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 2006 File No: S04/01177

SCHEDULE 1

Application No:	05_00081.
Proponent:	Agricultural Equity Investments Pty Ltd.
Approval Authority:	Minister for Planning.
Land:	Lot 60 DP 751153, Lot 1 DP 111271, Lot 2 DP 111271, Lot 76 DP 751153, Lot 125 DP 751153, Lot 126 DP 751153, Lot 127 DP 751153, Lot 128 DP 751153, Lot 129 DP 751153, Lot 140 DP 751153, Lot 164 DP 751153, Part Lot 8 DP 7511 53, Part Lot 9 DP 751153, Part Lot 118 DP 751153, Part Lot 162 DP 751153, Part Lot 163 DP 751153 and Lot 1 DP 550495, Murray local government area
Project:	Moira Station Cattle Feedlot, with a maximum capacity of 80,000 head of cattle

KEY TO CONDITIONS

SCHEDULE 2

Act	*Environmental Planning and Assessment Act, 1979*.
Control Drainage Area	The feedlot pens, manure storage area, feed processing area, and silage storage area defined in Table 3 of Appendix E of the EAR.
Construction	Includes any activity requiring a Construction Certificate, significant excavation work, road works, demolition, or any construction related activity as described in Major Projects Application 05_0081.
Council	Murray Shire Council.
DEC	Department of Environment and Conservation.
Department	Department of Planning.
Director-General	Director-General of the Department (or delegate).
DNR	Department of Natural Resources.
EAR	*Environmental Assessment Report, Moira Station Cattle Feedlot, Environmental Assessment (HLA-Envirosciences, December 2005 Volumes 1 and 2).*
EPL	Environment Protection Licence issued under the *Protection of the Environment Operations Act 1997*.
Irrigation Areas	The areas defined in Figure 6.1 of the EAR.
Minister	Minister for Planning.
Operation	Commissioning of any stage of works as described in the Major Projects Application 05_0081.
Project	The project described in Part D of the EAR.
Proponent	Agricultural Equity Investments Pty Ltd.
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
Statement of Commitments	The revised Statement of Commitments in Attachment 1 to this Schedule.
Sensitive Receptor	A location where people are likely to work or reside; this may include a dwelling, school, hospital, office or public recreational area and the location of known or likely future sensitive receptors.
Site	Land to which Major Projects Application 05_0081 applies.

1. ADMINISTRATIVE CONDITIONS

Terms of Approval

1.1 The Proponent shall carry out the project generally in accordance with the:

a) environmental assessment: *Moira Station Cattle Feedlot, Environmental Assessment* prepared by HLA-Envirosciences, dated December 2005;

b) response to submissions: *Proposed Moira Station Cattle Feedlot: Responses* prepared by HLA-Envirosciences, dated 8 March 2006;

c) statement of commitments, dated March 2006; and

d) conditions of this approval.

1.2 If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of the inconsistency.

1.3 The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:

a) any reports, plans or correspondence that are submitted by the Proponent in accordance with this approval; and

b) the implementation of any actions or measures contained in those reports, plans or correspondence submitted by the Proponent.

Feedlot Design

1.4 The Proponent shall design, construct, and operate the feedlot in accordance with the specifications for a Class 1 feedlot as defined in the *Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland,* or any other reference document specified by the Department. In particular, the Proponent shall ensure that:

a) the maximum stocking density does not exceed 12.7 m^2 per head of cattle;

b) the manure mound in each pen does not exceed 25% of the pen area;

c) the manure pad depth:
- does not exceed 50mm above the interface layer;
- is left intact during pack removal; and
- is left in a smooth, durable and uniform state following pack removal;

d) manure with moisture content of greater than 35% is not placed in the main stockpiles;

e) manure spreading is:
- not conducted one day before, or during weekends and public holidays; and
- only conducted when conditions are favourable to dispersion;

f) manure is incorporated into cultivation as soon as practicable after spreading; and

g) under-fence cleaning is carried out at least monthly;

h) wet patches are eliminated at least weekly;

i) potholes are repaired at least weekly;

j) no pen has a slope less than 3%, or drains into another pen;

k) all feed trough, water trough and bin aprons slope away from the trough and bin to facilitate drainage;

l) water trough drains are constructed so that wash water is always discharged outside the pens; and

m) feed residues and spilt feed are removed at least weekly.

1.5 Prior to the commencement of operations, the Proponent shall demonstrate to the satisfaction of the DEC and Director-General that the feedlot complies with condition 1.4.

Staged Implementation

1.6 Prior to stocking the feedlot with more than 40,000 head of cattle and then 60,000 head of cattle, the Proponent shall commission an Independent Environmental Audit of the feedlot (see condition 4.2), and demonstrate to the satisfaction of the DEC through validated predictive modelling that the proposed increase to 60,000 or 80,000 head of cattle respectively would not cause offensive odour (see note below and condition 3.5(a)(iv)).

1.7 The Proponent shall not stock the feedlot with more than 40,000 head of cattle and then 60,000 head of cattle before it has implemented the recommendations in the Independent Environmental Audit report to the satisfaction of the Director-General.

Heads of Agreement

1.8 Prior to the commencement of construction, the Proponent shall provide suitable evidence to the Director-General, demonstrating that the private residential receivers as described in the EAR as R2, R4, R5, R6, R11 and R12 are satisfied with the agreement they have entered into with the Proponent to manage the predicted impacts of the project, or have had their property or properties purchased by the Proponent.

Section 94 Contribution

1.9 Prior to the commencement of construction, the Proponent shall pay Council $450,000.

> **Note**: This contribution is subject to indexation by the Implicit Price Deflator, as published by the Australian Bureau of Statistics.

2. SPECIFIC ENVIRONMENTAL CONDITIONS

AIR QUALITY

Odour

2.1 The Proponent shall not cause or permit the emission of offensive odours from the site, 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 Proponent 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.

Dust

2.2 The Proponent shall design, construct, operate and maintain the project in a manner that prevents and/or minimises air pollution.

2.3 The Proponent shall ensure that all vehicles entering or leaving the site with a load that may generate air pollution are covered at all times.

Meteorological Monitoring

2.4 Prior to the commencement of construction, the Proponent shall establish a permanent meteorological station at the feedlot to the satisfaction of the DEC and the Director-General. This meteorological station must be capable of measuring the following parameters:

Parameter	*Units of measure*	*Averaging period*	Frequency	*Sampling method*[1]
Rainfall	*mm/hr*	*1 hour*	Continuous	*AM-4*
Sigma Theta @ 10 m	*°*	*1 hour*	*Continuous*	*AM-2*
Siting	*-*	*-*	*-*	*AM-1*
Temperature @ 10 m	*K*	*1 hour*	*Continuous*	*AM-4*

Parameter	*Units of measure*	*Averaging period*	**Frequency**	*Sampling method*[1]
Temperature @ 2 m	*K*	*1 hour*	*Continuous*	*AM-4*
Total Solar Radiation @ 10m	*W/m²*	*1 hour*	*Continuous*	*AM-4*
Wind Direction @ 10 m	*°*	*1 hour*	*Continuous*	*AM-2*
Wind Speed @ 10 m	*m/s*	*1 hour*	Continuous	*AM-2*

[1] NSW DEC, 2001, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.

SOIL AND WATER

Water Supply

2.5 The Proponent shall ensure that sufficient water is available at all times for the number of cattle in the feedlot.

2.6 Prior to operations, the Proponent shall seek approval from the DNR for the reclassification of the groundwater licence 50BL198582 from irrigation to irrigation and industrial.

Water Management System

2.7 Prior to diverting the Moira Board of Management's irrigation channels on the site, the Proponent shall provide the Department with suitable evidence that:
   a) the Moira Board of Management agrees with the proposed arrangements for the diversion of the irrigation channels; and
   b) the DNR is satisfied that the proposed location of the diverted irrigation channels has been validated through appropriate compaction testing, including an EM-31 (or equivalent) survey, to ensure that any "prior stream beds" that are to be intersected during the diversion of the irrigation channels are appropriately lined to minimise leakage and accessions to groundwater.

2.8 Prior to the commencement of operations, the Proponent shall demonstrate to the satisfaction of the DEC and DNR that:
   a) the floor and walls of all waste storages, feedlot pens and lanes, and tailwater ponds have been appropriately compacted to an impermeability equal to or greater than 1×10^{-9} m/s and a clay liner thickness of no less than 900mm, or an equivalent alternative;
   b) all freshwater storages, sediment basins/ponds, holding pond and effluent storage have been designed, constructed and operated to prevent leakage and failure;
   c) that the designated solids storage areas in the controlled drainage area are located on impermeable pads.

2.9 The Proponent shall ensure that any construction works undertaken for the purposes of conveying, distributing or storing water do not obstruct the reasonable passage of floodwaters flowing into or from a watercourse.

2.10 Prior to the commencement of construction, the Proponent shall ensure that suitable provisions are in place to prevent any increased stormwater runoff from the site entering the Cobb Highway.

Discharges

2.11 The Proponent shall carry out the project in a manner that prevents and/or minimises water pollution.

2.12 The Proponent shall ensure that no runoff from the irrigation area/s leaves the site.

2.13 Except as may be expressly provided by an EPL, the Proponent shall ensure that there is no discharge to waters from the overflow points at the:
   (a) effluent holding pond/s and wet weather storage pond/s servicing the control drainage area unless:

- the runoff volume from the ‘controlled drainage area’ draining to the effluent holding pond/s and wet weather storage pond/s 1 in 20 year, 24 hour storm event, using volumetric runoff coefficients of 0.8 for the feedlot pens, roadways and other hard stand areas and 0.4 for grassed areas within the controlled drainage area; or
- the runoff volume from the controlled drainage area in a 90 percentile wet year determined from a water balance, calculated using; no longer than average monthly evaporation losses from the ponds, monthly withdrawals for irrigation, daily (or weekly) input data and using volumetric runoff coefficients of 0.4, whichever is the greater.

(b) tailwater dam/s (terminal pond/s) servicing the irrigation areas unless the volume resulting from 12 mm of stormwater runoff from the irrigation areas draining to the tailwater dam/s.

> **Note:** For the purposes of these conditions, data from the current “Australian Rainfall and Runoff”, The Australian Institution of Engineers and rainfall data from the from Australian Bureau of Meteorology for the Premises is to be used to calculate the volume of run-off from a 1 in 20 year, 24 hour storm event and a 90 percentile wet year.

2.14 The Proponent shall ensure that no potentially contaminated drainage water migrates from the site into the adjacent Moira Lake and wetland system.

Wastewater Utilisation Areas

2.15 The Proponent shall ensure that:

a) wastewater is only applied to the irrigation areas;
b) wastewater does not drift beyond the boundary of the site; and
c) the quantity of wastewater applied to the irrigation area/s does not exceed the capacity of that area to effectively utilise the wastewater.

> **Note:** For the purposes of this condition, “effectively utilise” includes the use of the wastewater for pasture or crop production, as well as the ability of the soil to absorb the nutrient, salt, hydraulic load and organic material from the wastewater.

WASTE

2.16 Except as may expressly permitted by an EPL, the Proponent 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.

Solid Waste (Manure) Utilisation Areas

2.17 The Proponent shall not use more than 10% of the annual quantity of manure on the site. The rest of the annual quantity of manure must be transported off site for treatment and disposal at a suitably licenced facility.

2.18 The Proponent shall ensure that the:

a) solid wastes (manure) are only applied to the irrigation area/s;
b) the quantity of solid wastes applied to the irrigation area/s do not exceed the capacity of that area to effectively utilise the solid wastes; and
c) no solid wastes are applied to an irrigation area/s until the Proponent has demonstrated to the satisfaction of the DEC that it can comply with the requirements in condition b) above.

> **Note:** For the purposes of this condition, “effectively utilise” includes the use of the solid wastes for pasture or crop production, as well as the ability of the soil to absorb the nutrient, salt, hydraulic load and organic material from the solid wastes.

Composting

2.19 The Proponent shall ensure that composting activities undertaken on the site are carried out in accordance with the relevant requirements in the *Environmental Guidelines: Composting and Related Organics Processing Facilities* (DEC, July 2004).

NOISE

Noise Limits

2.20 The Proponent shall ensure that noise from the project at the nearest sensitive receiver does not exceed:

a) a $L_{Aeq\ (15\ minute)}$ noise emission criterion of 35 dB(A) at any time; and
b) a $L_{A1\ (1\ minute)}$ night-time[1] noise emission of 45 dB(A).

Note: For the purposes of this condition, noise emission limits apply under meteorological conditions of wind speeds up to 3 m/s at 10 metres above ground level and temperature inversions conditions of 3^0C/100m. To determine compliance with this condition, noise from the development must be measured at any point within the residential boundary of a noise sensitive receiver location, or at any point within 30 metres of the dwelling at a noise sensitive receiver location where the dwelling is more than 30 metres from the boundary. However, where it can be demonstrated that direct measurement of noise from the development is impractical, the EPA 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.

Restrictions on Heavy Vehicle Movements

2.21 The Proponent shall ensure that heavy vehicles associated with the project do not enter or exit the site between 7pm and 7am, unless these movements are required to protect the welfare of any animals on the vehicle, or are due to circumstances beyond the control of the Proponent.

TRANSPORT

Access Road Works

2.22 Prior to the commencement of construction, the Proponent shall construct the proposed access off the Cobb Highway to the satisfaction of the RTA.

Internal Road Works and Parking

2.23 The Proponent shall ensure that:

a) all car parking on the site is constructed in accordance with the relevant requirements in AS 2890.1-2004;
b) the internal road network can accommodate the largest vehicles that would be used on site in accordance with the relevant requirements of AS 2890.2-2002;
c) no vehicles from the project park, queue or stand in any of the road reserves outside the site.

Transport Code of Conduct

2.24 Prior to the commencement of construction, the Proponent shall prepare a **Transport Code of Conduct** for the project in consultation with the Council and RTA, and to the satisfaction of the Director-General. The Code shall include, but not necessarily be limited to:

a) details of traffic routes to be used by heavy vehicles associated with the project;
b) measures to be implemented to minimise traffic generated by the project, such as car pooling and flexible working hours;
c) minimum requirements for vehicle maintenance to address noise and exhaust emissions, particularly along roads in close proximity to residences;

d) outlining mitigation measures to be employed to reduce noise emissions and ensure compliance with the relevant criteria in the DEC's publication *Environmental Criteria for Road Traffic Noise*;
e) outlining procedures for the ongoing assessment of road noise impacts on private dwellings and details of mitigation measures to be employed for any adversely impacted dwellings;
f) speed limits to be observed along routes to, from and within the site; and
g) details of the expected behavioural requirements for vehicle drivers travelling to, from and within the site.

ANIMAL MANAGEMENT

Cattle Welfare

2.25 Prior to the commencement of operations, the Proponent shall prepare (and following approval) implement an **Animal Care Statement** for the project in consultation with Murray Shire Council, the RSPCA (contact Steve Coleman from the Yagoona Office in Sydney) and DPI, and to the satisfaction of the Director-General. This statement must:
a) be prepared in accordance with the relevant codes of practice relating to cattle feedlots, including the *Australian Code of Practice for the Welfare of Cattle in Beef Feedlots,* the *Australian Model Code of Practice for the Welfare of Animals – Cattle* and the *Australian Model Code of Practice for the Welfare of Animals – Land transport of cattle*; and
b) address all issues associated with the welfare of the cattle, particularly health, housing, watering, feeding and handling.

Disease Management

2.26 Prior to the commencement of operations, the Proponent shall prepare and (and following approval implement) an **Emergency Disposal and Bio-security Protocol** for the project in consultation with the Murray Shire Council and DPI, and to the satisfaction of the Director-General. This protocol must:
a) address all issues associated with the management procedures to maintain bio-security and other emergency situations potential outbreak of disease during the operation of the project; and
b) demonstrate how the final location of burials considers quarantine issues, and proximity to neighbouring residences and waterways.

FLORA AND FAUNA

2.27 The Proponent shall protect the northern belt of native woodland and grassland area to the satisfaction of the Director-General.

VISUAL

2.28 The Proponent shall ensure that all external lighting associated with the project:
a) does not create a nuisance to surrounding properties or roadways; and
b) complies with *AS 4282(INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting.*

ABORIGINAL HERITAGE

2.29 The Proponent shall not destroy any Aboriginal objects on the site without the written approval of the Director-General.

HAZARDS AND RISKS

2.30 The Proponent shall store and handle all dangerous goods (as defined by the Australian Dangerous Goods Code, including pesticides, veterinary products, 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.

3. ENVIRONMENTAL MANAGEMENT AND MONITORING

ENVIRONMENTAL REPRESENTATIVE

3.1 Prior to the commencement of construction, the Proponent shall employ a suitably qualified and experienced environmental representative/s, whose appointment has been endorsed by the Director-General. The Proponent shall employ this representative/s throughout the life of the project, and notify the Director General of any changes to the appointment that may occur from time to time. This environmental representative must be:

a) the primary contact point in relation to the environmental performance of the project;
b) responsible for all the environmental requirements under this approval;
c) responsible for considering and advising on matters specified in the conditions of this approval, and all other licences and approvals related to the environmental performance and impacts of the project;
d) responsible for receiving and responding to complaints about the project; and
e) 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.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

3.2 Prior to the commencement of construction, the Proponent shall prepare (and following approval implement) a **Construction Environmental Management Plan** (CEMP) for the project to the satisfaction of the Director-General. This plan must outline the environmental management practices and procedures that would be implemented during each stage of construction, and include:

a) a description of all activities to be undertaken on the site during construction of the project, including an indication of stages of construction, where relevant;
b) 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;
c) details of how the environmental performance of the construction works would be monitored, and what actions would be taken to address identified adverse environmental impacts;
d) a description of the roles and responsibilities for all relevant employees involved in the construction of the project; and
e) complaints handling procedures during construction and site preparation.

Site preparation and construction works associated with any stage of the project shall not commence until the Director-General has approved the CEMP for that stage. Upon receipt of the Director-General's approval, the Proponent shall supply a copy of the CEMP to the DEC, DNR and Council as soon as practicable.

3.3 The CEMP for the project shall include the following Management Plans:

a) an **Erosion and Sedimentation Management Plan** to detail measures to minimise erosion during construction of the project. This plan must be prepared in consultation with the DEC, DNR and Council, and include:
   i) the results of investigations into soils associated with the site, in particular the stability of the soil and its susceptibility to erosion;

ii) a description of the proposed erosion and sediment control measures, which must be consistent with best practice, and in general accordance with the relevant requirements in the most recent versions of the Department's publication *Urban Erosion and Sedimentation Handbook*, the DEC's publication *Pollution Control Manual for Urban Stormwater*, the Landcom's publications *Soil and Water Management for Urban Development* and the *Managing Urban Stormwater – Soils and Construction*;
iii) a description of the measures that would be employed to protect the water quality in the Moira Irrigation Channel/s;
iv) the design specifications for diversionary works, banks and any sediment basins;
v) a description of the proposed monitoring that would be carried out during construction, clearly indicating who would conduct the monitoring, how the results would be recorded; and, if any non-compliance is detected, what corrective action would be taken; and
vi) a description of procedures that would be implemented to ensure that the erosion and sediment control measures are maintained at all times, and to address any erosion, should it occur.

b) a **Vegetation Clearing Protocol** to detail measures to manage and minimise the impact of vegetation clearing associated with the project. This protocol must include:
i) a detailed plan showing the area and type of vegetation that is to be removed;
ii) a description of the measures that would be implemented to protect the vegetation that would not be cleared (such as fencing);
iii) identification of requirements for local seed collection prior to clearing;
iv) re-use of cleared vegetation and leaf mulch including for weed eradication;
v) strategies to minimise impacts on fauna (such as checking hollows for any fauna and relocation of the fauna away from the impacted areas, prior to felling of any trees);
vi) details of how all tree snags and branches removed as part of the project are placed in a random and scattered pattern in the northern woodland belt to enhance the habitat for reptiles and mammals.

OPERATION ENVIRONMENTAL MANAGEMENT PLAN (OEMP)

3.4 Prior to the commencement of operations, the Proponent shall prepare (and following approval implement) an **Operation Environmental Management Plan** (OEMP) for the project, in consultation with the DEC, DNR, and Council), and to the satisfaction of the Director-General. This plan must describe the environmental management framework, practices and procedures that would be followed during operations, and include:
a) identification of all statutory and other obligations that the Proponent is required to fulfil in relation to operation of the development, including all approvals, 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 approval;
f) details of all landscaping to be undertaken on the site;
g) the various management plans required under this approval; and
h) contingency measures should monitoring of environmental issues under this approval indicate that the development has had, or is having an adverse environmental impact.

Operations shall not commence until the Director-General has approved the OEMP. Upon receipt of the Director-General's approval, the Proponent shall supply a copy of the OEMP to the DEC, DNR and Council as soon as practicable.

3.5 The OEMP for the project shall include the following Management Plans:

a) an **Odour Management Plan** outlining the measures that would be implemented to minimise the odour impacts of the project. This plan shall be prepared to the satisfaction of the DEC, and include:
   (i) identification of all point and diffuse sources of odour associated with the project;
   (ii) a detailed description of the odour mitigation methods and management practices that would be used throughout the project to ensure offensive odour impacts do not occur off site, and a demonstration that these measures are consistent with industry best practice;
   (iii) a detailed odour monitoring program for the project;
   (iv) a detailed odour validation methodology for the project;
   (v) details of the contingency measures that would be implemented if offensive odour impacts occur; and
   (vi) a procedure for handling odour complaints.

b) an **Effluent Irrigation and Wastewater Management Plan** outlining the measures that would be implemented to manage the waste (including liquid effluent and solid wastes) generated by the project. This plan shall be prepared in consultation with the DEC and DNR, and include:

   solid waste management

   (i) details of the proposed management measures for the feedlot pens, including depth of manure pads, frequency of manure removal, moisture content, preservation of the integrity of the manure pad surface;
   (ii) details of the proposed management measures for the manure stockpiles and composting areas, including bunding and drainage details, measures to monitor temperature and moisture content, details of procedures for separation of stockpiles containing deceased cattle;
   (iii) details of the proposed measures to protect the water quality in the Moira Irrigation Channel/s;
   (iv) details of the proposed management measures to control the outbreak of any flies and other vectors;
   (v) details of the solid waste management system, including demonstration of the options to remove manure from the site, and contingency measures should these alternative options fail and how this would be managed;
   (vi) details of the proposed solid waste monitoring program, including details of soil monitoring within the manure storage and irrigation area/s; and
   (vii) details of the contingency measures that would be implemented if the monitoring suggests the project may be having an adverse affect on groundwater levels or quality, and the soils on site.

   effluent management

   (i) details of the proposed irrigation system and associated infrastructure, including the location of irrigation area/s;
   (ii) details of the proposed measures to manage and/or mitigate the risk of soil degradation, erosion and the accumulation of nutrients & salts in the irrigation area/s, and a demonstration that these measures are consistent with the DEC's draft *Environmental Guidelines for Irrigation Farming: General Principles*;
   (iii) details of the proposed crop cycling and management in the utilisation areas;
   (iv) specification of standards and performance measures for each of the relevant components of the irrigation system and effluent treatment system;
   (v) details of a suitable soil moisture monitoring system to ensure that effluent is not irrigated during periods when soil is at or near field capacity to minimise the risk of deep drainage of nutrients;

(vi) details of the proposed measures to protect the water quality in the Moira Irrigation Channel/s;

(vii) details of the frequency of analysis of wastewater, groundwater, soil and dry matter produce in order to ensure that adequate information is available each year to determine an annual nutrient and salt balance for the site and details of the trigger levels for nitrogen and phosphorus in the soil;

(viii) details of a proposed effluent monitoring program, including details of soil monitoring within the irrigation area/s, wastewater discharge monitoring at the overflow points in the control drainage area and irrigation area/

(ix) details of the contingency measures that would be implemented if the monitoring shows the effluent management system is not operating effectively, may be causing adverse environmental impacts and/or not complying with the conditions of this approval.

c) a **Groundwater Management Plan** outlining the measures that would be implemented to minimise the groundwater impacts of the project. This plan must be prepared in consultation with DNR and DEC, and include:

(i) detailed baseline data on groundwater levels and quality in the area;

(ii) groundwater impact assessment criteria for a broad range of parameters, including standing water levels, nitrogen, phosphorous, and potassium;

(iii) details of the proposed measures to minimise and/or mitigate against adverse impacts on groundwater quality, groundwater level rises and/or increases in salinity;

(iv) details of the proposed groundwater monitoring program for the project;

(v) details of contingency measures that would be implemented if the monitoring suggests the project may be having an adverse impact on groundwater quality or levels, or the soils on site.

3.6 Within 3 months of the completion of each Independent Environmental Audit (see condition 4.2), the Proponent shall review and update the Operation Environmental Management Plan (OEMP) for the project, in consultation with the DEC, DNR, and Council, and to the satisfaction of the Director-General.

4. COMPLIANCE, AUDITING AND INDEPENDENT REVIEW

COMPLIANCE

4.1 Prior to the commencement of construction <u>and</u> operations, the Proponent shall certify in writing to the satisfaction of the Director-General, that it has complied with all the applicable conditions of this approval.

INDEPENDENT ENVIRONMENTAL AUDIT

4.2 Within one year of the commencement of operations, and every three years thereafter unless the Director-General directs otherwise, the Proponent shall commission an Independent Environmental Audit of the development. This audit must:

a) be carried out by a suitably qualified, experienced and independent audit team that contains an odour specialist, whose appointment has been endorsed by the Director-General;

b) be carried out in accordance with *ISO 14010 - Guidelines and General Principles for Environmental Auditing* and *ISO 14011 - Procedures for Environmental Auditing*;

c) include consultation with the DEC, DNR and Council;

d) assess whether the project is complying with the conditions of both this approval and the EPL for the project;

e) assess whether the project is being carried out in accordance with industry best practice;

f) review the adequacy of the Operation Environmental Management Plan for the project; compliance with the requirements of this approval, and other licences and approvals; and
g) recommend measures or actions to improve the environmental performance of the project, and/or the Operation Environmental Management Plan for the project.

Note: If an Audit is carried out in accordance with Condition 1.4 then the next Audit shall be held three years after the commencement of that Audit, unless the Director-General directs otherwise.

4.3 Within 2 months of commissioning this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, with a response to any recommendations contained in the audit report.

INDEPENDENT REVIEW

4.4 If a landowner believes the project is not complying with the conditions of this approval then he/she may ask the Proponent in writing for an independent review of the impacts of the project on his/her land.

4.5 If the Director-General is satisfied that an independent review is warranted, the Proponent shall within 3 months of the Director-General advising that an independent review is warranted:
a) consult with the landowner to determine his/her concerns;
b) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to review the landowner's claim/s; and
c) give the Director-General and landowner a copy of the independent review.

4.6 If the independent review determines that the project is complying with the conditions of this approval, then the Proponent may discontinue the independent review with the approval of the Director-General.

4.7 If the independent review determines that the operations are not complying with the conditions of this approval, then the Proponent shall:
a) take all practicable measures, in consultation with the landowner, to ensure that the project complies with the relevant criteria; and
b) conduct further monitoring or investigations to determine whether these measures ensure compliance,

to the satisfaction of the Director-General.

If the additional monitoring or investigations referred to above subsequently determine that the project is complying with the conditions of this approval, then the Proponent may discontinue the independent review with the approval of the Director-General.

5. ENVIRONMENTAL REPORTING

INCIDENT REPORTING

5.1 The Proponent 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 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

5.2 Within 12 months of the commencement of operations, and annually thereafter, the Proponent shall submit an **Annual Environmental Management Report** (AEMR) for the project to the DEC, DNR, Council, and the Department. The AEMR shall include:

a) details of compliance with the conditions of this approval, and any other licences and approvals for the project;
b) a list of variations obtained to approvals applicable to the development and to the site during the preceding twelve-month period;
c) a copy of the Complaints Register for the preceding twelve month period (exclusive of personal details), and a description of how these complaints were addressed and resolved;
d) details of quantities and off-site options that accepted manure;
e) details of the quarterly stocking levels at the feedlot for the twelve month period;
f) results of all environmental monitoring required under this approval and other approvals, including interpretations and discussion by a suitably qualified person;
g) 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;
h) a comparison of the environmental impacts and performance of the development against the environmental impacts and performance predicted in the EA and the additional information listed under condition 1.1;
i) identification of trends in monitoring data over the life of the development to date; and
j) environmental management targets and strategies for the following twelve-month period, taking into account identified trends in monitoring results.

6. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

ACCESS TO INFORMATION

6.1 Subject to confidentiality, the Proponent shall make all documents required under this approval publicly available.

COMPLAINTS PROCEDURE

6.2 Prior to the commencement of construction, the Proponent shall establish community complaints system to the satisfaction of the Director-General. This system must include:

a) a 24-hour 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 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.

6.3 The Proponent must record details of all complaints received about the project in an up-to-date Complaints Register. This register must record, but not necessarily be limited to:
the date and time, where relevant, of the complaint;

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