

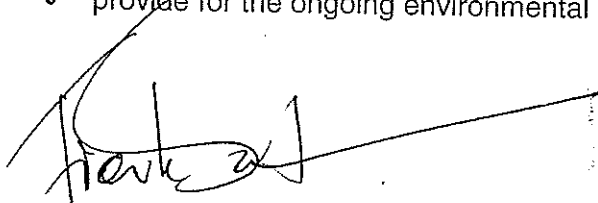
Project Approval

Section 75J of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, approve the project referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.



Frank Sartor MP
Minister for Planning

Sydney

30 March

2006

File No: 9039061

SCHEDULE 1

Application No: 05_0080.

Proponent: de Bortoli Wines Pty Ltd.

Approval Authority: Minister for Planning.

Land: Lot 1 DP 1024102; lots 115 to 118, 120, 121, 140, 141, 144, 145, 165 to 171, 228, 533, 534 and 966, DP 751728; Lot 3 DP 837695, and map reference numbers DC210068.

Project: The expansion and operation of a winery

Major Project: The proposal is classified as a Major Project under section 75B(1)(a) of the *Environmental Planning and Assessment Act 1979*, because it is a development of a kind described in clause 3 of schedule 1 to *State Environmental Planning Policy (Major Projects) 2005*.

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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	<i>Environmental Planning and Assessment Act, 1979</i>
AEMR	Annual Environmental Management Report
Proponent	de Bortoli Wines Pty Ltd
Construction	any activity requiring a Construction Certificate, significant excavation work, road works, demolition, or any construction related activity as described in DA-05_0080.
Council	Griffith City Council
Department	NSW Department of Planning
DEC	NSW Department of Environment and Conservation (incorporating the former National Parks and Wildlife Service)
Development	the development as described in DA-05_0080, and all additional information submitted in support of that application.
Director-General	Director-General of the NSW Department of Planning, or delegate
Dust	any solid material that may become suspended in air
EA	<i>Environmental Assessment</i>
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act, 1997</i>
L _{Aeq} (15 minute)	equivalent average sound pressure level that is measured over a 15 minute period
Minister	NSW Minister for Planning, or delegate
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	<i>Environmental Planning and Assessment Regulation, 2000</i>
RTA	NSW Roads and Traffic Authority
Site	the land to which this consent applies
Water licence	Licence issued under the <i>Water Act 1912</i>
Statement of Commitments	the Statement of Commitments referred to in the Environmental Assessment that accompanied DA-05_0080.
Operation	refers to the operation of the winery and includes all works, buildings, structures and processes identified in the Environmental Assessment

1. GENERAL

Scope of Development

- 1.1 The Development must be implemented generally in accordance with Project Application No 05_0080 and the below mentioned plans and/ or documents, except where amended or modified by the conditions of this consent.

Drawing No. or Document	Dated	Prepared or Drawn By
Project Application No. 05_0080	20 October 2005	de Bortoli Wines Pty Ltd
Expansion of Operations de Bortoli Winery, Bilbul New South Wales - Environmental Assessment	October 2005	E. A. Systems Pty Ltd
Expansion of Operations de Bortoli Winery, Bilbul New South Wales - Appendices to Environmental Assessment	October 2005	E. A. Systems Pty Ltd
Report No. 20873.6162. Addendum to Environmental Assessment	11 November 2005	E. A. Systems Pty Ltd
Expansion of Operations de Bortoli Winery, Bilbul New South Wales - Amendments and Additional Information	November 2005	E. A. Systems Pty Ltd
Report No. 20950.4633 - Pollution Reduction Program Report	December 2005	E. A. Systems Pty Ltd
Report No. 20873.6517 - Hydrological Study	December 2005	E. A. Systems Pty Ltd
Report No. 20873.6557 - Summary of Potential Impacts, Mitigation Measures and Monitoring	December 2005	E. A. Systems Pty Ltd
Report No. 20873.6552 - Overview of Nutrients and Salt Balance	December 2005	E. A. Systems Pty Ltd
License conditions	Current	Department of Environment and Conservation

Scope of this Approval

- 1.2 Prior to the commencement of any construction activities associated with DA 05_0080, the proponent 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 05_0080 will activate this development consent therefore making the existing consents for the winery unnecessary.

- 1.3 The following ancillary or additional works outside the winery form part of this approval and are to be undertaken, completed or carried out in accordance with the requirements of the conditions identified below:

- a) Upgrading of the intersection between de Bortoli Road and Burley Griffin Way – Conditions No. 3.30 and 3.31.
 - b) Upgrading of de Bortoli Road – Conditions No. 3.30 and 3.32.
- 1.4 The following ancillary or additional works outside the winery may, subject to further discussion with Griffith City Council and/ or relevant State Government authorities (DoP, DEC, DNR, RTA), form part of this approval and if deemed to be necessary are to be undertaken, completed or carried out in accordance with the requirements of the conditions identified below
- a) Purchase of high security water allocation for transfer to Griffith City Council – Condition No. 1.9(b).
 - b) Upgrade of potable water supply in accordance with the requirements of Griffith City Council – Condition No. 3.20.
 - c) Upgrading of Lawrence Road – Condition No. 3.31, 3.32 and 3.34

Note The Proponent may be required to seek further approvals under the *Environmental Planning and Assessment Act, 1979* or any other relevant legislation, such as s138 of the *Roads Act 1993*, for the ancillary or additional works referred to in the above condition.

- 1.5 On completion of the development, the following capacities and volumes will be approved for the winery:
- Crush capacity – up to 150,000 tonnes per annum
 - Storage on site – total of 230 ML in tanks of various sizes
 - Bottling capacity – (unspecified)
 - Waste water processing capacity – 160 ML per annum
 - Treated waste water storage capacity – 54 ML
 - Stormwater storage capacity – 25 ML
 - Area approved for irrigation of treated waste water – 130 hectares
 - Staff numbers – 440
 - Car parking capacity – 272 spaces

Production or processing capacities must not exceed these limits

Transport Access Options

- 1.6 Through-out the life of the consent, the Proponent shall investigate alternative options for accessing the de Bortoli Winery than the exclusive use of de Bortoli Road. The results of these investigations shall be reported in the AEMR referred to in condition 7.2

Independent Environmental Auditing

- 1.7 Within two years of the commencement of construction of the development, and then every three years (unless otherwise directed by the Director-General), the Proponent 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. The Audit shall:
- a) be carried out in accordance with *ISO 19011:2003 - Guidelines for Quality and/ or Environmental Management Systems Auditing*;
 - b) assess compliance with the requirements of this consent, and other licences and approvals that apply to the development;
 - c) assess the environmental performance of the development against the predictions made and conclusions drawn in the documents referred to under condition 1.1 of this consent; and

- d) review the effectiveness of the environmental management of the development, including any environmental impact mitigation works.

An **Environmental Audit Report** shall be submitted for comment to the Director-General, Griffith City Council, Department of Primary Industries, the DEC and the DNR within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the proponent to any of the recommendations contained in the Report.

The Director-General may - having considered any submissions made by Griffith City Council, Department of Primary Industries, the DEC and the DNR in response to the Report - require the proponent to undertake works to address the findings or recommendations presented in the Report. Any such works shall be completed within such time as the Director-General may require.

Inconsistencies

- 1.8 In the event of an inconsistency between:
 - a) the conditions of this consent and any documents listed from condition 1.1, the conditions of consent shall prevail to the extent of the inconsistency; and
 - b) any document listed from condition 1.1, the most recent document shall prevail to the extent of the inconsistency.

Contributions and Payments

- 1.9 In the event that discussions referred to in condition No. 1.4 above, determine that the most viable option to increase potable water supply is the further development of Griffith City Council assets described in 1.4(b), then,
 - a) pursuant to Section 64 of the *Local Government Act 1993* and the *Water Management Act 2000*, the proponent may be required to apply to Griffith City Council for a Compliance Certificate under the provisions of S305 of the *Water Management Act 2000*. Griffith City Council shall issue a certificate of compliance pursuant to S307 of this Act upon the proponent making a payment in accordance with S306 of this Act.
 - b) the proponent shall arrange for the transfer to Griffith City Council of a water allocation equivalent to an agreed amount to meet the requirements of the expanded winery operation. This transfer shall occur when annual consumption of potable water obtained from Council's reticulation system exceeds 160ML.

Documentary evidence of the transfer must be submitted to Griffith City Council **prior to the commencement of the next occurring vintage.**

Statutory Requirements

- 1.10 The proponent shall ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the development. No condition of this consent removes the obligation for the proponent to obtain, renew or comply with such licences, permits or approvals. The proponent shall ensure that a copy of this consent and all relevant environmental approvals are available on the site at all times during the development.
- 1.11 Site works are not to commence until the person having the benefit of the development consent has appointed a Principal Certifying Authority (PCA) (Note:- this can be Griffith City Council or an Accredited Certifier) and has notified the Director General of the appointment. Should the proponent elect to nominate Griffith City Council as the PCA it will be necessary to complete Griffith City Council Form 7 and pay the required inspection fees.

An Accredited Certifier who has been appointed as a Principal Certifying Authority (PCA) must not be replaced, except with the approval of the relevant accreditation body. A replacement PCA must ensure that notice of his or her appointment, together with the relevant Accreditation Body's approval of the appointment, is given to the Director General within 2 days of the appointment.

- 1.12 The developer is required to comply with any and all requirements of the NSW Work Cover Authority.

Dispute Resolution

- 1.13 In the event that a dispute arises between the proponent and Griffith City 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

- 1.14 Where practicable, the proponent shall provide all documents and reports required to be submitted to the Director-General under this consent in an 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.
- 1.15 Nothing in this consent prevents the proponent 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 Planning and the Director-General (or equivalent) of the other relevant party.

Note: The purpose of conditions 1.14 and 1.15 is to provide for minimisation of resource utilisation (particularly paper) associated with administration of this consent.

Demolition

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

Other General and Administrative Requirements

- 1.17 Arrangements are to be made with Council for a six (6) month maintenance period for all Civil Engineering works relating to Griffith City Council's infrastructure where such works have been undertaken by de Bortoli Wines or its contractors. It is the proponent's responsibility to notify Griffith City Council regarding the commencement and finish of the maintenance period and adequate arrangements are to be made regarding any relevant inspections required to be undertaken by Council's officers.

Where works undertaken by de Bortoli Wines or its contractors have been completed to Council's satisfaction and are accepted into maintenance, a five percent (5%) bond is to be submitted to Griffith City Council for the works that need maintenance.

- 1.18 The following inspections are required to be completed by Council Officers for civil construction works carried out on public roads or Griffith City Council property. All inspections shall be arranged during normal office hours:

- (i) Placing of pipes in trenches prior to back filling;
- (ii) Testing of water mains;
- (iii) Completion of sub grade preparation before placing of pavement;
- (iv) Completion of each pavement layer ready for beam and density testing; and
- (v) Sealing of road works.

1.19 The proponent is required to pay for all inspections carried out by Griffith City Council's employees for all road and stormwater works. The estimated amount must be **paid prior to the issue of Construction Certificate for Civil Works**. Any adjustments to the total amount must be paid in full **at completion of the works**.

1.20 Detailed design plans shall be submitted and a **Construction Certificate for Civil Work is to be obtained prior to any works commencing**. Such plans shall include designs, calculations and specifications for all proposed works as required for acceptance and approval by Griffith City Council. The requirements must conform to Griffith City Council's Development Manual, draft DCP 23 – Engineering Requirements for Development and RTA specifications & guidelines. The Consulting Engineer must sign all drawings issued for construction.

1.21 Works as Executed plans for approved and accepted works shall be submitted to Griffith City Council for approval upon completion of the respective stage(s) of the development **prior to issue of the Occupation Certificate**.

1.22 The proponent shall be responsible for the amplification, extension and adequate provision for connection to services at their own expense. All such works shall be completed in accordance with Griffith City Council's Development Manual and relevant authority's specifications.

2. COMPLIANCE

2.1 The proponent must put in place a management system, and take reasonable steps, to ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.

2.2 The proponent shall be responsible for the works the subject of this consent and the environmental impacts that may result from those works, and shall put in place an environmental management system governing the conduct of all persons on the site, including contractors, subcontractors and visitors.

2.3 Notwithstanding condition 2.11 of this consent, the Director-General may require an update report on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the requirements of the Director-General and be submitted within such period as the Director-General may agree.

2.4 The proponent must comply with the requirements of any License issued by the Department of Environment and Conservation under the *Protection of the Environment Operations Act 1997*

2.5 The following Codes, Standards, Treatments and Certificates shall apply to, or are required for, the development.

Details – Code, Certificate or Statement	Applies	Required
Building Code of Australia	Yes	All building work must comply with and be carried out in accordance with the requirements of the Building Code of Australia.
Construction Certificate (Building)	Yes	Site works are not to commence until such time as Griffith City Council has received a construction certificate for the proposed works. Griffith City Council or an Accredited Certifier may issue construction certificates.
Construction Certificate (Engineering works)	Yes	Site works are not to commence until such time as Griffith City Council has received a construction certificate for the proposed works. Griffith City Council or an Accredited Certifier may issue construction certificates.
Structural Engineer's Certificate	Yes	A certificate from a registered Structural Engineer attesting to the adequacy of the structure to support the anticipated loads is to be submitted as part of the construction certificate documentation
Access and Mobility Statement	Yes	To ensure access and facilities for disabled people are provided, a statement from an Accredited Certifier, the proponent or owner is required certifying that the development complies with the provisions of the <i>Disability Discrimination Act 1992</i> ; <i>Australian Standard AS1428</i> and Griffith City Council's <i>Access and Mobility Policy</i> . This statement is to form part of the documentation submitted with the construction certificate.

- 2.6 No materials, goods or equipment shall be located outside the property boundary and/or upon the public road or footpath reserve.

Where the circumstances of demolition and/or construction require the temporary use of either the footpath and/or public road, a hording or road closure **application** must be made at least seven (7) days **prior to commencement of the intended works**. A suitable diagram detailing the location of proposed occupation of public land and all barriers/devices, shall be submitted to Griffith City Council in conjunction with the application.

Where approval is granted, the proponent shall be responsible for the placement of barriers, signs and night lighting in accordance with Australian Standard 1742.3.

(It should be noted that approval will only be granted where it is considered to be warranted and in instances where public thoroughfare will not be adversely affected.)

- 2.7 A single Geotechnical Engineer's report shall be submitted to Griffith City Council and approved **prior to issue of a Construction Certificate** for foundation work for those structures or buildings that forms part of the proposed development. The report shall indicate the suitability of the land for the proposed development and detail any special building practices required for construction on land subject to fill. This may be in the form of a single report covering all components of the development or separate reports covering individual components of the development.

- 2.8 The proponent must develop and put in place, the environmental management plans (EMP) specified in conditions 6.2 to 6.5.
- 2.9 The proponent is required to obtain the relevant approvals under the *Water Act 1912/ Water Management Act 2000* for all piezometers required as part of the groundwater monitoring program from the Department of Natural Resources. The Department has accepted the concept of modified piezometers to cater for potential future dewatering.
- 2.10 The proponent will be required to obtain the relevant approvals from the Department of Natural Resources under the *Water Act 1912/ Water Management Act 2000* should dewatering of the shallow aquifer be required in the future.
- 2.11 The proponent must meet the requirements of the Director-General in respect of the implementation of measures necessary to ensure compliance with the conditions of this consent, and general consistency with the documents listed under condition 1.1 of this consent. The Director-General may direct that such a measure be implemented in response to the information contained within any report, plan, correspondence or other document submitted in accordance with the conditions of this consent, within such time as the Director- General may agree.
- 2.12 No waste or refuse shall be burned on site. All building waste, excavated material, broken concrete or the like, shall be removed from the site and disposed of at an approved waste management depot.

Fire Safety Certificate

Interim Certificate

- 2.13 An interim fire safety certificate or final fire safety certificate is to be furnished (by the owner of the building) to satisfaction of the Principal Certifying Authority (PCA) **prior to the issue of any interim occupation certificate.**

Advice

A person who carries out the assessment for either the interim or final certificate must inspect and verify the performance of each specified fire safety measure and must test the operation of each new item of equipment installed in accordance with the Schedule.

Final Certificate

- 2.14 The essential fire safety measures referred to in this Schedule, excluding any existing measures, are to be installed within the building.

A final fire safety certificate is to be furnished by the owner of the building to the Principal Certifying Authority (PCA) **prior to the issue of a final occupation certificate**, in respect of all essential fire safety measures specified in the above Schedule.

The certificate should state that each specified essential fire safety measure has been assessed by a properly qualified person (chosen by the owner), and was found to be capable of performing to a standard not less than that specified in the Schedule.

Advice

A person who carries out the assessment must inspect and verify the performance of each specified fire safety measure and must test the operation of each new item of equipment installed in accordance with the Schedule.

3. ENVIRONMENTAL PERFORMANCE

Air Quality Impacts

Odour Emissions

- 3.1 The proponent must not cause or permit the emission of offensive odour beyond the boundary of the premises

Note:- No condition in this approval identifies a potentially offensive odour for the purposes of section 129 of the *Protection of the Environment Operations Act 1997*.

Dust control

- 3.2 Construction trucks that are carrying loads capable of generating dust, entering and leaving the premises, must be covered at all times, except during loading and unloading.
- 3.3 The premises must be maintained in a condition that minimises or prevents the emission of dust from the premises.

Construction

- 3.4 During the construction period, all builder's debris and litter shall be adequately contained within the property. The builder is to remove all builder's debris and litter on a weekly basis, and at the completion of all work.
- 3.5 A sign shall be erected in a prominent position on the work site:
- (a) stating that unauthorised entry to the work site is prohibited, and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

Note: This clause does not apply to building work carried out inside an existing building, or building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

- 3.6 Adequate toilet facilities are to be provided on the site throughout the demolition/construction phase of the development. Such toilet facilities are to be provided, at the ratio of one (1) toilet for every twenty (20) persons (or part thereof) employed/working on the site. Each toilet provided must be a standard flushing toilet and must be connected to a public sewer, or an accredited sewage management facility approved by council. If connection to either a public sewer or an accredited sewage management facility is not practicable, it shall be connected to some other sewage management facility approved by council. Toilet facilities must be provided and functioning **prior to the commencement of work**.

Surface Water Management

- 3.7 The proponent will request written confirmation from Murrumbidgee Irrigation Limited (MIL) that the proposed 3.5ML storage in de Bortoli Road and the proposed method(s) of disposal of stormwater is(are) considered satisfactory. Outcomes of this request shall be submitted to Council **prior to the issue of any Construction Certificate**.
- 3.8 The proposed 3.5ML storage within widened drainage channels located within the de Bortoli Road reserve shall not interfere with the safe and efficient movement of traffic within the public road reserve. In particular, a minimum supported road pavement width (including shoulders) of 10 metres shall be maintained at all times. Neither the widened drain nor the road formation shall interfere with or endanger boundary fencing or other services such as water, electricity, telephone and natural gas that may be located within

the road reserve. Design and construction plans shall be submitted to Griffith City Council for approval **prior to commencement of works.**

- 3.9 The Proponent must carry out the development in a manner that prevents and/ or minimises potential water pollution generated by the development from impacting on nearby watercourses.
- 3.10 Except as may be expressly provided by a licence under the *Protection of the Environment Operations Act 1997* (POEO) in relation of the development, section 120 POEO Act must be complied with in and in connection with the carrying out of the development.
- 3.11 Adequate arrangements shall be made to capture, treat and control any potential waste that is likely to enter drainage waters or channels. Stormwater shall be directed to onsite stormwater detention basins as required by condition 3.13 below. Proposals for any such works require the preparation and submission to Griffith City Council of a detailed hydrological study for the major/minor drainage system with the following items included:
- A drainage layout plan showing details of treatment and detention systems, floodways, pits and stormwater pipes.
 - The catchment boundaries and calculations for the drainage discharge/ overflow point into Main Drain 'J'.
 - Design levels for top of bank, top water levels, pit levels, invert levels and spot levels to show the relationship with new roads, swales or embankments that direct stormwater.
 - Hydraulic grade lines for piped drainage are to be shown on long sections as per Griffith City Council's Development Manual.

The proposed detention basin(s) should be located clear of flood prone land.

Note: Griffith City Council's current records indicate that the 1 in 100 year flood level at the corner of the Burley Griffin Way and de Bortoli Road is RL 127.69.

It is recommended that the proponent and their consultant discuss the abovementioned requirements and any proposed measures with Griffith City Council's Infrastructure and Design Manager.

- 3.12 The consultant must sign off all drawings and calculations and provide Griffith City Council with National Professional Engineers Register 3 (NPER 3) details or equivalent and details of Professional Indemnity Insurance.
- 3.13 All stormwater runoff from the developed areas of the winery shall be retained on site. Contaminated runoff shall be directed to the waste water treatment system. Runoff that will be reused on gardens, landscaped areas or within the winery processing area, shall be directed to retention or storage basins located on the site. Discharge shall be retarded until such time as water levels in the receiving channel (located adjacent to the Burley Griffin Way) are below local flood levels as advised by Griffith City Council. Onsite use of storm water is encouraged wherever appropriate.
- 3.14 Stormwater velocity in open, earthen collection and delivery drains forming part of the stormwater management system shall not exceed 1.8 m/s at peak runoff. Design details shall be submitted to Griffith City Council and approved **prior to issue of the Construction Certificate for these works.**

Erosion and Sediment Control

- 3.15 Prior to the commencement of construction (including earthworks), the proponent shall provide documentary evidence to, and to the satisfaction of, the Director-General confirming that all erosion and sedimentation controls are in place.
- 3.16 All erosion and sedimentation controls required as part of this consent shall remain in place until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Groundwater Management

- 3.17 The proponent is to ensure subsurface drainage systems located beneath all wastewater storage areas (in particular the wastewater evaporation ponds) are isolated to ensure that no drainage water is permitted to migrate from the site. These drainage systems should be modified to ensure that drainage water is recycled through the wastewater treatment process or discharged to the waste water reuse scheme.

Water Supply

- 3.18 An electronic flow recorder is to be placed on the existing potable water meter that services the winery. Data collected by the recorder is to be downloaded on a scheduled basis and transmitted to Griffith City Council. The recorder is to be installed at proponent's expense. Details of the recorder are to be provided to Griffith City Council and approved prior to installation.
- 3.19 On-site water storage shall be provided for the following requirements:
- a) potable water equivalent to peak demand at full production capacity for a 24 hour period shall be provided as an operational buffer for peak demands and in case of mains failure. The storage is to be operated on-line such that water is delivered into the storage from Griffith City Council's supply system or an alternative secure supply as agreed by Council. Operational water for the winery is to be fed from the storage to the winery via a pressurized system. Details and design shall be submitted to Griffith City Council and approved **prior to issue of the construction Certificate for these works.**
 - b) raw (or potable) water with a minimum capacity sufficient to meet statutory fire fighting requirements shall be maintained at all times for fire fighting emergencies. This storage must be physically separable from any other operational storage on site and must be maintained in a full condition at all times unless otherwise approved in writing by Griffith City Council (eg: to enable maintenance or cleaning). This storage may be combined with the operational storage required under a) above provided it can be isolated, protected and plumbed accordingly. Details and design shall be submitted to Griffith City Council and approved **prior to issue of the construction Certificate for these works.**
- 3.20 Prior to the peak daily potable water demand required to sustain operations exceeding 1ML per day from Griffith City Council's supply system, arrangements shall be made with Griffith City Council for upgrading of the water supply network. In the first instance this will trigger the requirement to proceed with works described in Condition 3.19. On completion of those works, the arrangements will then cover a plan, as agreed to with Council, to provide adequate supply capacity to the winery for the design crush volume of 150,000 tonnes per annum. The proponent will cover all costs associated with the upgrading of the water supply network. An agreement between the Griffith City Council and the proponent shall be prepared and executed to cover the work and costs involved.

Subject to Council's agreement, the work (and payments) may be staged over a period of years.

Waste Management Impacts – Processing Water

Waste Water Utilisation Areas

3.21 Waste water must only be applied to the following areas:

Lots 165, 166, 167, 168, 169, 170, 171 DP 751728

3.22 Waste water pipelines and fittings must be clearly identified. Standard water taps, hoses and valves must not be fitted to the pipelines of the wastewater system. The wastewater system must not be connected to other pipelines.

3.23 Waste water utilisation areas must effectively utilise the waste water applied to those areas. This includes the use for pasture or crop production, as well as ensuring the soil is able to absorb the nutrients, salts, hydraulic load and organic materials in the solids or liquids. Monitoring of land and receiving waters to determine the impact of waste water application may be required by the DEC.

3.24 All new and re-constructed wastewater treatment and storage ponds must have a minimum pond base and wall permeability of 1×10^{-9} metres per second or be artificially lined with an impermeable high density polyethylene liner.

Prevention of spillage of liquids and wastes

3.25 All liquid chemicals, fuels, oil and above ground tanks on the premises containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.

Waste Water from Amenities and Visitor Facilities

3.26 A concept design and report for the proposed collection and treatment system for domestic liquid waste from staff and visitor amenities, shall be submitted to Griffith City Council for approval **within 6 months of the date of this consent**. The design and report shall include (but not be limited to) the following matters:

- a forecast of the number of staff and visitors that may use or contribute to such waste;
- identification of existing domestic waste water management systems on the site (where these will be included in, or form part of the proposed waste water system), including a detail survey plan showing the location of the systems and any associated pipe work or disposal area; and,
- conceptual design details for the proposed on-site sewage treatment facility, including any changes to existing facilities/ septic systems and proposed collection and transfer methods between septic systems and the treatment facility.

Special attention should be given to the seasonal nature of domestic waste generation at the winery and the ability of the selected treatment facility to accept such a wide variation of waste volumes.

Note: A separate approval under the *Local Government Act 1993* is required for any on-site sewage management system (including existing non-approved septic units). The application is to be accompanied by a site plan showing the location of tank(s), drainage lines and irrigation/ absorption areas in relation to the buildings on the site and the site boundaries. A copy of the manufacturer's details for the proposed system is also required.

Noise Impacts

Operational Noise Limits

- 3.27 The Applicant shall ensure that the construction works do not exceed the construction noise criteria outlined in the Environment Protection Authority's *Environmental Noise Control Manual*.
- 3.28 Noise generated at the premises must not exceed the noise limits presented in the table below.

Period	Limit – Bilbul village ($L_{Aeq,15min}$)
Day	45
Evening	42
Night	45

For the purpose of this condition:

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;
- Evening is defined as the period from 6pm to 10pm; and
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.

Construction Heavy Vehicle Movements

- 3.29 All construction work at the premises must only be conducted between –
- | | |
|---------------|-----------------------------|
| 7am to 6pm | Monday to Friday |
| 8am to 5pm | Saturday, and |
| at no time on | Sundays and Public Holidays |

This condition does not apply to the delivery of materials outside the hours of operation permitted, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is provided to the DEC and affected residents as soon as possible, or within a reasonable period in the case of emergency.

The hours of operation specified in this condition may be varied with written consent if the DEC is satisfied that the amenity of the residents in the locality will not be adversely affected.

Traffic and Transport Impacts

- 3.30 A traffic generation and pre-design report shall be submitted to the Griffith City Council and the RTA for approval to determine the exact location and design of all required intersection treatments, road upgrading and associated works (including Burley Griffin Way, Lawrence Road and de Bortoli Road and any necessary or associated road works on Crescent Street or other Bilbul access roads). The report shall be submitted to and approved by Griffith City Council and the RTA **within 6 months of the date of this consent**. All costs are to be borne by the developer and the construction must commence **prior to the commencement of the 2007 vintage in accordance with the construction schedule approved by the RTA and Council**. All works shall be completed to the satisfaction of RTA and Griffith City Council.

3.31 To minimise impacts upon Griffith City Council's assets, a sealed carriageway is to be constructed for the full public road frontage of the site, together with all necessary works and drainage to make the construction effective. Where the development abuts or adjoins an existing public road (constructed or otherwise) the following works shall be completed to the design standard specified:

Road or Street Name	Kerb Type and/or Footpath	Surface Finish or Road Pavement	Width of Construction or reconstruction	Drainage Design
Burley Griffin Way	To approved design	As specified by RTA	As specified by RTA	1:100 yr ARI
Lawrence Road	None	Minimum 40mm asphaltic concrete	As specified by Griffith City Council	1:20 yr ARI
de Bortoli Road	None	Minimum 40mm asphaltic concrete	As specified by Griffith City Council	1:20 yr ARI
Bilbul Local Roads	Barrier type	As specified by Griffith City Council	Full width	1:20 yr ARI

Notes:

- i. All work is to be designed and constructed in accordance with the requirements and standards set out in Griffith City Council's Development Manual.
- ii. Plans and specifications for all works are to be submitted to Griffith City Council and approved **prior to the issue of a Construction Certificate for Civil Works and commencement of any works on the site.**
- iii. If Lawrence Road is used as a corridor for de Bortoli Wines traffic during the 2007 vintage and beyond, then works will be completed according to the design standard specified for de Bortoli Road in the table above.

3.32 Intersection treatment works will be required at the Winery's access connection point to (Lawrence Road and) de Bortoli Road to accommodate the turning movements of vehicles into the Winery and to cater for through traffic along (Lawrence Road and) de Bortoli Road. As a minimum, a Type "AUR" (Auxiliary lane Right turn) and Type "AUL" (Auxiliary lane Left turn) treatment is to apply to the intersection. Details of the proposed works (including design and road building material) shall be submitted to Griffith City Council and the RTA for approval **prior to the issue of a Construction Certificate for Civil Works.** All costs are to be borne by the developer and the construction must commence **prior to the commencement of the 2007 vintage.**

3.33 A Traffic Control Plan relating to all external road works must be submitted to and approved by the Griffith City Council and the RTA prior to the issue of a **Construction Certificate for Civil Works.** The plan shall conform to the RTA's Traffic Control at Work Sites Manual and *AS1742.3-1996 - Manual of uniform traffic control devices.*

3.34 All on-site/internal car parking and vehicular manoeuvring areas shall be sealed and maintained to Griffith City Council's satisfaction. A detailed car park layout plan outlining the proposed staging and timeframe for construction/sealing of such areas shall be submitted to Griffith City Council for approval **prior to the commencement of the 2007 vintage.**

3.35 The flow of traffic within the site is to be defined by directional signs and painted pavement arrows. Line marking and directional signs shall be maintained by the owner of the site for the life of the development.

Off Street Car Parking

3.36 A total of 272 off-street parking spaces shall be provided within the property.

Visitor Car Parking

Normal car spaces	58
Bus bays	2
Disabled spaces	2
Total visitor spaces required	62 (including disabled and bus spaces)

Staff Car Parking

Normal car spaces - admin	39
Normal car spaces – shift staff	166
Disabled spaces	5
Total staff spaces required	210

Details for the location and design of the additional spaces required shall be submitted to Griffith City Council and approved **prior to issue of the Construction Certificate**. All car parking areas shall be designed in accordance with Griffith City Council's Development Manual and all parking bays shall be line marked where appropriate, in accordance with Part 11 of Austroads 'Traffic Engineering Practice' to a minimum width of 2.6m.

Construction Standard for Access Driveways and Car Parks

3.37 The following minimum construction standard shall apply for the type of driveway, access way, car parking space or right of carriageway/access specified in the approved plans.

Component	Heavy Duty	Car Parking Space and Access Road
Depth of Gravel pavement or foundation	Geotechnical testing and design required	150mm minimum
Surface type/finish	Reinforced Concrete or similar – 200mm or to engineer's design	Minimum requirement, prime and two coat seal.
Minimum width	As required for design turning movements	4.5 metres – one way 6 metres – two way
Maximum width	As agreed	8 metres
Service conduits	To be provided as required for electricity, telephone, gas, water, etc.	
Kerb or drainage line crossing	Provide reinforced concrete dish crossing to width required.	
Drainage for stormwater runoff	Design to collect 1 in 5 year ARI storm event. All stormwater to discharge to on-site retention ponds.	
Entrance gateway	Submit design	
Crossing of Murrumbidgee Irrigation Drain or channel	As required/specified by Murrumbidgee Irrigation	
Culvert or table-drain	Submit design	
Guide post and delineators	Submit design	

Landscaping

- 3.38 Three copies of a detailed landscape plan and schedule of proposed species relating to the landscaping of the winery site and Memorial Gardens shall be submitted to Griffith City Council for approval **prior to the issue of the Construction Certificate for the landscaping work**. The landscape plan and schedule shall detail existing and proposed plantings and measures to shield the appearance of the development and associated lighting from the surrounding locality (eg: Village of Bilbul and adjoining and adjacent properties and public roads). All landscaping works shall be installed and maintained for the life of the development in such a manner so as not to interfere with sight distance requirements for vehicular movements in and around the site.

This detailed plan should be drawn to scale (minimum 1:500) and include the location of tree and shrub species, height and spread at maturity and elevation of landscaped areas.

A construction schedule shall be submitted in support of the landscape plan and shall provide for completion of landscaping of screening or perimeter areas **prior to commencement of the 2008 vintage**. All other landscaping is to be completed in accordance with the approved construction schedule.

Visual Amenity Impacts

- 3.39 The proponent must ensure that all external lighting associated with the development does not create a nuisance to surrounding properties or roadways. 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*.

4. ENVIRONMENTAL MONITORING AND AUDITING

General Monitoring Requirements

- 4.1 The results of all monitoring required under this consent shall be:
- in a legible form, or in a form that can be readily reduced to a legible form;
 - kept for at least four years after the monitoring or event to which the results relate took place; and
 - produced in a legible form to any authorised officer of the DEC, the Department or the Director-General, or the Griffith City Council upon request; and
 - kept with the following details for each sample required to be collected:
 - the date(s) on which the sample was collected;
 - the time(s) at which the sample was collected;
 - the point at which the sample was collected; and
 - the name of the person who collected the sample.

- 4.2 The proponent must undertake all water quality monitoring required under this development consent in accordance with the NSW DEC's *Approved Methods for the Sampling and Analysis of Water Pollution in NSW*.

Monitoring During Construction

Requirement to monitor permeability during construction

- 4.3 The proponent must monitor (by sampling and obtaining results by analysis) the permeability achieved during construction of the base and walls of each of the new or re-constructed wastewater treatment and storage ponds that are not artificially lined.

The results of the tests required by this condition must be submitted to the DEC before commissioning of the ponds. The minimum permeability requirements must be met before the ponds are commissioned for use.

Monitoring During Operation

Monitoring of wastewater utilisation areas, groundwater and surface water

- 4.4 Soil monitoring, groundwater monitoring and surface water monitoring will be undertaken in strict accordance with the requirements set out in the DEC licence covering the operation of the facility.

Utilisation area monitoring

- 4.5 To minimise the risk for deep drainage of contaminants into the groundwater system, the proponent must establish a suitable soil moisture monitoring system, to the satisfaction of the Director General of the DEC that ensures waste water is not irrigated during periods when soil is at or near field capacity.

Reporting conditions

- 4.6 The proponent must supply with the annual return submitted to the DEC a report, which provides:
- an analysis and interpretation of all the monitoring results committed to in the Environmental Assessment for ground waters, surface waters and soils;*
 - an analysis and interpretation of all the monitoring results required by the Environment Protection Licence for ground waters, surface waters and soils; and*
 - actions to correct identified adverse trends.*

5. COMMUNITY INFORMATION AND INVOLVEMENT

- 5.1 Subject to confidentiality, the proponent 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 electronic format.

Complaints Procedure

- 5.2 Prior to the commencement of construction of the development, the proponent must implement a system for community complaints. Such a complaints system must include:
- a 24-hour telephone number on which complaints about operations on the site may be registered;
 - a postal address to which written complaints may be sent; and
 - an email address to which electronic complaints may be transmitted, should the proponent have email capabilities.

The telephone number, the postal address and the email address shall be advertised in a newspaper circulating within the locality on at least one occasion prior to the commencement of construction of each stage of the development. These details must also be displayed on a sign near the entrance to the site, in a position that is clearly visible to the public and on the proponent's internet site, should one exist. The telephone number, postal address and email address must be maintained throughout the life of the development.

- 5.3 The proponent must 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 must record, but not necessarily be limited to:
- the date and time, where relevant, of the complaint;
 - the means by which the complaint was made (telephone, mail or email);
 - any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
 - the nature of the complaint;
 - any action(s) taken by the proponent in relation to the complaint, including any follow-up contact with the complainant; and

- f) if no action was taken by the proponent in relation to the complaint, the reason(s) why no action was taken.

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

6. ENVIRONMENTAL MANAGEMENT

Environmental Representative

- 6.1 Prior to the commencement of construction of the development, the proponent must nominate a suitably qualified and experienced Environmental Representative(s) whose appointment is to receive prior approval of the Director-General. Unless otherwise agreed in writing, the proponent shall employ the Environmental Representative(s) throughout the life of the development. The Environmental Representative shall be:
- the primary contact point in relation to the environmental performance of the development;
 - responsible for all Management Plans, mitigation measures and Monitoring Programs required under this consent;
 - responsible for considering and advising on matters specified in the conditions of this consent, and all other licences and approvals related to the environmental performance and impacts of the development;
 - responsible for receiving and responding to complaints in accordance with condition 5.2 of this consent; and
 - given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.

The proponent shall notify the Director-General of any changes to that appointment that may occur from time to time.

Construction Environmental Management Plan (CEMP)

- 6.2 The proponent must prepare and implement a **Construction Environmental Management Plan (CEMP)** to outline environmental management practices and procedures to be followed during the construction of each stage of the development. The Plan must include, but not necessarily be limited to:
- 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;
 - statutory and other obligations that the proponent is required to fulfil during construction, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
 - specific consideration of measures to address any requirements of the Department, the DEC and Griffith City Council during construction;
 - complaints handling procedures during construction and site preparation;
 - the relevant environmental monitoring requirements outlined under section 4 of the consent; and
 - the Management Plans listed under condition 6.3 of this consent.

The following environmental performance issues must also be addressed in the Plan:

- measures to monitor and manage traffic impacts resulting from road works and general construction activities; and
- measures to monitor and manage dust emissions, including contingency measures in the event relevant criteria are not being met; and
- measures to monitor and manage noise emissions, including contingency measures in the event relevant criteria are not being met

The CEMP shall be submitted for the approval of the Director-General no later than one month prior to the commencement of any site preparation and construction works associated with the development, or within such period as otherwise agreed by the Director-General. Where the construction work is to be undertaken in stages, the proponent 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.

Site preparation and construction works associated with any stage of the development shall not commence until written approval has been received from the Director-General for that stage. Upon receipt of the Director-General's approval, the proponent shall supply a copy of the CEMP to the DEC and Griffith City Council as soon as practicable.

- 6.3 As part of the CEMP for the development required under condition 6.2 of this consent, the proponent shall prepare and implement the following Management Plans:
- a) a **Noise Management Plan** to detail measures to minimise noise emissions associated with the development, including road transport noise. The Plan shall include, but not necessarily be limited to:
 - i) identification of major sources of noise that may be emitted as a result of the carrying out of the development;
 - ii) specification of the noise criteria as it applies to the particular activity;
 - iii) procedure for notifying potentially affected local residents of construction program and of a contact person to contact should they have concerns with any construction noise generated;
 - iv) measures to manage impacts from noisy construction work activities on residents, particularly during sensitive time periods (eg 6pm to 7am) and from road traffic noise;
 - v) procedures for the monitoring of noise emissions; and
 - vi) description of procedures to be undertaken if any non-compliance is detected or complaints are made.
 - b) a **Dust Management Plan** to detail measures to minimise the generation of dust on the development site during construction, and the impacts of dust on surrounding land owners. The Plan shall include, but not necessarily be limited to:
 - i) identification of the potential sources of dust during construction;
 - ii) specification of appropriate dust control criteria for the works;
 - iii) a description of what actions and measures would be implemented to minimise dust generation during the proposed works;
 - iv) details of how the effectiveness of these measures would be monitored during the proposed works; and, if any non-compliance is detected;
 - v) a description of what procedures would be followed to ensure compliance.
 - c) a **Traffic Management Plan** to outline measures for the management and coordination of road works required under this consent and to minimise potential conflicts between different user groups. The Plan must be prepared in consultation with the RTA and Griffith City Council and must include, but not necessarily be limited to:
 - i) details of measures to minimise interactions between the development and other users of the roads such as through the use of fencing, lights, barriers, traffic diversions etc;
 - ii) measures to monitor and manage traffic impacts and also road maintenance resulting from road works and general construction activities;
 - iii) details of traffic routes to be used by heavy vehicles associated with the development;
 - iv) minimum requirements for vehicle maintenance to address noise and exhaust emissions, particularly along roads in close proximity to residences;
 - v) speed limits to be observed along routes to and from the site and within the site;

- vi) develop a Transport Code of Conduct; and
- vii) outlining mitigation measures to be employed to reduce noise emissions and ensure the relevant criteria as outlined in the DEC's publication *Environmental Criteria for Road Traffic Noise* are being met.

Operation Environmental Management Plan (OEMP)

- 6.4 The proponent must 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 proponent 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 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 6.5 of this consent;
 - h) the environmental monitoring requirements outlined under Section 4 of this consent; 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 must 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 proponent shall supply a copy of the OEMP to the DEC, DNR and Griffith City Council as soon as practicable.

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

- a) a **Groundwater Management Plan** to detail measures to manage and minimise the impact of the proposal on groundwater. The Plan must include, but not necessarily be limited to:
 - (i) details of baseline groundwater quality, as present prior to the commencement of construction of the development;
 - (ii) identification of activities associated with the development that have the potential to impact on groundwater quality, and how these materials and activities are to be managed to prevent those impacts;
 - (iii) monitoring of groundwater quality, including parameters to be monitored and frequency of monitoring;
 - (iv) details of how any groundwater level rises or salinity increases in nearby properties will be monitored and managed;
 - (v) details of contingency measures and management options should monitoring of groundwater quality indicate that the development has had, or is having, an adverse effect on groundwater quality;

- (vi) details of specific levels for standing water levels, nitrogen, phosphorus and potassium that trigger the nominated contingency measures and management options, should monitoring of groundwater quality indicate that the development has exceeded this criteria. These levels and contingency and management options must be developed to the satisfaction of the DEC and DNR.
- b) an **Irrigation and Wastewater Management Plan** to outline measures to manage soil, surface water and groundwater impacts associated with the irrigation of wastewater during the operation of the development. The Plan shall be prepared in consultation with the Council, DEC and DNR, and include but not necessarily be limited to:
- (i) details of baseline soil conditions/quality and crop responses;
 - (ii) description of the proposed irrigation and waste management system and associated infrastructure, location of utilisation areas etc;
 - (iii) details of crop cycling and management in the utilisation areas;
 - (iv) details of measures to manage and/or mitigate the risk of soil degradation, surface water runoff, erosion and the accumulation of nutrients & salts in the utilisation areas. This includes measures to contain runoff from irrigation areas at the site;
 - (v) specification of standards and performance measures for each of the relevant components of the irrigation system and waste water treatment system;
 - (vi) a strategy for maintaining the capacity of storage dams (including de-silting practices) and details of the revegetation plan for the dams in order to develop and maintain biological water control of these structures;
 - (vii) details of a monitoring program for soil quality, surface water runoff, nutrient and salt levels, including parameters to be monitored and frequency of monitoring;
 - (viii) measures to manage irrigation applications within specific limits to prevent overflow or premature release to the tail water dam;
 - (ix) demonstration of consistency with the EPA's *Environmental Guidelines for Use of Effluent for Irrigation*;
 - (x) details of contingency measures and management options that would be implemented should monitoring indicate the irrigation of waste water has had, or is having, an adverse effect on soil or groundwater quality (such as the impacts of adverse weather conditions or the failure of the waste water treatment ponds to maintain biological conditions);
 - (xi) description of how the effectiveness of actions and measures would be monitored over time; and
 - (xii) details of what procedures would be followed to ensure compliance in the event that any non-compliance is detected.
- c) 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; and
 - v) a demonstrated commitment to the RTA's Chain of Responsibility legislation, 2005.

- e) an **Odour Management Plan** to outline measures to minimise odour impacts associated with the entire operation. The Plan shall include, but not necessarily be limited to:
- i) identification of all point and diffuse sources of odour associated with the entire operation;
 - ii) a detailed description of the odour mitigation methods and management practices that will be used throughout the entire operation to ensure offensive odour impacts do not occur off site;
 - iii) details of the implementation of industry best practice management measures to ensure potential odour impacts are managed;
 - iv) a detailed description of the methods used for monitoring the effectiveness of the odour mitigation methods and management practices for all point and diffuse sources of odour associated with the entire operation;
 - v) details of proposed contingency measures should odour impacts occur;
 - vi) details of the proposed maintenance procedures for the farm sheds to ensure potential odour impacts are managed; and
 - vii) a procedure for handling potential odour complaints that includes recording, investigating, reporting and acting.

6.6 Within three years of the commencement of this consent, and at least every three years thereafter, the proponent shall undertake a formal review of the Operation Environmental Management Plan (OEMP) required under condition 6.4 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 proponent shall notify the Director-General, Griffith City Council, DNR and the DEC of the completion of each review, and shall supply a copy of the updated OEMP to those parties on request. The proponent shall, subject to confidentiality, also make any revised OEMP available for public inspection on request.

7. ENVIRONMENTAL REPORTING

Incident Reporting

7.1 The proponent shall notify the DEC and the Director-General of any incident with actual or potential significance for off-site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. The proponent 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.

Annual Performance Reporting

7.2 The Applicant must, 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 6.4 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 EA and the additional supporting information and reports listed under condition 1.1;
- 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) report on capacity of irrigation area to handle wastewater including interpretation of soil and groundwater monitoring results over the life of the project to date;
- h) Details of consideration of access options (including possible changes to intersections, access points and use of local roads) to the site as required by condition 1.6;
- i) a list of variations obtained to approvals applicable to the development and to the site during the preceding twelve-month period; and
- j) environmental management targets and strategies for the following twelve-month period, taking into account identified trends in monitoring results.

7.3 The Applicant must submit a copy of the AEMR to the Director-General, Council, DNR and the DEC every year, with the first AEMR to be submitted no later than four weeks after the first AEMR is submitted to the DEC according to the Environmental Protection License conditions applying to the development. 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.

7.4 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 EPA and Council. Any action required to be undertaken shall be completed within such period as the Director-General may agree.
