DETERMINATION OF A DEVELOPMENT APPLICATION FOR STATE SIGNIFICANT, DESIGNATED AND INTEGRATED DEVELOPMENT UNDER SECTION 80 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

I, the Minister for Infrastructure and Planning, under Section 80 of the *Environmental Planning and Assessment Act 1979* ("the Act"), determine the development application ("the Application") referred to in Schedule 1 by granting consent subject to the conditions set out in Schedule 2.

The reason for the imposition of conditions is to:

a) minimise any adverse environmental impacts associated with the development;
b) provide for the on-going environmental management of the development; and
c) provide for regular monitoring and reporting on the development.

Craig Knowles MP
Minister for Infrastructure and Planning

Sydney, 7 January 2004 File No. S01/00932

SCHEDULE 1

Application made by:	Rangers Valley Cattle Station Pty Ltd ("the Applicant');
To:	The Minister for Planning ("the Minister");
In respect of:	Land described in Appendix No. 1;
For the following:	Stage 1, being the expansion from 24,000 to 40,000 head of cattle at any one time and continued operation of a cattle feedlot ("the development"). Stage 2, being the expansion from 40,000 to 50,000 head of cattle at any one time and continued operation of a cattle feedlot ("the development"). The scope of the development is described in *Rangers Valley Feedlot Expansion - Environmental Impact Statement,* Volumes One to Three, prepared by E.A. Systems Pty. Ltd. and dated August 2002, including: • modifications to the waste management system; • infrastructure changes to haul roads, administration buildings and yards;

- expansion of the feedmill; and
- addition of new pens.

Development Application:	Integrated DA No. DA-261-8-2002-i, lodged with the Department of Infrastructure, Planning and Natural Resources on 14 August 2002, accompanied by *Rangers Valley Feedlot Expansion - Environmental Impact Statement,* Volumes One to Three, prepared by E.A. Systems Pty. Ltd. and dated August 2002;
State Significant Development:	Under section 76A(7) of the Act, the proposed development is classified as State significant development because it is a type of development (intensive livestock operations) listed in Schedule 1 of *State Environmental Planning Policy No. 34 – Major Employment-Generating Industrial Development* and has a capital investment in excess of $20 million, and involves the employment of more than 20 persons on a full-time basis.
BCA Classification:	Class 10a - Storage Sheds - Feed Mill and Associated Infrastructure - Silos - Workshop Class 5 - Office and Administration Building
Note:	1) To ascertain the date upon which this consent becomes effective, refer to section 80 of the Act. 2) To ascertain the date upon which this consent is liable to lapse, refer to section 95 of the Act. 3) If the Applicant is dissatisfied with this determination, section 97 of the Act grants him or her a right of appeal to the Land and Environment Court, which is exercisable within 12 months of receiving notice of this determination.

SCHEDULE 2

In this consent, except in so far as the context or subject-matter otherwise indicates or requires, the following terms have the meanings indicated:

Act	*Environmental Planning and Assessment Act, 1979*
AEMR	Annual Environmental Management Report
Applicant	Rangers Valley Cattle Station Pty Ltd
BCA	Building Code of Australia
cattle feedlot expansion	the development as described in DA-261-8-2002-i, and all additional information submitted in support of that application
construction	any activity requiring a Construction Certificate, significant excavation work, road works, demolition, or any construction related activity as described in DA-261-8-2002-i
Council	Severn Shire Council
Department	Department of Infrastructure, Planning and Natural Resources (DIPNR)
Department of Lands	Department responsible for administering Crown Lands
development	activities relating to Stage 1 as described under DA-261-8-2002-i, and all additional information submitted in support of the application
Director-General	Director-General of the DIPNR, or delegate
DIPNR	the former Department of Land and Water Conservation (now part of the DIPNR at the time of determination of this consent)
dust	any solid material that may become suspended in air or deposited
DEC	the former Environment Protection Authority (now part of the Department of Environment and Conservation at the time of determination of this consent)
EIS	Environmental Impact Statement for the cattle feedlot expansion entitled *Rangers Valley Feedlot Expansion - Environmental Impact Statement,* Volumes One to Three, dated August 2002 and prepared by E.A. Systems Pty Ltd.
EPL	Environment Protection Licence issued under the *Protection of the Environment Operations Act, 1997*
$L_{Aeq(15\ minute)}$	equivalent average sound pressure level that is measured over a 15 minute period
Minister	NSW Minister for Infrastructure and Planning, or delegate
DEC	the former National Parks and Wildlife Service (now part of the Department of Environment and Conservation at the time of determination of this consent)
operation	any activity that results in the continued management, or intended management of cattle or the commissioning of any stage of the works as described in DA-261-8-2002-i
Principal Certifying Authority	the Minister or an accredited certifier, appointed under section 109E of the Act, to issue a Part 4A Certificate as provided under section 109C of the Act
Regulation	*Environmental Planning and Assessment Regulation, 2000*
site	the land to which this consent applies
Stage 1	the construction and operation of the cattle feedlot up to and including 40,000 head of cattle on the site at any one time and as described under DA-261-8-2002-i, and all additional information submitted in support of the application
Stage 2	the construction and operation of the cattle feedlot up to and including 50,000 head of cattle on the site at any one time and as described under DA-261-8-2002-i, and all additional information submitted in support of the application

1. GENERAL

Obligation to Minimise Harm to the Environment

1.1 The Applicant shall ensure that all practicable measures are taken to prevent and/or minimise any harm to the environment that may result from the construction and operation of the cattle feedlot.

Scope of Development

1.2 The Applicant shall carry out the development generally in accordance with:

a) Development Application No. DA-261-8-2002-i, lodged with the Department of Infrastructure, Planning and Natural Resources on 14 August 2002;
b) *Rangers Valley Feedlot Expansion - Environmental Impact Statement,* Volumes One to Three, dated August 2002 and prepared by E.A. Systems Pty Ltd;
c) additional information supplied to the Department from the Applicant regarding odour modelling and prepared by Homes Air Sciences, dated 18 December 2002;
d) *Rangers Valley Cattle Station Feedlot Expansion – Environmental Impact Statement Appendum*, dated 21 February 2003 and prepared by E.A. Systems Pty Ltd;
e) additional information supplied to the Department from the Applicant on 20 February 2003, regarding odour modelling and prepared by Holmes Air Sciences;
f) Drawing No. 19045_05 – *Rangers Valley Feedlot Expansion – Manure Application Areas* and dated March 2003 and forwarded to the Department on 18 August 2003;
g) additional information supplied to the Department from the Applicant on 26 May 2003, comprising the *Revised Threatened Species Assessment Rangers Valley Feedlot Expansion* prepared by EA Systems Pty Ltd, 21 November 2002; and
h) the conditions of this consent.

In the event of an inconsistency between a condition of this consent and the documents listed under a) to g) above, the conditions of consent shall prevail to the extent of the inconsistency.

Note: Except as expressly provided by the DEC's general terms of approval, all conditions of the existing Environment Protection Licence number 3864 for Rangers Valley Cattle Station remain.

Staged Development

1.3 The cattle feedlot expansion shall be limited to the construction and operation of the development up to a capacity of 40,000 head of cattle at any one time (Stage 1). The Applicant shall obtain further approval from the Minister to expand the cattle feedlot up to a capacity of 50,000 head of cattle (Stage 2).

To obtain approval for Stage 2 of the development, the Applicant shall undertake the following work to the satisfaction of the Director-General and the DEC:

a) Prepare the Odour Impact Assessment Methodology in accordance with condition 3.2;
b) Undertake the Odour Impact Assessment in accordance with condition 3.4; and
c) Demonstrate that the development will meet 7 Odour Unit (99^{th} percentile, 1 second average), or an industry specific odour performance criterion approved by the DEC at all nearby sensitive receptors.

Note: This development consent does not require a further development application to be made as part of seeking the approval of the Minister for Stage 2. However, any such consent will be subject to the Applicant preparing additional information to the requirements of the Director-General, in consultation with the DEC. The form and content of the additional information shall be determined by the Director-General, in consultation with the DEC.

Surrender of Consent

1.4 Prior to the commencement of any construction activities associated with DA 261-8-2002-i, the Applicant shall surrender all existing development consents associated with the site in accordance with Clause 97 of the *Environmental Planning and Assessment Regulation (2000)*.

Note: The commencement of construction activities associated with DA 261-8-2002-i will activate this development consent therefore making the existing consent for the feedlot unnecessary.

Dispute Resolution

1.5 In the event that a dispute arises between the Applicant and Council or a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter shall be referred by either party to the Director-General, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding on all parties. For the purpose of this condition, "public authority" has the same meaning as provided under section 4 of the Act.

Note: Section 121 of the *Environmental Planning and Assessment Act 1979* provides mechanisms for resolution of disputes between the Department, the Director-General, councils and public authorities.

Provision of Documents

1.6 Where practicable, the Applicant shall provide all documents and reports required to be submitted to the Director-General under this consent in an appropriate electronic format. Provision of documents and reports to other parties, as required under this consent, shall be in a format acceptable to those parties and shall aim to minimise resource consumption.

1.7 Nothing in this consent prevents the Applicant from combining reporting requirements under this consent with identical or similar reporting requirements for submission to another relevant party. Reporting requirements shall only be combined with the prior agreement of the Director-General of the Department of Infrastructure, Planning and Natural Resources and the Director-General (or equivalent) of the other relevant party.

Note: The purpose of conditions 1.6 and 1.7 is to provide for minimisation of resource utilisation (particularly paper) associated with administration of this consent.

2. CONSTRUCTION AND OCCUPATION CERTIFICATION

2.1 The Applicant shall provide to the Director-General and Council the following:

a) written notification of the appointment of a Principal Certifying Authority;
b) copies of all Construction Certificates issued for the development;
c) written notification of the intention to commence construction work, to be received at least two working days prior to the commencement of construction. In the event that more than one Construction Certificate is issued, notification shall be

provided prior to the commencement of construction the subject of each Certificate;

d) copies of any Occupation Certificates issued for the development; and

e) written notification of the intention to occupy the development, where relevant, to be received at least two working days prior to occupation. In the event that more than one Occupation Certificate is issued, notification shall be provided prior to the occupation the subject of each Certificate.

> **Note**: The Applicant shall ensure that all works are carried out in accordance with the Environmental Planning and Assessment Act 1979, the Local Government Act 1993 (Approvals) Regulations, the Building Code of Australia and the approved plans and specifications and Council's Policy for Sediment and Erosion Control.

2.2 Prior to the commencement of any construction work associated with the development, the Applicant shall erect signs at the construction site and in a prominent position at the site boundary where the sign can be viewed from the nearest public place. The sign shall indicate:

a) the name, address and telephone number of the Principal Certifying Authority;

b) the name of the person in charge of the construction site and telephone number at which that person may be contacted outside working hours; and

c) a statement that unauthorised entry to the construction site is prohibited.

The signs shall be maintained for the duration of construction works.

Demolition

2.3 The Applicant shall undertake all demolition work strictly in accordance with *AS 2601-1991 The Demolition of Structures.*

3. ENVIRONMENTAL PERFORMANCE

Air Quality Impacts

Odour Emissions

3.1 [1]The Applicant must not cause or permit the emission of offensive odours from the site. For the purpose of this condition, "offensive odour" has the same meaning as defined under 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 Applicant must not cause or permit the emission of any offensive odour from the site 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.

3.2 [2]Within three months of the date of this consent or a date approved by the DEC, the Applicant shall prepare and submit for the approval of the DEC and Director-General, an **Odour Impact Assessment Methodology**. The Methodology shall include, but not necessarily be limited to:

a) the identification of all point and diffuse sources of odour at the site and the establishment of odour emission concentrations and rates from each of those sources;

b) details of a sampling and analysis program for all point and diffuse sources of odour at the site identified in part a) that shall be undertaken:

[1] Incorporates an DEC General Term of Approval (L7.1 and L7.2)
[2] Incorporates an DEC General Term of Approval (U2.1)

i) strictly in accordance with the methods set out in NSW DEC *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* (July 2001, or as amended); and

ii) under the entire range of conditions occurring at the site, including, but not necessarily limited to:

- meteorological conditions (wind speed, ambient temperature, humidity, atmospheric stability class, rainfall);
- time of the day, week, month or season;
- stocking density/ rate; and
- management practices at the site.

c) details of the odour dispersion modelling to be undertaken at the site. Odour dispersion modelling shall be carried out strictly in accordance with NSW DEC *Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in New South Wales* (August 2001, or as amended); and

d) details of the odour annoyance survey that shall be undertaken for all privately owned properties, as identified in Figure 1, Appendix J of the EIS for DA 261-8-2002-i. The survey shall be consistent with DEC approved methodology and format.

3.3 [3]Where the FSIM[a] and Lunney & Smith[b] odour emission models are to be used to satisfy condition 3.2 c), the sampling and analysis program for odour emissions from the site shall be carried out concurrently using the wind tunnel and isolation flux hood methods for the range of conditions occurring at the site, as identified in condition 3.2 b)ii).

a. Lott, S.C. (1998) *Feedlot Hydrology*, PhD Thesis, University of Southern Queensland
b. Lunney, Smith (1995) *An Odour Emissions Model for Feedlots, Proceedings of the Feedlot Waste Management Conference, Royal Pines Resort, Gold Coast* (June 1995)

Note: The Applicant is required to use the wind tunnel and isolation flux hood methods concurrently in order to establish a robust correlation between the results of odour concentrations/rates for the two methods, across the entire range of conditions.

3.4 [4]Prior to proceeding from Stage 1 to Stage 2, the Applicant shall undertake an **Odour Impact Assessment,** to the satisfaction of the Director-General and DEC, to justify expanding the cattle stocking density rate from 40,000 head to 50,000 head. The Assessment shall be undertaken strictly in accordance with the Methodology approved under condition 3.2 of this consent, and shall include, but not necessarily be limited to:

a) results and discussion of the odour sampling and analysis program as required under condition 3.2 a) and b) of this consent;

b) results and discussion of the odour dispersion modelling as required under condition 3.2 c) of this consent;

c) results and discussion of the odour annoyance survey as required under condition 3.2 d) of this consent;

d) demonstration that for all privately owned properties (not associated with the development) as identified in Figure 1 of Appendix J of the EIS for DA 261-8-2002-i, the odour concentration received at each property does not exceed an odour performance criterion of 7 Odour Units (OU) (99^{th} percentile, 1 second average), or an alternative industry specific odour performance criterion that has been approved by the DEC; and

e) where the odour criteria specified in subclause d) above cannot be met, provide details of the odour mitigation and management measures that would need to be implemented in order to meet the criteria specified under subclause d).

[3] Incorporates an DEC General Term of Approval (U2.1)
[4] Incorporates an DEC General Term of Approval (U2.2)

> **Note:** The purpose of the Odour Impact Assessment is to demonstrate to the satisfaction of the Director-General and the DEC that the development will be able to meet the DEC's odour performance criteria specified under condition 3.4 d) of this consent when expanding from 40,000 (Stage 1) to 50,000 (Stage 2) head of cattle.

Dust Emissions

3.5 [5]The Applicant shall design, construct, operate and maintain the development in a way that prevents and/or minimises the air pollution generated by the development.

3.6 The Applicant shall take all practicable measures to ensure that all vehicles entering or leaving the site and carrying a load that may generate air pollution are covered at all times, except during loading and unloading.

> **Note:** Those vehicles traversing public roads which transect the property and are internal to the sites operation may be exempt from this condition.

3.7 All trafficable areas and vehicle manoeuvring areas on the site shall be maintained in a condition that will minimise the generation or emission of wind blown or traffic generated air pollution from the site at all times.

3.8 [6]The Applicant shall ensure that spray from the application of wastewater shall not drift beyond the boundary of the wastewater utilisation area to which it is applied.

Water Quality Impacts

Surface Water

3.9 The Applicant shall carry out the development in a manner that prevents and/or minimises potential water pollution generated by the development impacting on nearby water courses.

3.10 [7]Except as may be expressly provided by a licence under the *Protection of the Environment Operations Act 1997* in relation to the development, section 120 of that Act (pollution of waters) shall be complied with in, and in connection with, the carrying out of the development.

Discharge Limits

3.11 The Applicant shall ensure that for the discharge points identified in conditions 3.12 and 3.13 of this consent, no discharge of liquids to waters is permitted unless the circumstances identified in that condition are met.

3.12 [8]The Applicant shall only discharge liquid to waters from the overflow points from each effluent holding pond and wet weather storage pond servicing the 'control drainage area' on the site when:

a) the runoff volume from the controlled drainage area draining to the ponds exceeds the 1 in 20 year, 24-hour storm event, determined using volumetric runoff coefficients of:
   i) 0.8 for the feedlot pens, roadways and other hardstand areas; and
   ii) 0.4 for grassed areas;
   located within the controlled drainage area; or
b) the runoff volume from the controlled drainage area exceeds the 90 percentile wet year determined from a site water balance, calculated using:

[5] Incorporates an DEC General Term of Approval (O1.1)
[6] Incorporates an DEC General Term of Approval (O2.2)
[7] Incorporates an DEC General Term of Approval (L1.1)
[8] Incorporates an DEC General Term of Approval (L4.3)

i) no longer than average monthly evaporation losses from the ponds;
ii) monthly withdrawals for irrigation;
iii) daily or weekly input data; and
iv) volumetric runoff coefficients of 0.4;

whichever is the greater.

Note: The control drainage area consists of the feedlot pens, manure storage area, feed processing area and silage storage area, as shown in Figure 1 of Volume 1 of the EIS for DA-261-8-2002-i.

3.13 [9]The Applicant shall only discharge liquid to waters from the effluent terminal pond servicing each 'effluent utilisation area' on the site when the stormwater runoff volume from the 'effluent utilisation area' draining into each terminal pond, exceeds a design criteria that is to the satisfaction of the DEC.

Note: The 'effluent utilisation areas' referred to in condition 3.13 are illustrated by drawing no: 19045_01 dated January 2003 included as Plan 01 in the document titled 'Appendum – EIS – Rangers Valley Cattle Station Feedlot Expansion' dated 21 February 2003.

3.14 [10]The Applicant shall only use data from; the current *Australian Rainfall and Runoff*, the Australian Institution of Engineers, and rainfall data from the Australian Bureau of Meteorology for the site to calculate the volume of runoff from a 1 in 20 year, 24-hour storm event and a 90 percentile wet year at the site.

Water Extraction - General

3.15 [11]The Applicant shall within three months of notification from the DIPNR:

a) install and maintain equipment to the satisfaction of the DIPNR for the measurement of the quantity of water diverted or taken under any:
   i. DIPNR licence (industrial); and
   ii. DIPNR licence (irrigation)
b) continuously monitor and record the measurements of all water diverted or taken under any:
   i. DIPNR licence (irrigation); and
   ii. DIPNR licence (industrial)
c) supply the results of the monitoring required under part c) to the satisfaction of DIPNR.

Note: Examples of appropriate equipment to be used for the purposes of this condition include a measuring weir(s) with an automatic recorder or meter(s) of the Dethridge type, or such other class of meter or means of measurement as may be agreed to by the DIPNR.

3.16 [12]The Applicant shall ensure that any construction works undertaken for the purposes of conveying, distributing or storing water taken under either a DIPNR licence (industrial) or DIPNR licence (irrigation), shall not obstruct the reasonable passage of floodwaters flowing into or from a watercourse.

[9] Incorporates DEC and DIPNR General Terms of Approval (L4.3 and 5(c), respectively)
[10] Incorporates an DEC General Term of Approval (L4.3)
[11] Incorporates a DIPNR General Term of Approval (1)
[12] Incorporates a DIPNR General Term of Approval (2)

__Water Extraction for Industrial (Feedlot) Use__

3.17 [13]Subject to any access or flow condition specified in a DIPNR licence, the Applicant may, in any one year commencing 1 July divert:

a) up to the licenced volume of 1277 megalitres of water for stockuse/feedlot; or

b) up to twice the licensed volume in one year (2554 ML), provided diversions do not exceed three times (3831 ML) the licensed volume in any three year period.

3.18 [14]The Applicant shall ensure the licensed work does not be operate when the flow of the Severn River at Fladbury Gauge is less than 0.25 metres.

> **Note:** For the purposes of this condition, licensed work refers to works permitted under a DIPNR licence (Industrial). The DIPNR considers that a discharge of 0.25 metres corresponds to a flow of 8.4 Megalitres per day.

3.19 [15]The Applicant shall ensure that water extracted by means of authorised works (or works requested to be authorised) within Cam Creek and Gun Hut Creek shall only be directed for usage by the development and shall be limited to 664 ML/year.

__Water Extraction for Irrigation Use__

3.20 [16]Subject to any access or flow condition specified in the DIPNR licence (irrigation), the Applicant may, in any one year commencing from July 1:

a) divert up to a licensed volume of 1755 ML of water for irrigation use on site; and

b) divert up to twice the licensed volume (3510 ML) in one year, provided diversions do not exceed three times the licensed volume of 1755 ML in any three year period.

3.21 [17]The Applicant shall not allow tailwaters drainage to discharge, except as provided for in Conditions 3.12 and 3.13, into or onto any:

a) adjoining Public or Crown Road;

b) Crown land;

c) private property not owned by the Applicant;

d) river, creek or watercourse;

e) groundwater aquifer;

f) native vegetation as described under the *Native Vegetation Conservation Act 1997*; and

g) wetlands

> **Note:** For the purposes of this consent, tailwater is defined as excluding any discharge that exceeds the capture/containment criteria set by conditions 3.12 and 3.13 of this consent.

__Dam Design__

3.22 [18]The Applicant shall design, construct, operate and maintain all dams proposed for the development to the satisfaction of DIPNR. In addition, existing dams directly associated with the operation of the feedlot should be maintained and if necessary upgraded to the satisfaction of the DIPNR.

__Groundwater__

3.23 [19]Prior to the commencement of operation of the cattle feedlot expansion, the Applicant shall install a network of 50mm observation bores / piezometers to the satisfaction of

[13] Incorporates a DIPNR General Term of Approval (7 (a))
[14] Incorporates a DIPNR General Term of Approval (3 (a))
[15] Incorporates a DIPNR General Term of Approval (3 (b))
[16] Incorporates a DIPNR General Term of Approval (13 (a))
[17] Incorporates a DIPNR General Term of Approval (5)
[18] Incorporates DIPNR General Terms of Approval (7 to 10)
[19] Incorporates DIPNR and DEC General Terms of Approval (5 (f) and M2.1, respectively)

the DIPNR and the DEC. Such groundwater bores locations shall include, but not necessarily be limited to:

a) effluent utilisation areas;
b) solid waste utilisation areas;
c) feedlot holding ponds (adjacent to);
d) terminal ponds (adjacent to); and
e) wet weather ponds.

3.24 The Applicant shall ensure that no bore on the site shall be used for the supply or disposal of water. All existing bores, and bores proposed in accordance with condition 3.23 of this consent, shall be for the sole purpose of groundwater monitoring.

Site Drainage and Stormwater

3.25 [20]The Applicant shall isolate the effluent and solids utilisation areas and the pens from the rest of the catchment to ensure that water external to those areas is not contaminated.

3.26 [21]The Applicant shall design, construct, operate and maintain all new or upgraded wet weather, terminal and holding ponds on site with the internal surfaces of the ponds equivalent to, or better than, a clay liner of permeability 1×10^{-9} ms^{-1} or less and a thickness of no less than 900mm, or as otherwise agreed to by the DIPNR.

Prior to the commencement of construction of the new or upgraded wet weather, terminal and holding ponds, the Applicant shall demonstrate to the satisfaction of the DIPNR that the requirements of this condition will be met.

3.27 Should any wet weather, terminal or holding ponds already present on site be considered by the DIPNR to be contributing to an environmental impact, the Applicant shall upgrade these ponds to the standard identified in condition 3.26.

Waste Management Impacts

3.28 [22]The Applicant shall not cause, permit or allow any waste (including manure) generated outside the site to be received at the site for storage, treatment, processing, reprocessing or disposal, or any waste generated at the site to be disposed of at the site, except as expressly permitted by a licence under the *Protection of the Environment Operations Act 1997*.

Wastewater Utilisation Areas

3.29 [23]The Applicant shall ensure that wastewater is only applied to the 'effluent utilisation areas' as identified on Drawing No. 19045_01 Revision A - *Irrigation Areas* dated January 2003, included as Plan 01 in the document listed under 1.2 c).

> **Note**: The Applicant may apply wastewater to additional land not identified as 'effluent utilisation areas' referred to in Condition 3.29 above, subject to the approval of the DEC and DIPNR. Prior to applying the wastewater to any alternative land, the Applicant shall obtain the approval of the DEC and DIPNR and then consult the Director-General. The Director-General will consider the proposed alternative area and determine whether any further environmental impact assessment and approval is required under the *Environmental Planning and Assessment Act 1979*.

3.30 [24]The Applicant shall ensure that the quantity of wastewater applied to the utilisation areas identified in condition 3.29 shall not exceed the capacity of that area to

[20] Incorporates a DIPNR General Term of Approval (5(b))
[21] Incorporates a DIPNR General Term of Approval
[22] Incorporates DEC General Terms of Approval (L5.1 and L5.2)
[23] Incorporates an DEC General Term of Approval (O2.1)

effectively utilise the wastewater. This includes the use of the wastewater for pasture or crop production, and the ability of the soil to absorb the nutrient, salt, hydraulic load and organic material from the wastewater.

Solid Waste (Manure) Utilisation Areas

3.31 [25]The Applicant shall ensure that solid wastes (manure) shall only be applied to the 'solid utilisation areas' as identified on Drawing No. 19045_05 – *Rangers Valley Feedlot Expansion – Manure Application Areas* and dated March 2003.

Note: The Applicant may apply solid wastes (manure) to additional land not identified as 'solid utilisation areas' referred to in Condition 3.31 above, subject to the approval of the DEC and DIPNR. Prior to applying the solid wastes (manure) to any alternative land, the Applicant shall obtain the approval of the DEC and DIPNR and then consult the Director-General. The Director-General will consider the proposed alternative area and determine whether any further environmental impact assessment and approval is required under the *Environmental Planning and Assessment Act 1979*.

3.32 [26]The Applicant shall not apply solid wastes to effluent utilisation areas as identified in condition 3.29, until the Applicant can demonstrate, to the satisfaction of the DEC, that is has complied with conditions 3.30 and 3.34.

3.33 [27]Notwithstanding condition 3.31, the Applicant shall not apply solid wastes (manure):
a) on any site that may lead to the contamination of groundwater; or
b) within 100 metres of any watercourse; or
c) within 50 metres of any public road.

3.34 [28]The Applicant shall ensure that the quantity of solid wastes applied to the utilisation areas identified in condition 3.31 shall not exceed the capacity of that area to effectively utilise the solid wastes. This includes the use of the solids for pasture or crop production, as well as the ability of the soil to absorb the nutrient, salt, hydraulic load and organic material.

Noise Impacts

Construction Noise

3.35 The Applicant shall ensure that the construction and demolition works do not exceed the construction noise criteria outlined in the DEC's *Environmental Noise Control Manual* at the most affected noise receptor.

3.36 Construction activities associated with the development that will be audible at residential premises shall only be conducted between 7:00 am and 6:00 pm from Monday to Friday inclusive, and from 8:00 am to 1:00 pm on Saturdays. No construction activity is permitted on a public holiday.

Outside of these hours, construction activities are permitted to occur provided it meets the operational noise criteria referred to in Condition 3.39.

Operation Noise

3.37 The Applicant shall ensure that heavy vehicles associated with the operation of the cattle feedlot expansion shall not enter or exit the site between the hours of 10:00pm

[24] Incorporates an DEC General Term of Approval (O4.1)
[25] Incorporates an DEC General Term of Approval (O3.1)
[26] Incorporates an DEC General Term of Approval (O3.2)
[27] Incorporates a DIPNR General Term of Approval (5 (e))
[28] Incorporates an DEC General Term of Approval (O4.1)

and 7:00am on any day, except during any emergency and heavy vehicles associated with the delivery of livestock to the site.

3.38 The Applicant shall maintain a register of any truck movements that occur during the hours of 10:00pm and 7:00am and make it available to the Council and Director-General upon request. The register shall include details of:
a) why the incident occurred;
b) the time at which the incident occurred; and
c) the number of trucks involved in the incident.

3.39 [29]The Applicant shall ensure that noise from the development during operations (excluding tractor operations) must not exceed an $L_{Aeq\ (15\ minute)}$ noise limit of 35 dB(A) at any time at any residential receiver.

Notes:
a) For the purposes of this condition, noise from the development is to be measured at a point within 30 metres of a residential or other noise sensitive receptor not associated with the development to determine compliance with this condition. If it can be demonstrated that direct measurement of noise from the development is impractical, the DEC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.
b) The Noise emission limits identified in Condition 3.42 apply for prevailing meteorological conditions (ie wind speeds up to 3 m/s at 10 metres above ground level and/or temperature inversions conditions 3^0C/100m). Noise impacts that may be enhanced during non-prevailing meteorological conditions must be addressed by:
(i) documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions; and
(ii) where levels of noise complaints indicate a higher level of impact, then actions to quantify and ameliorate any enhanced impacts under temperature inversion conditions must be developed and implemented.

Traffic and Transport Impacts

Access and Internal Roadworks

3.40 Prior to the commencement of any works that will affect any Crown Roads, the Applicant shall apply to, and obtain approval from the Department of Lands to close and purchase those Crown Roads.

3.41 Prior to the commencement of Operations, the Applicant shall at its own cost upgrade the intersection of Dundee-Rangers Valley Road and the New England Highway to a Type “B” intersection, in accordance with the specifications and requirements of the NSW Roads and Traffic Authority (RTA).

3.42 The Applicant shall use all best endeavours to ensure that all vehicles with a tare weight of 21 tonnes or greater that are associated with the development shall only use that portion of the Dundee-Rangers Valley Road that is between the township of Dundee and the site.

Note: It is acknowledged that the Applicant and Severn Shire Council would prefer all heavy vehicles access the site from Dundee and access from Emmaville is strongly discouraged. This condition has been imposed to ensure that heavy vehicles only access the site from the township of Dundee.

[29] Incorporates an DEC General Term of Approval (L6.1)

3.43 The Applicant may vary the traffic route specified under condition 3.42 of this consent with the prior written approval of the Director-General. Any request to alter the traffic route specified under condition 3.42, shall be:
a) considered on a case-by-case basis;
b) accompanied by details of the nature and need to alter the traffic route; and
c) accompanied by written evidence of the Roads and Traffic Authority's (RTA) and Council's agreement with the proposed variation in traffic route, after providing all information for the RTA and Council to reasonably determine that the alternate route(s) will not adversely affect the amenity of residents that live on those roads.

Note: This condition provides a mechanism for the Applicant to alter the routes of the vehicles entering and exiting the site if, for example, there is an emergency and an alternate route must be used.

3.44 The Applicant shall ensure that during normal operating hours, all laden vehicles of any weight or capacity entering or exiting the site shall do so via the site's weighbridge.

3.45 The Applicant shall endeavour to maintain a register of all vehicles entering and exiting the site in a manner agreed to by Council. Details of the register shall be made available for inspection by Council officers upon request, and provided to Council on a monthly basis.

Section 94 Contribution

3.46 On the day this consent operates, the monetary contribution of $0.03 per tonne per kilometre shall be increased by $0.001 per tonne per kilometre each year until the monetary contribution reaches $0.035 per tonne per kilometre.

On or after the day the monetary contribution reaches $0.035 per tonne per kilometre, the Applicant shall renegotiate with the Council in relation to the monetary contributions required under this consent. Any changes to the contributions shall be agreed to by the Director-General before the Applicant's first payment of the renegotiated amount.

Note: It is not intended that this contribution is payable in respect of trucks crossing the Dundee-Rangers Valley Road when traversing between one part of the site to another.

Flora and Fauna

3.47 Prior to the commencement of construction of the cattle feedlot expansion, the Applicant shall ensure that at least 18 hectares of land is set aside and protected as a conservation area, as indicated in Figure 2 of the *Revised Threatened Species Assessment Rangers Valley Feedlot Expansion* prepared by EA Systems Pty Ltd, dated 21 November 2002. The Applicant is to ensure that this land includes at least 14 hectares of existing box-gum woodland.

3.48 Prior to the commencement of construction of the cattle feedlot expansion, the Applicant shall ensure that the riparian woodland along the Severn River and associated drainage lines on Rangers Valley Station is managed in accordance with the measures outlined in the *Rangers Valley Feedlot Expansion - Environmental Impact Statement* dated August 2002 and prepared by E.A. Systems Pty Ltd and the *Rangers Valley Cattle Station Feedlot Expansion – Environmental Impact Statement Appendum*, dated 21 February 2003 and prepared by E.A. Systems Pty Ltd.

3.49 The Applicant shall undertake weed control and restoration works as outlined in Appendix 5 of the *Revised Threatened Species Assessment Rangers Valley Feedlot Expansion* prepared by EA Systems Pty Ltd, 21 November 2002. The details of the protection and maintenance measures to be implemented shall be detailed in the **Conservation Area Management Plan** required under condition 6.2 b).

Cattle Welfare

3.50 Prior to the commencement of operation of the cattle feedlot expansion, the Applicant shall prepare and implement an updated **Animal Care Statement** to address all issues associated with the welfare of the cattle, particularly health, housing, feeding and handling. The Statement shall be generally consistent with the Statement included in Appendix O of the EIS for DA-261-8-2002-i and prepared in accordance with the *Australian Code of Practice for the Welfare of Cattle in Beef Feedlots* and the *Australian Model Code of Practice for the Welfare of Animals – Cattle*.

Visual Amenity Impacts

3.51 The Applicant shall ensure that all external lighting associated with the cattle feedlot expansion does not create a nuisance to surrounding properties or roadways, to the satisfaction of Council. The lighting shall be the minimum level of illumination necessary and shall comply with *AS 4282(INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting.*

Heritage Impacts

3.52 In the event that a relic of indigenous significance is uncovered during the construction of the cattle feedlot expansion, all construction work in the vicinity of the relic shall cease and the Applicant shall contact the National Parks and Wildlife Service as soon as practicable. The Applicant shall meet the requirements of the National Parks Service with respect to the treatment, management and/or preservation of any such relic

Hazards and Risk Impacts

Bunding and Spill Management

3.53 The Applicant shall store and handle all dangerous goods (as defined by the Australian Dangerous Goods Code, including pesticides, fertilisers, and LPG) and combustible liquids, strictly in accordance with:

a) all relevant Australian Standards;
b) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
c) the DEC's Environment Protection Manual Technical Bulletin *Bunding and Spill Management*.

In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.

4. ENVIRONMENTAL MONITORING AND AUDITING

General Monitoring Requirements

4.1 The results of all monitoring required under this consent shall be:

a) in a legible form, or in a form that can readily reduced to a legible form;
b) kept for at least four years after the monitoring or event to which the results relate took place; and
c) produced in a legible form to any authorised officer of the DEC, the DIPNR or the Director-General, upon request; and
d) kept with the following details for each sample required to be collected:
    i) the date(s) on which the sample was collected;

ii) the time(s) at which the sample was collected;
iii) the point at which the sample was collected; and
iv) the name of the person who collected the sample.

Meteorological Monitoring

4.2 [30]The Applicant shall establish a permanent meteorological station and logger at a location approved by the DEC, and to the satisfaction of the Director-General. The meteorological station shall continuously monitor the parameters identified in Table 1 and employ the sampling and analysis method specified. All parameters monitored shall be determined concurrently, at the frequency indicated in the table and using the units of measure specified.

Table 1. – Meteorological Monitoring Requirements

Parameter	Units of Measure	Frequency	Averaging period	Sampling Method[a]
Rainfall	mmh^{-1}	continuous	1 hour	AM-4
Wind speed at 10 metres	ms^{-1}	continuous	10 minutes	AM-2
Wind direction at 10 metres	degrees (^{o})	continuous	10 minutes	AM-2
Temperature at 2 metres	^oC	continuous	10 minutes	AM-4
Temperature at 10 metres	^oC	continuous	10 minutes	AM-4
Sigma theta at 10 metres	degrees (^{o})	continuous	10 minutes	AM-2
Solar radiation	Wm^{-2}	continuous	10 minutes	AM-4
Siting				AM-1

Note: a – NSW DEC (2001) Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.

Note: (i) the purpose of condition 4.2 of this consent is to provide a mechanism for collection and recording meteorological data relevant to the site for use in air quality impact assessments, particularly odour;

(ii) The DEC is to be provided with the data on request in a Microsoft[R] Office software compatible format, or other appropriate format.

Water

Surface Water

4.3 [31]The Applicant shall determine the pollutant concentration and discharge parameters specified in Table 2, at monitoring points to be determined to the satisfaction of the DIPNR and the DEC and employing the sampling and analysis method specified. All pollutant concentrations and discharge parameters for each monitoring point shall be determined concurrently during every overflow event that occurs from the locations identified in conditions 3.12 and 3.13 and at a frequency of at lease once every 3 months during construction and operation of the development.

Table 2. – Pollutant and Parameter Monitoring (Water)

Pollutant / Parameter	Units of Measure	Sampling Method[a]
Total Nitrogen	mgL^{-1}	Representative Sample
Ammonia (as N)	mgL^{-1}	Representative Sample
Total Kjeldahl Nitrogen	mgL^{-1}	Representative Sample
Total Phosphorus	mgL^{-1}	Representative Sample
Reactive Phosphorus	mgL^{-1}	Representative Sample

[30] Incorporates an DEC General Term of Approval (M2.1)
[31] Incorporates DEC and DIPNR General Terms of Approval (M2.1 and (4), respectively)

Conductivity	µS.cm^{-1}	In situ
pH	-	In situ
Sodium Absorption Ratio (SAR)	-	Representative Sample
Nitrate (as N)	mgL^{-1}	Representative Sample
Chloride	mgL^{-1}	Representative Sample
Potassium	mgL^{-1}	Representative Sample
Calcium	mgL^{-1}	Representative Sample
Magnesium	mgL^{-1}	Representative Sample
Sodium	mgL^{-1}	Representative Sample
Total suspended solids	mgL^{-1}	Representative Sample

Note: a – NSW DEC Approved Methods for the Sampling and Analysis of Water Pollution in NSW.

Note: The final location of the surface water monitoring points will also include those in the DEC licence for the site (Licence No. 3864).

Ponds

4.4 [32]The Applicant shall determine the pollutant concentrations and discharge parameters specified in Table 3 below, at the monitoring points to be determined to the satisfaction of the DEC indicated and employing the sampling and analysis method specified. All pollutant concentrations and discharge parameters for each discharge point shall be determined concurrently at a frequency of at least once every 3 months during operation.

Table 3. – Pollutant and Parameter Monitoring (Water)

Pollutant / Parameter	Units of Measure	Sampling Method[a]
Total Nitrogen	mgL^{-1}	Representative Sample
Ammonia (as N)	mgL^{-1}	Representative Sample
Total Kjeldahl Nitrogen	mgL^{-1}	Representative Sample
Total Phosphorus	mgL^{-1}	Representative Sample
Reactive Phosphorus	mgL^{-1}	Representative Sample
Conductivity	µS.cm^{-1}	In situ
pH	-	In situ
Sodium Absorption Ratio (SAR)	-	Representative Sample
Nitrate (as N)	mgL^{-1}	Representative Sample
Chloride	mgL^{-1}	Representative Sample
Potassium	mgL^{-1}	Representative Sample
Calcium	mgL^{-1}	Representative Sample
Magnesium	mgL^{-1}	Representative Sample
Sodium	mgL^{-1}	Representative Sample

Note: a – NSW DEC Approved Methods for the Sampling and Analysis of Water Pollution in NSW.

Note: The DEC has indicated that the monitoring points are to be located at a point that is representative of the wastewater that will be discharged to utilisation areas. This includes samples taken from the holding ponds and wet weather storage ponds and any additional points to be approved by the DEC.

4.5 [33]The Applicant shall determine the pollutant concentrations and discharge parameters specified in Table 4 below, at the discharge points indicated and employing the sampling and analysis method specified. All pollutant concentrations and discharge parameters for each discharge point shall be determined concurrently at a frequency of during every overflow event from that point.

[32] Incorporates an DEC General Term of Approval (M2.1)
[33] Incorporates an DEC General Term of Approval (M2.1)

Table 4. – Pollutant and Parameter Monitoring (Water)

Points	Pollutant / Parameter	Units of Measure	Sampling Method[a]
All overflow points for: holding ponds; wet weather ponds; and terminal ponds, at the site	Total Nitrogen	mgL^{-1}	Representative Sample
	Ammonia (as N)	mgL^{-1}	Representative Sample
	Total Phosphorus	mgL^{-1}	Representative Sample
	Conductivity	$\mu S.cm^{-1}$	In situ
	pH	-	In situ
	Nitrate (as N)	mgL^{-1}	Representative Sample
	Reactive Phosphorus	mgL^{-1}	Representative Sample
	Total Suspended Solids	mgL^{-1}	Representative Sample

Note: a – NSW DEC Approved Methods for the Sampling and Analysis of Water Pollution in NSW.

Groundwater

4.6 [34]The Applicant shall determine the pollutant concentrations and discharge parameters specified in Table 5 below, for all bore/ piezometers required under condition 3.23 and employing the sampling and analysis method specified. All pollutant concentrations for each bore/piezometer shall be determined concurrently and at the frequency specified in the table.

Table 5. – Pollutant and Parameter Monitoring (Groundwater)

Pollutant / Parameter	Units of Measure	Frequency	Sampling Method[a]
Total Nitrogen	mgL^{-1}	Establish background, then every 6 months	Representative Sample
Nitrate (as N)	mgL^{-1}	Establish background, then every 6 months	Representative Sample
Total Phosphorus	mgL^{-1}	Establish background, then every 6 months	Representative Sample
Conductivity	$\mu S.cm^{-1}$	Establish background, then every 3 months	In situ
pH	-	Establish background, then every 3 months	In situ
Reactive Phosphorus	mgL^{-1}	Establish background, then every 6 months	Representative Sample
Standing water level	metres	Establish background, then every 3 months	In situ
Ammonia (as N)	mgL^{-1}	Establish background, then every 6 months	Representative Sample

Note: a – NSW DEC Approved Methods for the Sampling and Analysis of Water Pollution in NSW.

Solid Wastes (Manure) Monitoring

4.7 [35]The Applicant shall monitor solid wastes (manure) using the pollutant concentrations and discharge parameters specified in Table 6 below, at the monitoring points to be determined to the satisfaction of the DEC and employing the sampling and analysis method specified. All pollutant concentrations and discharge parameters for each monitoring point shall be determined concurrently prior to the application of manure to land and/ or prior to removal of manure from the site.

Table 6. – Pollutant and Parameter Monitoring (Manure)

Pollutant / Parameter	Units of Measure	Sampling Method[a]
pH	-	Representative Sample
Conductivity	$\mu S.cm^{-1}$	Representative Sample
Total Nitrogen	$mgkg^{-1}$	Representative Sample
Nitrate (as N)	$mgkg^{-1}$	Representative Sample

[34] Incorporates an DEC General Term of Approval (M2.1)
[35] Incorporates an DEC and DIPNR General Terms of Approval (M2.1 and 4 respectively)

Total Phosphorus	$mgkg^{-1}$	Representative Sample
Dry matter	%	Representative Sample
Sodium	$mgkg^{-1}$	Representative Sample
Calcium	$mgkg^{-1}$	Representative Sample
Chloride	$mgkg^{-1}$	Representative Sample
Magnesium	$mgkg^{-1}$	Representative Sample
Potassium	$mgkg^{-1}$	Representative Sample
Organic carbon	%	Representative Sample
Sodium Adsorption Ratio	-	Representative Sample
Sulfur	$mgkg^{-1}$	Representative Sample

Note: a – Sampling methods to be approved by NSW DEC

Soil Quality Monitoring

4.8 [36]The Applicant shall prepare and implement a **Soil Quality Monitoring Program** to the satisfaction of the DEC prior to the commencement of construction of the development. The Program shall include, but not necessarily be limited to:

a) locations of monitoring points in the effluent and solid utilisation areas identified in conditions 3.29 and 3.31, respectively;
b) parameters and pollutants to be monitored, including procedures and protocols for sampling and testing;
c) a schedule for periodic monitoring of soil quality, at an initial frequency of no less than once annually;
d) details of a background survey to establish soil quality prior to the commencement of construction of the development; and
e) details of soil quality limits that would indicate contamination from the development and a contingency plan in the event that contamination occurs.

The Soil Quality Monitoring Program shall be prepared in consultation with, and to the satisfaction of the DEC prior to the commencement of construction of the cattle feedlot expansion.

Note: The DEC has identified a general program for the monitoring of soil quality in the utilisation areas (both solid and effluent), including pollutants and parameters to be monitored and frequency that should be employed, and this is reproduced in the table below

Table: Pollutant and Parameter Monitoring (Soil)

Pollutant / Parameter	**Units of Measure**	**Frequency**	
		Top Soil	**Sub-soil**
pH	-	Annually	Annually
Conductivity	$\mu S.cm^{-1}$	Annually	Annually
Total Nitrogen	$mgkg^{-1}$	Annually	Not Applicable
Nitrate (as N)	$mgkg^{-1}$	Annually	Annually
Total Phosphorus	$mgkg^{-1}$	Annually	Every 3 years
Available Phosphorus	$mgkg^{-1}$	Annually	Annually
Exchangeable sodium percentage	%	Annually	Annually
Exchangeable cations (Ca, Mg, Na, K)	$cmol(+).kg^{-1}$	Annually	Annually
Chloride	$mgkg^{-1}$	Annually	Annually
Cation Exchange Capacity	$cmol(+).kg^{-1}$	Annually	Annually
Organic Carbon	%	Annually	Not Applicable
P-sorption capacity	$kg.ha^{-1}$	Establish background, then every 3 years	Every 3 years
Sodium Adsorption Ratio		Annually	Annually
Bulk density	kgm^{-3}	Every 3 years	Every 3 years
Aggregate stability	%	Every 3 years	Every 3 years
Saturated Hydraulic Conductivity	mm/ week	Every 3 years	Every 3 years

[36] Incorporates an DEC General Term of Approval (M2.1)

Note: The sampling method is to include composite soil samples of top-soils and sub-soils.

4.9 The Applicant may seek the approval of the DEC to alter the frequency of any pollutant concentration or discharge parameter determination required under conditions 4.4 to 4.7 inclusive of this consent. Any request for approval shall only be made provided:

a) concentration/ parameter determination has been undertaken for a period of no less than 12 months;
b) there has been no exceedance of any limit placed on the subject concentration/ parameter by this consent within the 12-month period; and
c) there has been no reasonable complaint received from the public in relation to the subject concentration/ parameter within the preceding 12-month period (refer to condition 5.3 of this consent).

The Applicant shall advise the Department of any changes to the frequency of any pollutant/ parameter, as approved by the DEC.

Note: Condition 4.9 recognises that on-going monitoring will likely be able to establish the variability of the parameters/ pollutants to be monitored and once this occurs, the need for rigorous and frequent monitoring may be relaxed.

Monitoring of Volume or Mass

4.10 [37]The Applicant shall determine the volume of liquids discharged to waters or applied to an area specified in Table 7, at the monitoring points or utilisation areas identified, and employing the sampling and analysis method specified. All pollutant concentrations and discharge parameters for each monitoring point or utilisation area shall be determined concurrently and at the frequency identified in the table.

Table 7. – Pollutant and Parameter Monitoring (Volume or Mass)

Monitoring Point	Interval	Frequency	Units of Measure	Sampling Method
Point 1 – discharge of effluent to effluent utilisation areas	continuous	daily	Location, area, and kL/day	In-line instrumentation
Point 3 – overflow discharge from each of the holding, wet weather and terminal ponds	Every event	Every Event	kL/event	Estimate
Solids applied to utilisation areas	Continuous	Every Application	location, area, and tonnes/day	Weighbridge
Effluent and solids utilisation areas	Each cropping cycle	Each Cropping Cycle	crop yield and nutrients removed	Method approved by the DEC

Auditing

4.11 [38]When the stocking rate of the development reaches 40,000 head of cattle at any one time, and at a period of every three years thereafter or as otherwise required by the Director-General, the Applicant shall commission an independent person or team to undertake an Environmental Audit of the development. The independent person or team shall be approved by the Director-General, prior to the commencement of the Audit. An **Environmental Audit Report** shall be submitted for comment to the Director-General, the DEC and Council, within one month of the completion of the Audit. The Audit shall:

[37] Incorporates an DEC General Term of Approval (M3.1)
[38] Incorporates DEC General Terms of Approval (U1.1 and U1.2)

a) be carried out in accordance with *ISO 14010 - Guidelines and General Principles for Environmental Auditing* and *ISO 14011 - Procedures for Environmental Auditing*;
b) assess compliance with the requirements of this consent, and other licences and approvals that apply to the development;
c) demonstrate compliance with conditions 3.30 and 3.34 of this consent by undertaking a thorough investigation and assessment of **actual** impacts from solid and liquid waste application to the site when the stocking density of the feedlot reaches 40,000 head of cattle, in accordance with the DEC's draft Environmental Guideline *Use of Effluent by Irrigation* (August 2001, or as amended) and industry best practice guidelines;
d) assess the cattle feedlot expansion against the predictions made and conclusions drawn in the EIS and additional information submitted in support of the development application and EIS, and in particular assess and demonstrate compliance with conditions 3.30 and 3.34 of this consent by undertaking a thorough investigation and assessment of **predicted** impacts from solid and liquid waste application to the site when the stocking density of the feedlot reaches 50,000 head of cattle, in accordance with the DEC's draft Environmental Guideline *Use of Effluent by Irrigation* (August 2001, or as amended) and industry best practice guidelines;
e) assess the development against the management practices set out in the following documents:
   i) *National Guidelines for Beef Cattle Feedlots in Australia* (2nd edition);
   ii) *National Beef Cattle Feedlot Environmental Code Practice*; and
   iii) *Published research Best Management Practice Guidelines for Cattle Feedlots*; and
f) review the effectiveness of the environmental management of the development.

The Director-General may, having considered the findings of the Environmental Audit Report, require the Applicant to undertake any works to reduce environmental impacts. Any such works shall be completed within such time as the Director-General may agree.

5. COMMUNITY INFORMATION AND INVOLVEMENT

5.1 Subject to confidentiality, the Applicant shall make all documents required under this consent available for public inspection upon request. This shall include provision of all documents at the site for inspection by visitors as well as being made available in an appropriate electronic format.

Complaints Procedure

5.2 The Applicant shall continue to maintain a system for community complaints. Such a complaints system shall include:

a) a telephone number on which complaints about operations on the site may be registered;
b) a postal address to which written complaints may be sent; and
c) an email address to which electronic complaints may be transmitted, should the Applicant have email capabilities.

The telephone number, the postal address and the email address shall be displayed on a sign near the entrance to the site, in a position that is clearly visible to the public. These details shall also be provided on the Applicant's internet site, should one exist.

Where any of the measures listed from a) to c) above have not already implemented, the Applicant is required to put into practice those measures within 1 month of commencement of the upgrade to the cattle feedlot expansion.

5.3 [39]The Applicant shall continue to record details of all complaints received through the means listed under condition 5.2 of this consent in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:

a) the date and time, where relevant, of the complaint;
b) the means by which the complaint was made (telephone, mail or email);
c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
d) the nature of the complaint;
e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and
f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register shall be made available for inspection by the DEC or the Director-General upon request.

6. ENVIRONMENTAL MANAGEMENT

Construction Environmental Management Plan (CEMP)

6.1 The Applicant shall prepare and implement a **Construction Environmental Management Plan** (CEMP) to outline environmental management practices and procedures to be followed during the construction of the development. The Plan shall include, but not necessarily be limited to:

a) a description of all activities to be undertaken on the site during construction of the development, including an indication of stages of construction, where relevant;
b) statutory and other obligations that the Applicant is required to fulfil during construction, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
c) specific consideration of measures to address any requirements of the Department, the DIPNR and the DEC during construction;
d) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
e) a description of the roles and responsibilities for all relevant employees involved in the construction of the cattle feedlot expansion; and
f) the Management Plans listed under condition 6.2 of this consent.

The CEMP shall be submitted for the approval of the Director-General prior to the commencement of construction of the development. Construction shall not commence until written approval has been received from the Director-General. Where the construction work is to be undertaken in stages, the Applicant may, subject to the agreement of the Director-General, stage the submission of the CEMP consistent with the staging of activities relating to that work. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the CEMP to the DEC and DIPNR as soon as practicable.

6.2 As part of the CEMP for the development, required under condition 6.1 of this consent, the Applicant shall prepare and implement the following Management Plans:

a) an **Erosion and Sedimentation Management Plan** to detail measures to minimise erosion during construction of the development. The Plan shall be

[39] Incorporates an DEC General Term of Approval

prepared in consultation with the DEC and the DIPNR. The Plan shall include, but not necessarily be limited to:

- i) results of investigations into soils associated with the site, in particular the stability of the soil and its susceptibility to erosion;
- ii) details of erosion, sediment and pollution control measures and practices to be implemented during construction;
- iii) demonstration that erosion and sediment control measures will conform with, or exceed, the relevant requirements and guidelines provided in the DIPNR's publication *Urban Erosion and Sedimentation Handbook*, the DEC's publication *Pollution Control Manual for Urban Stormwater*, the Department of Housing's publications *Soil and Water Management for Urban Development* and the *Managing Urban Stormwater – Soils and Construction*;
- iv) design specifications for diversionary works, banks and any sediment retention basins;
- v) an erosion monitoring program during construction of the development;
- vi) description of procedures to ensure that the measures implemented to control sediment and erosion on site, are maintained at all times; and
- vii) measures to address erosion, should it occur, and to rehabilitate / stabilise disturbed areas of the site

b) a **Vegetation Clearing Management Plan** to detail measures to manage and minimise the impact of vegetation clearing. The Plan shall address the requirements of the National Parks and Wildlife Service (NPWS), should there be any. The Plan shall include, but not necessarily be limited to:

- i) a detailed plan showing the area and type of vegetation that is to be removed;
- ii) requirements to fence off vegetation not to be cleared;
- iii) identification of requirements for local seed collection prior to clearing;
- iv) re-use of cleared vegetation and leaf mulch including for weed eradication; and
- v) strategies to minimise impacts on fauna (such as checking hollows and relocation).

Operation Environmental Management Plan (OEMP)

6.3 The Applicant shall prepare and implement an **Operation Environmental Management Plan** (OEMP) to detail an environmental management framework, practices and procedures to be followed during operation of the development. The plan shall include, but not necessarily be limited to:

- a) identification of all statutory and other obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;
- b) a description of the roles and responsibilities for all relevant employees involved in the operation of the development;
- c) overall environmental policies and principles that will be/ are applied to the operation of the development;
- d) standards and performance measures that will be applied/ are to the development, and a means by which environmental performance can be periodically reviewed and improved;
- e) management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;
- f) details of all landscaping to be undertaken on the site;
- g) the Management Plans listed under condition 6.4 of this consent;
- h) the environmental monitoring requirements outlined under conditions 4.1 to 4.3 of this consent, inclusive; and

i) contingency measures should monitoring of environmental issues under this consent indicate that the development has had, or is having an adverse environmental impact.

The OEMP shall be submitted for the approval of the Director-General no later than one month prior to the commencement of operation of the development, or within such period as otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the OEMP to the DEC and Council as soon as practicable.

Note: The information provided within the OEMP as part of Condition 6.3 may be used to form part of the reporting requirements of other Government agencies.

6.4 As part of the OEMP for the development, required under condition 6.3 of this consent, the Applicant shall prepare and implement the following Management Plans:

a) a **Transport Code of Conduct** to outline management of traffic conflicts associated with the operation of the development. The Code shall be prepared in consultation with the Council and RTA. The Code shall include, but not necessarily be limited to:
   i) details of any restriction to traffic routes;
   ii) minimum requirements for vehicle maintenance to address noise and exhaust emissions;
   iii) speed limits to be observed along routes to and from the sites and within the site; and
   iv) details of the expected behavioural requirements for vehicle drivers to and from the site and within the site.

b) a **Conservation Area Management Plan** to outline measures for the enhancement/restoration of vegetation to compensate for vegetation that has been permanently lost as a result of the cattle feedlot expansion. The Plan shall include, but not necessarily be limited to:
   i) strategies described in Appendix 5 of the “Revised Threatened Species Assessment Rangers Valley Feedlot Expansion” prepared by EA Systems Pty Ltd, 21 November 2002;
   ii) details of the goals/objectives of the restoration program;
   iii) description of conservation actions (eg, fencing, pest control, re-vegetation, habitat construction, habitat maintenance, information and signage);
   iv) roles and responsibilities for conservation actions;
   v) methods for the measurement of the success of the restoration works, including annual monitoring over at least five years; and
   vi) methods for the annual review of the controlled grazing strategy referred to in Appendix 5 of the “Revised Threatened Species Assessment Rangers Valley Feedlot Expansion” prepared by EA Systems Pty Ltd, 21 November 2002.

6.5 Within three years of the commencement of this consent, and at least every three years thereafter, the Applicant shall undertake a formal review of the Operation Environmental Management Plan (OEMP) required under condition 6.3 of this consent. The review shall ensure that the OEMP is up-to-date and all changes to procedures and practices since the previous review have been fully incorporated into the OEMP. The Applicant shall notify the Director-General, Council and the DEC of the completion of each review, and shall supply a copy of the updated OEMP to those parties on request. The Applicant shall also make any revised OEMP available for public inspection on request.

Disease Management.

6.6 Prior to the commencement of operations, the Applicant shall prepare, implement and maintain an up-to-date Emergency Disposal Protocol to address all issues associated with the potential outbreak of a disease during operations of the development. The Protocol shall be prepared in consultation with NSW Agriculture and the DEC.

The Emergency Disposal Protocol shall be submitted to the Director-General prior to the commencement of operations of the development and shall be accompanied by written evidence of NSW Agriculture and DEC's satisfaction with the Protocol.

7. ENVIRONMENTAL REPORTING

Incident Reporting

7.1 The Applicant shall notify the DEC and the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. The Applicant shall provide written details of the incident to the DEC and the Director-General within seven days of the date on which the incident occurred.

7.2 The Applicant shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this consent, reported in accordance with condition 7.1, within such period as the Director-General may agree.

> **Note:** Condition 7.2 of this consent does not limit or preclude the DEC from requiring any action to address the cause or impact of any incident, in the context of the DEC's statutory role in relation to the development.

Annual Performance Reporting

7.3 The Applicant shall, throughout the life of the development, prepare and submit for the approval of the Director-General, an **Annual Environmental Management Report** (AEMR). The AEMR shall review the performance of the development against the Operation Environmental Management Plan (refer to condition 6.3 of this consent), the conditions of this consent and other licences and approvals relating to the development. The AEMR shall include, but not necessarily be limited to:

a) details of compliance with the conditions of this consent;
b) a copy of the Complaints Register (refer to condition 5.3 of this consent) for the preceding twelve month period (exclusive of personal details), and details of how these complaints were addressed and resolved;
c) a comparison of the environmental impacts and performance of the development against the environmental impacts and performance predicted in the EIS and the additional information listed under condition 1.2;
d) results of all environmental monitoring required under this consent and other approvals, including interpretations and discussion by a suitably qualified person;
e) a list of all occasions in the preceding twelve-month period when environmental performance goals for the development have not been achieved, indicating the reason for failure to meet the goals and the action taken to prevent recurrence of that type of incident;
f) identification of trends in monitoring data over the life of the development to date;
g) a list of variations obtained to approvals applicable to the development and to the site during the preceding twelve-month period; and
h) environmental management targets and strategies for the following twelve-month period, taking into account identified trends in monitoring results.

7.4 The Applicant shall submit a copy of the AEMR to the Director-General, Council and the DEC every year, with the first AEMR to be submitted no later than twelve months after the commencement of operation of this development consent. The second and subsequent AEMRs are to be submitted every 12 months from the first AEMR or concurrently with the DEC's annual reporting period established for the site under its Environment Protection Licence for the site.

7.5 The Director-General may require the Applicant to address certain matters in relation to the environmental performance of the development, in response to review of the Annual Environmental Report and any comments received from the DEC. Any action required to be undertaken shall be completed within such period as the Director-General may agree.

ATTACHMENT No. 1 - MANDATORY CONDITIONS FOR ALL DEC LICENCES

Note: Attachment No. 1 does not form part of this consent. Rather, it provides an indication of mandatory conditions that will be imposed through an Environment Protection Licence (EPL) for the cattle feedlot, if issued by the DEC. Conditions listed in this Attachment do not necessarily represent the full scope of conditions that may be imposed by the DEC through an EPL and should be used for no other purpose than a guidance note to be read in conjunction with this consent.

Load limits

1. The applicant will be required to pay load based licensing fees once a licence under the Protection of the Environment Operations Act 1997 has been issued. The licence will identify the assessable pollutants and load limits for each fee-based activity classification. These assessable pollutants will be required to be monitored and pollutant loads calculated in accordance with the DEC's Load Calculation Protocol. The assessable pollutants and load limits applicable to this activity are given in the table below:-

   Note: An assessable pollutant is a pollutant which affects the licence fee payable for the licence.

Assessable Pollutant	Load limit (kg)
Nil at this stage	

Concentration limits

2. For each discharge point or utilisation area specified in the table/s below, the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentrations limits specified for that pollutant in the table.

3. Where a pH quality limit is specified in the Table, the specified percentage of samples must be within the specified ranges.

4. To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.

Air

Point: all air discharges including the boiler stacks

Pollutant
Limits as specified in the Clean Air (Plant and Equipment) Regulation 1997 (or as amended)

Potentially offensive odour

5. No condition of the DEC's licence identifies a potentially offensive odour for the purposes of section 129 of the *Protection of the Environment Operations Act 1997*.

Reporting conditions

6. The applicant must provide an annual return to the DEC in relation to the development as required by any licence under the *Protection of the Environment Operations Act 1997* in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

Administrative conditions

Fit and Proper Person

7. The applicant must, in the opinion of the DEC, 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.

> **Note:** For the purposes of these general terms of approval, the 'applicant' is Rangers Valley Cattle Station P/L. The 'applicant' is also known as the 'licensee' for DEC licence number 3864.

Other activities

8. This licence applies to all other activities carried on at the premises, including:
   Those included on licence 3864

Operating conditions

9. Activities must be carried out in a competent manner
   - This includes:
     i. the processing, handling, movement and storage of materials and substances used to carry out the activity; and
     ii. the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Maintenance of plant and equipment

10. 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.

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

11. The licensee must complete and supply to the DEC an Annual Return in the approved form comprising:

    a) a Statement of Compliance; and
    b) a Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the DEC accompanies this licence. Before the end of each reporting period, the DEC will provide to the licensee a copy of the form that must be completed and returned to the DEC.

Period covered by Annual Return

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

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.

- Where this licence is transferred from the licensee to a new licensee, 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
- 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.

- Where this licence is surrendered by the licensee or revoked by the DEC 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.

Deadline for Annual Return

13. The Annual Return for the reporting period must be supplied to the DEC 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’).

Notification where actual load can not be calculated

(Licences with assessable pollutants)

14. Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee’s control, the licensee must notify the DEC in writing as soon as practicable, and in any event not later than the due date.

    - The notification must specify:
      a) the assessable pollutants for which the actual load could not be calculated; and
      b) the relevant circumstances that were beyond the control of the licensee.

Licensee must retain copy of Annual Return

15. The licensee must retain a copy of the annual return supplied to the DEC for a period of at least 4 years after the annual return was due to be supplied to the DEC.

Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

16. Within the Annual Return, the Statement 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 DEC to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

Notification of environmental harm

Note:	The licensee or its employees must notify the DEC of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

17. Notifications must be made by telephoning the DEC's Pollution Line service on 131 555.

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

Written report

18. Where an authorised officer of the DEC 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.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the DEC within such time as may be specified in the request.

- 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; and
  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;
  g) any other relevant matters.

The DEC 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 DEC within the time specified in the request.

General conditions

- Copy of licence kept at the premises or on the vehicle or mobile plant.
- A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies.
- The licence must be produced to any authorised officer of the DEC who asks to see it.
- The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.

APPENDIX NO. 1 – PROPERTY DETAILS FOR THE DEVELOPMENT APPLICATION

Parish of Fladbury, County of Gough
Lots 14, 15, 21, 24, 26, 27, 28, 30, 88 and 89 DP 753278
Lot 2 DP 859230
Lot 25 DP 659977

Parish of Rangers Valley, County of Gough
Lots A, B, C, D and E DP 1870
Lot H DP 32737
Lot I DP 215201
Lots 3, 17, 18, 20, 22, 23, 24, 25, 31, 43, 44, 47, 48, 50, 53, 73, 74, 83 and 84 DP 753303
Part Lots 1, 2, 7, 8, 9, 10, 14, 15, 16, 19, 32, 42, 45, 49, 52, 72, 75, 85, 86, 99 and 126 DP 753303

Parish of Wellington Vale, County of Gough
Lots 221, 222, 223 and 224 DP 753323

Parish of Louis, County of Gough
Lots 6, 7, 8, 9, 19, 21, 22, 23, 24, 25, 26, 32, 40, 120 and 131 DP 753291
Part Lot 45 DP 753291