleted inclusion in the Site Plan may refer to future and ongoing plans for further expansion by NCMC.
- 2.26 We also note the Applicant's SoEE refers to a separate DA lodged in December 2020 for the 186 space car park which has not been incorporated into this DA and the details of the other DA have not been provided.
- 2.27 Animal Liberation contends that the proposed 186 space car park is an integral component of the current DA and should not be assessed as a separate DA. The total scale and environmental impact, residual risk and the cumulative effects is designated development and the applicable SEARs should apply.
- 2.28 The Applicant has failed to provide copies of referred to correspondence from Council to the Applicant dated 5 September 2013 and 18 February 2014.



“...can one regard a fellow creature as a property item, an investment, a piece of meat, an ‘it’, without degenerating into cruelty towards that creature?”

DAVIS 2005

- 2.29 The Applicant has failed to clearly differentiate between the construction and operational phases including the applicable risks and impacts during these separate phases. The Applicant's DA and SoEE does not adequately or accurately reflect the full scale and accurate impacts of the proposed development taking into account existing development and operations and the proposed combined development which we believe will result in excessive development.
- 2.30 Animal Liberation finds is both extraordinary and very alarming that this slaughterhouse facility is situated within a drinking water catchment.
- 2.31 We note the Applicant's updated SoEE, version 2100-1151 dated 9 December 2020 does not include Attachments A, B, C, D, E, F, or G. It is therefore not possible to determine if details included in these Attachments differ from the Attachments included in the original SoEE version 2011-1148 dated 23 November 2020.
- 2.32 While the Applicant has provided a copy of the correspondence dated 9 December 2020, neither the Applicant or Council has provided a copy of the relevant Council 'Request for Information'. It is therefore not possible for those compiling submissions to determine if the Applicant has addressed, all or only some, of the requested information. Nor does the Applicant's correspondence include the referred to Attachments 1) Amended Application Plans, 2) Amended Clause 4.6 Variation Request and 3) Amended Statement of Environmental Effects (SEE).
- 2.33 We note, Council's mandatory Community Participation Plan 2020 includes: "encouraging effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning", "encouraging the proponents of major developments to consult members of the community, that may be affected by a proposal, before an application for planning approval is made", and "Ensure that Council is reaching all target groups for relevant community issues".
- 2.34 We also note, Council's website incorporates the following statement: "Council recognises the people of the Bundjalung Nation as custodians and traditional owners of this land, and values and appreciates the continuing cultural connection to lands, the living culture and unique role in the life of this region. Council prioritises a strong relationship with the local Aboriginal community; collaborating on a range of projects." Animal Liberation contends that Council, in part, "recognises" and "values" the local rich Aboriginal history, culture and heritage, and yet, fails to demonstrate how it will uphold and implement these concepts.

- 2.35 The 2016 Census confirms the Richmond Valley population was 22,807 and Aboriginal and Torres Strait Islander people made up 7.2% or 1,640 of this 2016 total population. The local Indigenous population is therefore significant, and yet appears to have been disregarded by the Applicant, with a noted and blatant lack of recognition, consideration, recognition, respect and transparency about Aboriginal matters involving significant and rich Aboriginal history and culture.
- 2.37 Relevant Aboriginal community organisations include the Casino Boolangle Local Aboriginal Land Council.
- 2.38 There is no evidence to confirm the Applicant has undertaken any expected level of consultation with key stakeholders including sensitive receptors, the broad community and notably, the traditional custodians of the land of the Casino area, or Djanangmum as it is known to Aboriginal people, are Galibal. The area known today as the Northern Rivers was occupied by the Bundjalung-speaking peoples, made up of an estimated 20 different language groups. Animal Liberation contends the region includes a rich Aboriginal culture and heritage.
- 2.39 Animal Liberation considers the Applicant's cursory and almost dismissive attention to heritage, Aboriginal heritage, and the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, to be highly offensive and not in keeping with Council's own undertakings, public statements and plans. Further the Applicant appears to be uninformed about the requirements in line with the relevant planning instruments.
- 2.40 The Applicant's proposal in their SoEE to "rope off" the former 'heritage' Victory Camp site as a means to mitigate any risks or impacts to the acknowledged heritage is blatantly inadequate.
- 2.41 The Applicant has failed to respond to and/or address the generic due diligence assessment steps. As the proposed development will disturb the ground surface, the due diligence process outlined in the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (Cultural Heritage Guidelines) is necessary.
- 2.42 As the proposed development will disturb the ground surface, the due diligence process outlined in the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (Cultural Heritage Guidelines) is necessary. This included a search of the Aboriginal Heritage and Information Management System, (AHIMS) for Lot 1/DP7243 which includes the feedlot site (Appendix E). The generic due diligence assessment involves five steps which are addressed below:

- 2.43 In line with the mandatory Cultural Heritage Guidelines, it is imperative that the development should not proceed without a detailed Aboriginal Cultural Heritage Assessment (ACHA) or Aboriginal Heritage Impact Permit (AHIP) being undertaken at the Applicant's expense.
- 2.43 It is important to note that AHIMS (only) records information about Aboriginal sites that have been provided to Office of Environment, and information recorded on AHIMS may vary in its accuracy and may not be up to date; location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings; some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS. Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- 2.44 It is not sufficient for the Applicant to merely imply that the proposed site is disturbed land or that a search of the Aboriginal Heritage and Information Management System, (AHIMS) failed to locate any Aboriginal Heritage details. We strongly disagree with the Applicant's statements. The Applicant has failed to seek or obtain other sources of information and indeed has failed to consult at all.
- 2.45 The Applicant's details regarding sensitive receptors is flippant and significantly diminishes the serious risks and impacts to public health and the public's right to peaceful and unhindered amenity. There are hundreds of residential properties situated 400 m east of the slaughterhouse and the proposed additional development.
- 2.46 Animal Liberation is concerned that the proposed development is 400 m downwind of an abattoir (1000 m for a rendering plant) from the nearby residential area whereas NSW EPA recommends a minimum buffer distance of 500 m to the nearest residence or residential area.
- 2.47 The Applicant has failed to provide any records of audits undertaken by the NSW Environment Protection Authority (EPA) regarding their existing NSW EPA Licence. The Applicant must provide evidence to support their statements.
- 2.48 The proposed development provides minimal employment with an estimated 20 additional full time equivalent jobs, none of which have been validated or explained.
- 2.49 The Applicant's estimates of an increase in traffic truck movements from 21 to 23 has not been validated or evidenced.



**As we break their spirits,
our own spirits are
broken as we sow, we reap**

Tuttle (2016)

SUMMARY & CONCLUSION

- 3.1 In their DA and SoEE, the Applicant has failed to identify, respond to and address all risks and impacts and cumulative risks and impacts, and has failed to adequately demonstrate how they would monitor, avoid, minimise, mitigate and manage these risks and impacts.
- 3.2 We acknowledge and appreciate the technical complexity of this proposed development and the difficulty and challenges faced by even the most experienced planning staff when assessing such information that frequently requires experienced, expert and scientific evaluation. We also note that in line with the applicable legislation and planning instruments, Council is required to ensure the assessment review remains independent, objective and informed during the entire process and that the assessment process is strongly founded on informed opinion and evidence.
- 3.3 Council is compelled to act impartially and ensure the correct and consistent application of local, state and federal legislation, including the objective and transparent assessment of planning proposals. Councillors are elected to represent everyone in the community, and apply objective, impartial and informed consideration of matters which hold strong public interest.
- 3.4 Council as the primary consent authority, is required to thoroughly assess the adequacy of information provided and the measures proposed by the Applicant, to mitigate any potential risks, adverse impacts including cumulative impacts. This is clearly outlined in the Environmental Planning and Assessment Act 1979 which requires Council give due consideration to social impacts and public interest relating to any proposed development. All these considerations are accordingly a necessary and integral part of any comprehensive, objective and meaningful development assessment in line with the applicable planning instruments.
- 3.5 It is imperative that decision makers don't trivialise, dismiss or ignore public interest, or place the unsustainable, short-term, economic benefits of a privately owned commercial business ahead of the welfare of animals, the environment or the long-term best interests of the broad community. We have a clear moral, social and environmental responsibility to reduce the number of intensive agri-businesses, including cattle feedlots such as that proposed by the Applicant; not expand them or endorse their approval. In addition to the individual risks and impacts outlined in our objection, when combined, these are glaring and serious

- 3.5 cumulative risks and impacts where adequate monitoring, avoidance, minimisation, mitigation and management would prove to be problematic and indeed, impossible.
- 3.6 The 'precautionary principle' must be applied in environmental planning decision-making, and conservation of biological diversity and ecological integrity should be a fundamental consideration. The 'precautionary principle' requires decision-making to give the environment the benefit of the doubt. The Applicant's professed benefits to the region are negligible and come with an exorbitant and costly price tag of imminent and serious risks and impacts. There is no justification for the extensive and permanent consequences to animals, the local environment including precious resources, and the amenity and public health of the community.
- 3.7 The true and often hidden risks, impacts and costs of the industrialisation of animal agriculture impact us all; current and future generations, the planet and all her inhabitants - Animals, the Environment and People. Importantly, in addition to the individual risks and impacts, and cumulative risks and impacts, the 'Precautionary Principle' must be applied in environmental planning decision-making and conservation of biological diversity and ecological integrity, should be a fundamental consideration. The 'Precautionary Principle' requires decision-making to give the environment the benefit of the doubt.
- 3.8 Based on our points of objection, it is our strong view that the Applicant has failed to adequately address or respond to the mandatory assessment criteria as outlined in applicable legislation and planning instruments. This assessment and corresponding decision making must take into account, the 'Precautionary Principle' requiring decision-making to give the environment the benefit of the doubt.

REFERENCES

APPLICANT DOCUMENTS

Applicant's Development Application Form

Applicant's Statement of Environmental Effects, version 2110-1148, 23 November 2020 and version 2110-1151, 9 December 2020

Undated Request to Vary LEP Development Standard Pursuant to Clause 4.6, Jacob Sickinger, on behalf of the Northern Cooperative Meat Company Pty Ltd

Robert Pilling, The Casino Food Co-Op, 9 December 2020, Response to Council Request for Information: DA2021/0147 at 10615 Summerland Way, Casino including Attachments: Amended Application Plans; Amended Clause 4.6 Variation Request; Amended Statement of Environmental Effects (SEE).

COUNCIL DOCUMENTS

Richmond Valley Council Local Environment Plan 2012
<https://richmondvalley.nsw.gov.au/building-and-planning-services/strategic-planning/local-environment-plan/>

Richmond Valley Council Development Control Plan 2015
<https://richmondvalley.nsw.gov.au/building-and-planning-services/strategic-planning/contribution-plan/>

Richmond Valley Council Heritage Inventory Maps
<https://richmondvalley.nsw.gov.au/building-and-planning-services/heritage/>

Richmond Valley Council Heritage Incentives <https://richmondvalley.nsw.gov.au/building-and-planning-services/heritage/heritage-incentives/>

Richmond Valley Council Heritage Study <https://richmondvalley.nsw.gov.au/building-and-planning-services/heritage/richmond-valley-heritage-study/>

Richmond Valley Council Community Participation Plan
<https://richmondvalley.nsw.gov.au/12031-2/>

Richmond Valley Council Strategies <https://richmondvalley.nsw.gov.au/building-and-planning-services/strategic-planning/strategies/>

LEGISLATION, CODES OF PRACTICE & OTHER DOCUMENTS

Local Government Act 1993, as at 15 October 2020 - Act 30 of 1993 (austlii.edu.au)

Environmental Planning and Assessment Act 1979, as at 14 October 2020 - Act 203 of 1979 (austlii.edu.au)

Environmental Planning and Assessment Act 1979
<https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1979-203>

Environmental Planning and Assessment Regulation 2000
<https://www.legislation.nsw.gov.au/view/html/inforce/current/sl-2000-0557>

State Environmental Planning Policies (SEPPs)

SEPP 33 Hazardous and Offensive Development
SEPP 55 Remediation of Land
SEPP 64 Advertising and Signage

North Coast Regional Environmental Plan 2036

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Protection of the Environment Operations Act 1997 No 156
<https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1997-156>

Prevention of Cruelty to Animals Act 1979 (austlii.edu.au)

Prevention of Cruelty to Animals Regulations

Assessment and management of odour from stationary sources in NSW (2006) (NSW S-Factor Guidelines) Technical Notes: Assessment and management of odour from stationary sources in NSW - November 2006

Planning Guidelines - Intensive Livestock Agriculture Development (2019) (nsw.gov.au)

Environmental Guidelines - Use of Effluent by Irrigation (2003) (nsw.gov.au)

Department of Environment and Conservation Draft policy: Assessment and management of odour from stationary sources in NSW

Department of Environment and Conservation Environmental Guidelines: Use of Effluent by Irrigation (PDF 1.5MB)

Department of Environment and Conservation NSW Industrial Noise Policy

First Australian Meat Technology Group of the 'AIFST' Seminar 1978, Meatworks Effluent Treatment

LEGISLATION,
CODES OF
PRACTICE &
OTHER
DOCUMENTS

Green, J. M. 1993, Effluent Treatment Ponds, CSIRO Meat Research Laboratory.

New South Wales State Pollution Control Commission 1977, Environmental Guidelines for Abattoirs.

Victorian Environment Protection Authority 1991, Animal and Seafood Processors: Technical Guideline.

National Model Codes of Practice for the Welfare of Livestock
<https://www.dpi.nsw.gov.au/animals-and-livestock/animal-welfare/general/national>

NSW Food Authority, Red Meat Abattoirs
<https://www.foodauthority.nsw.gov.au/industry/meat/red-meat-abattoirs>

RSPCA Australia Knowledgebase, How is animal welfare regulated at Australian abattoirs and poultry processors?, <https://kb.rspca.org.au/knowledge-base/how-is-animal-welfare-regulated-at-australian-abattoirs-and-poultry-processors/>

Model Code of Practice for the Welfare of Animals: Livestock at Slaughtering Establishments
<https://www.publish.csiro.au/book/2975>

Industry animal welfare standards for livestock processing establishments
<https://aawcs.com.au/standards/>

Australian Animal Welfare Certification System <https://aawcs.com.au/>
Export Abattoirs Regulation <https://www.agriculture.gov.au/export/controlled-goods/meat>

INDUSTRY
DOCUMENTS

Meat and Livestock Australia's guide to best practice husbandry for beef cattle: branding, castration and dehorning Branding | Meat & Livestock Australia (mla.com.au)

Handbook of Australian Beef Processing-AusMeat - An overview of the Australian Beef Cattle Industry produced by Aus-Meat Home | AUS-MEAT

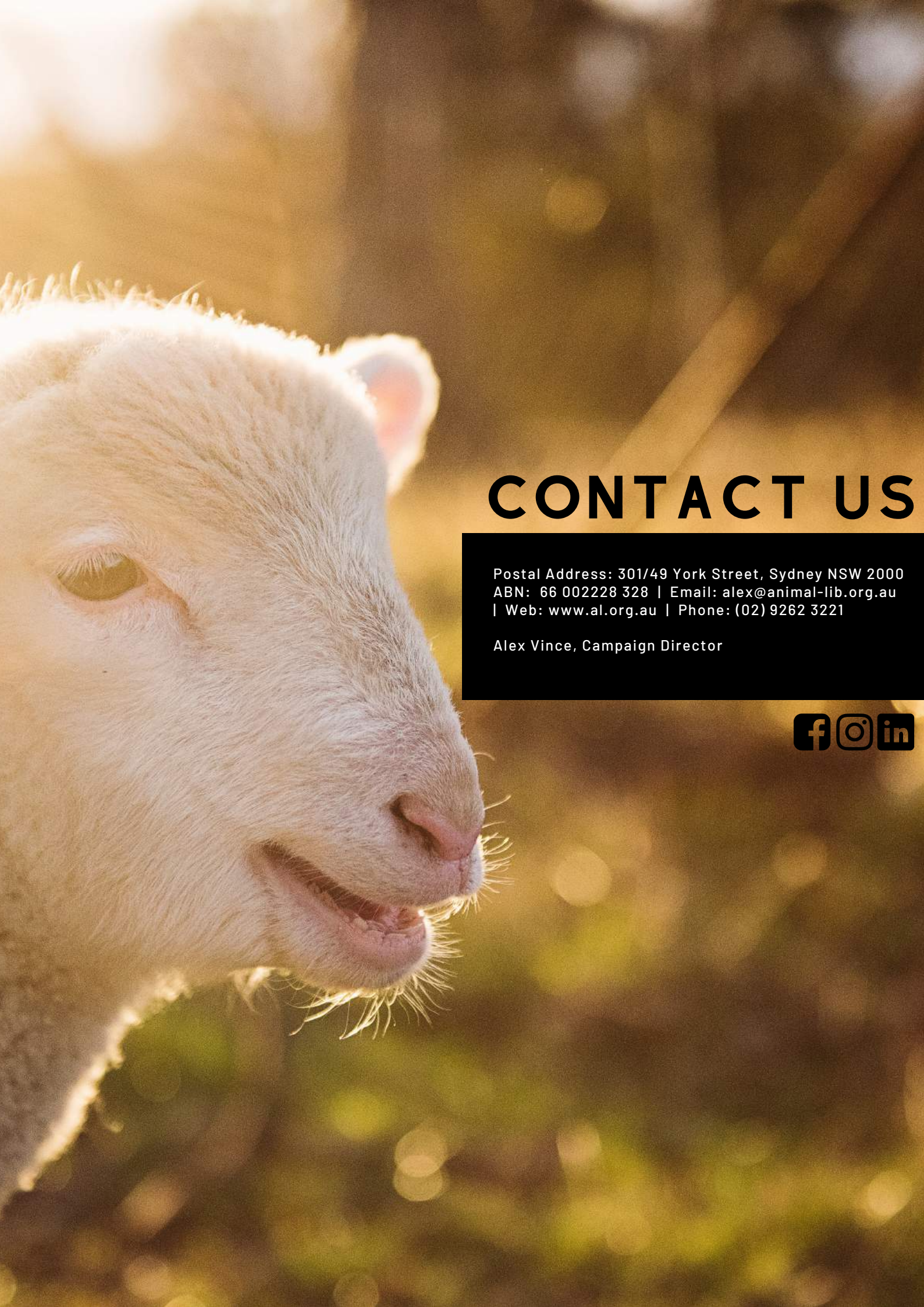
Australian Animal Welfare Standards and Guidelines for Cattle, Australian Animal Welfare Standards and Guidelines for Cattle. Animal Health Australia
www.animalwelfarestandards.net.au

OTHER

Lakhani, N. 19 December 2019. EPA sued for allowing slaughterhouses to pollute waterways. The Guardian, 19 December.

Singh, A. 2014. The environmental impact of the animal product processing industries. Journal of Environmental Protection.

NSW EPA, Industry Sector: Livestock Processing Industries (Animal Slaughter and Rendering) September 2003, Compliance Performance Report,
<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/epa0377livestock.pdf?la=en&hash=F496C716E1B2C2FA731528ED0414170392266204>



CONTACT US

Postal Address: 301/49 York Street, Sydney NSW 2000
ABN: 66 002228 328 | Email: alex@animal-lib.org.au
| Web: www.al.org.au | Phone: (02) 9262 3221

Alex Vince, Campaign Director

