

Ref No: 107/614169/6/65/2

Contact: Maurice Morgan

13 February 1998

Cargill Australia Ltd
Dampier Street
BOMEN via WAGGA WAGGA
NSW 2650

RE: Development Application No: 215 / 97

Proposed irrigation system for the utilisation of effluent from abattoir process for Cargill Foods

Dampier Street, Bomen

Lot 1 DP 823346; Lot 11 DP 814225; Lot 1 DP 840624; Lots 1, 2 & 4 DP 700113;
Lot 1 DP 912198; Pt 94/99 DP 751422; Lot 1 DP 45475; Lot 2 DP 731371; Lots
144, 145, 146, 147 & 149 DP 751422

Dear Sir,

Enclosed please find Council's formal Notice of Determination of the Development Application in connection with the abovementioned proposal.

The Applicant is further advised:

1. With regards to Condition 6.2 the Environmental Management Plan should include but is not limited to;
 - i. those issues outlined in the EIS to be included in the EMP
 - ii. details of what the annual report will contain
 - * eg sampling results comparisons with standards and past results,
 - * proposed critical sample results and remedial action if required
 - * nitrogen, phosphorus and water balances for the year
 - iii. daily, weekly, quarterly, yearly sampling and monitoring schedule, reporting and action program. Include sample location, collection and testing methods.
 - iv. operations and pasture establishment and care
 - v. bush fire prevention and control programme
 - vi. complaints response protocol
2. Some of the site is located within the floodplain. Any works (including landfill or earthworks) within the floodplain is subject to the submission to council of a completed Development Application detailing the proposed works.
3. In relation to Condition 5.5 contact Scott Lawson, Regional Co-ordinator, Hydrogeology, Leeton tel (02) 69 530 700.

4. A strategy is being prepared by the Council in conjunction with the Floodplain Management Committee for the plantation of the floodplain areas.
5. The granting of consent for any application is based on the content of all the documentation submitted with the application. Therefore, the proposal is to be carried out in accordance with all aspects of such documentation otherwise an amended application is to be submitted to the Council for consideration prior to the benefit of the consent being acted upon.
6. It is the applicants/owners responsibility that the proposal complies with any covenants or restrictions on use that apply to the subject parcel(s) of land.

Yours Faithfully

B.L. ANDREWS

General Manager

per: 

/lf



CITY OF WAGGA WAGGA

NOTICE TO APPLICANT OF DETERMINATION

OF A DEVELOPMENT APPLICATION

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

Development Application: 215 / 97

Date of lodgement: 3 October 1997

Issued to: Cargill Australia Ltd
Address: Dampier Street
BOMEN via WAGGA WAGGA
NSW 2650

Premises Referred to in
Development Application: Dampier Street ,Bomen
Lot 1 DP 823346; Lot 11 DP 814225; Lot 1 DP 840624; Lots 1, 2 & 4 DP 700113;
Lot 1 DP 912198; Pt 94/99 DP 751422; Lot 1 DP 45475; Lot 2 DP 731371; Lots
144, 145, 146, 147 & 149 DP 751422

Date of Determination: 11 February 1998

Consent to operate from: 13 February 1998

Consent to Lapse on: 13 February 2000

Brief Description of
Proposed Development: Proposed irrigation system for the utilisation of effluent from abattoir
process for Cargill Foods

Environmental Planning
Instrument: Under the Wagga Wagga Local Environmental Plan, 1985 - Part Special
Uses and Part Rural. Under the Wagga Wagga Development Control
Plan, 1986 - Part Special Uses (abattoir), Part 1(b) Small Holding, Part
1(a) Rural Industrial and Part 1(d) Floodplain.

Determination:

This Application was considered by Council at its meeting held Wednesday, February 11 1998

Given Council's resolution to approve this application for a period of seven (7) years at its meeting of January 1998 in accordance with EIS prepared by HLA Enviro Sciences and submitted with Development Application dated 3 October, 1993, the application is amended by conditions of consent specified as follows:



In these Conditions, "The Proponent" and "The Company" means Cargill Foods Australia and their successors in respect of the subject development.

1. GENERAL

The proponent shall:

- 1.1 Undertake development generally in accordance with Development Application No. 215/97 and its accompanying Environmental Impact Statement and as amended by the conditions
- 1.2 Provide employee amenities and facilities in accordance with the requirements of the WorkCover Authority of NSW.
- 1.3 The applicant shall take all reasonable steps to minimise dust and noise generation during the **demolition** and/or **construction** process. To this end, periodic watering shall be required to suppress any dust generated. No offensive noise shall be emitted during either process. Such activities shall only be undertaken Monday to Friday 7.00am to 5.30pm and Saturday 8.00am to 5.00pm excepting public holidays.
- 1.4 Obtain all other appropriate statutory approvals and licences required for the project which are not listed in this approval.
- 1.5 Permit access to the sites to officers of Council or any other Government Department or Public Authority at reasonable times for the purpose of inspecting the operations and carrying out such control tests or readings as they consider necessary.
- 1.6 Obtain all necessary approvals from Council for connection to Council's sewage system. In this regard existing Industrial and Trade Waste to Sewer agreement shall be in place until Cargill is totally independent of, and not reliant on, or has no interest in using Council's sewer under any circumstances.
- 1.7 Comply with Council's and the EPA's requirements for off-site disposal of solids to Council's landfill. All odorous solids are to be immediately buried at the landfill in a specially prepared trench.
- 1.8 Comply with the requirements of Southern Riverina Electricity and Water in respect of electricity and water connections.
- 1.9 Prepare and submit to the satisfaction of Council prior to the commencement of works, a construction programme including indicative pipeline layout, power installation, dam construction, proposed drainage and berm construction and any land formation works required for the upgrading of the sewage treatment plant.
- 1.10 Undertake precautions, such as fencing and signage, to ensure that access to the site, particularly the proposed waterbody, are restricted. This condition is imposed for safety reasons.

2. TRAFFIC

- 2.1 The proponent shall comply with Council's standard requirements for Industrial Developments for site access, on site vehicular movement, and loading/unloading.



3. **ACOUSTIC IMPACT**

- 3.1 The proponent shall comply with the requirements of the Noise Control Act.
- 3.2 The level of noise emitted from the premises shall not exceed 5dB(A) above the background 'A' weighted sound pressure level when measured at a distance of 5 metres from any residence in the area.
- 3.3 The level of noise emitted from the construction site shall not exceed 20dB(A) above the background "A" weighted sound pressure level when measured at the boundary of any residence in the area.

4. **AIR QUALITY, ODOURS AND DUST**

- 4.1 As there is a potential for odour generation (albeit small) with the proposed increased levels of irrigation, the proponent shall undertake sampling and analysis of irrigation of effluent for measurement of odour emissions. This must be undertaken and completed to the satisfaction of the Council prior to the commencement of irrigation.
- 4.2 The proponent shall apply to the EPA for Pollution Control Approval under Section 17K of the Pollution Control Act and for a licence.
- 4.3 The proponent shall work with EPA to improve operations with the objective being to ensure odour annoyance to nearby residences is at an acceptable level.

5. **WATER QUALITY AND LAND MANAGEMENT**

The proponent shall:

- 5.1 Lodge an Erosion and Sedimentation Control Plan in accordance with Department of Land and Water Conservation guidelines and signed by Department of Land and Water Conservation , to Wagga Wagga Council prior to the commencement of construction.
- 5.2 Provide Council with design and specification details of the stormwater runoff system and retention basin(s), to ensure sufficient capacity. Such details are to be included in the Environmental Management Plan.
- 5.3 Comply with the recommendations of the Effluent Utilisation Plan, Appendix 2 of the EIS.
- 5.4 Ensure all bunding and diversion banks are maintained to a standard as detailed in the Environmental Management Plan.
- 5.5 Ensure all water supply and monitoring bores are licensed with Department of Land and Water Conservation .
- 5.6 Provide a stormwater management plan prior to commencement of works. This plan is to include monitoring of water quality monitoring in downstream dams. To be carried out in association with Condition 5.2.



- 5.7 Verify the nutrient loading levels of the proposed irrigation area prior to irrigation of effluent on a regular basis, thereby ensuring the soil is absorbing the optimum nutrient load whilst subsequently ensuring nutrient rich run-off does not impact on the floodplain and Murrumbidgee River.
- 5.8 Record data on effluent contaminants, including Boron, heavy metals (Al, AS, Cd, Cu, Fe, Pb, NI, Se, Zn) and organochlorines (chlordane, DDE, Heptachlor, Lindane) as a one-off sampling analysis to demonstrate compliance with modern environmental monitoring practices for effluent irrigation;
- 5.9 Measure soil nutrient, salinity and cation levels at least every 6 months (or ideally on a seasonal basis, 4 times per year). Given that no effluent is to be irrigated during winter then this would provide an opportunity to compare the effects of irrigation.
- 5.10 Prepare and implement a detailed landscaping plan for land not located within the floodplain. Appropriate native tree plantings, such as Red River gum and White Box, particularly around the perimeter of the properties to be irrigated, are to be maintained in good condition by the Company and all losses replaced as soon as practical. This Plan is to be prepared in consultation with and to the satisfaction of the Director of Recreation and Cultural Services and Director of Environmental Services, and based on recommendations of page 15 of the land Use Management Study: Appendix 2 of the EIS. The plan is to be prepared prior to the commencement of irrigation.
- 5.11 The subject land is covered by Council's Tree Preservation Order. No trees are to be removed from the site without first obtaining written permission from the Council. Enquiries are to be made to the Council's Director of Recreation Services.
- 5.12 All crops are to be harvested and removed from the irrigation areas.
- 5.13 All water collected in the stormwater berms and retention basins are to be returned for irrigation.
- 5.14 No grazing shall be permitted at any time on any of the irrigation areas.

6. ENVIRONMENTAL MANAGEMENT AND MONITORING

The proponent shall:

- 6.1 Nominate to Council a person in the Company who shall be responsible for the monitoring of all environmental management matters.
- 6.2 **Prepare a comprehensive Environmental Management and Monitoring Plan that addresses all aspects of the development's operations as defined in Section 6 of the EIS and any conditions in this consent.** A copy of this plan is to be supplied

to Council and the EPA and approved by the Director of Environmental Services before the commencement of operations. Possible contents for such a plan are given in the DUAP Best Practice Guidelines for Preparation of an EIS for Irrigation of Effluent (DUAP 1995).



- 6.3 Prepare a bush fire prevention and control programme. These measures are to be developed within the EMP and adopted on site.
- 6.4 Record any environmental complaints received and detail any remedial action taken. This information is to be included in an Annual Operational and Environmental Monitoring Report as part of the Environmental Management and Monitoring Plan.
- 6.5 Prepare and submit to Council for their approval, before the commencement of irrigation, a mechanism to allow immediate company response (and Council referral) in the event of any adverse environmental effect (especially odour) resulting from the proposed irrigation. As a minimum, a nominated company employee or 24 hour telephone contact number should be available to record, and respond to, complaints.
- 6.6 Obtain any approvals from the EPA required for the proposal in respect of the Clean Air, Clean Waters and the Noise Control Act under Section 17 of the Pollution Control Act before commencing works on site.
- 6.7 Develop the site monitoring programme with the EPA and Council to include but not be limited to groundwater, surface water and air quality.
- 6.8 Submit to Council in an acceptable form, as soon as practical after 1 January each year, an annual review on the environmental performance and environmental monitoring for the previous year in the annual Environmental Management and Monitoring Plan.
- 6.9 The applicant shall reimburse Council for the cost of having a third party independent consultant of Council's choice comment on the Environmental Management Plan.

These conditions have been imposed for the following reasons:

- (a) To ensure compliance with the terms of the Environmental Planning Instrument;
- (b) To ensure that no detrimental effect is caused to the existing and likely future amenity of the neighbourhood;
- (c) Due to the circumstances of the case and the public interest;

All conditions of consent are to be complied with prior to occupation of the premises unless otherwise specified in this consent. Compliance with these conditions will be assessed on a periodic basis.

If you are dissatisfied with this decision Section 97 of the Environmental Planning and Assessment Act, 1979 gives you the right of appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

On behalf of the Council, B.L. ANDREWS, per: 

APPENDIX A

OWNERS:

Land Ownership			
Lot	Plan	Ownership	Zoning LEP (DCP)
Lot 1	DP 823346	CFA	Special Uses 5 (5a)
Lot 11	DP 814225		
Lot 1	DP 840624		
Lot 1,2,4	DP 700113		
Lot 1	DP 912198	O'Rourke	Rural 1 (1B & G)
Pt 94/99	DP 751422		
Lot 1	DP 45475		
Lot 2	DP 731371	Council	Rural 1 (1D)
Lots 144, 145, 146, 147 " & 149	DP 751422		