

Parry Shire Council



Council Administrative Office:

A.B.N. 66 259 876 040
468-472 Peel Street, Tamworth 2340

Postal Address:

P.O. Box 441, Tamworth. 2340
Telephone: (02) 67-662908
Fax: (02) 67-668514
Email: parry@parry.nsw.gov.au

- 5 NOV 2001
REF: 00029

**PROUD TO BE PARRY
PROTECTING THE ENVIRONMENT
PLANNING FOR PROSPERITY**

ALL COMMUNICATIONS TO BE ADDRESSED TO THE GENERAL MANAGER

Our Ref:

Your Ref:

2000.T.4 DA:lj

Form 4

Notice of Determination

issued under the Environmental Planning and Assessment Act 1979
Section 81 (1)(a)

Development Application

2000/428

Applicant Name
Applicant Address

Bath Stewart Associates
PO Box 403, TAMWORTH, 2340

Land to be Developed: (address)

Lot 4 in DP 5788656, Parish of Tangaratta.

Proposed Development

Alterations and additions to an existing agricultural produce industry (Tangaratta Stockfeeds)

Building Code Classification

Class 8

Determination
made on (date)

25/10/2001

Determination

- consent granted unconditionally
- ✓ consent granted subject to conditions described in the attached Schedule.
- application refused

Consent to Operate From (date)
Consent to Lapse on (date)

25/10/2001
25/10/2006

Other Approvals

NIL

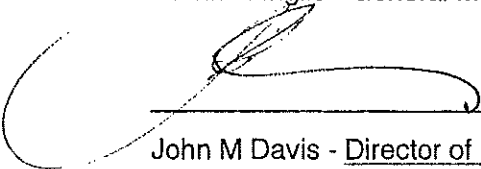
Right of Appeal

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

**section 97 of the Environmental Planning & Assessment Act 1979 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.*

Signed

on behalf of the consent authority
Glenn R Inglis - General Manager


John M Davis - Director of Planning & Environmental Ser

11/11/2001

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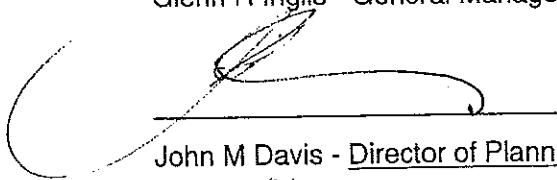
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John M Davis - Director of Planning & Environmental Services

1 / 11 / 2001

TANGARATTA STOCK FEEDS

DEVELOPMENT CONSENT CONDITIONS

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DEFINITIONS:

AEMR	-	Annual Environmental Management Report
DA	-	Development Application
EIS	-	Environmental Impact Statement
LALC	-	Local Aboriginal Lands Council

GOVERNMENT AUTHORITIES:

Council	-	<i>Parry Shire Council</i>
DLWC	-	<i>Department of Land and Water Conservation</i>
EPA	-	<i>Environmental Protection Authority</i>
LALC	-	<i>Local Aboriginal Lands Council</i>
NPWS	-	<i>National Parks and Wildlife Service</i>
RSA	-	<i>Rail Services Australia</i>
RTA	-	<i>Roads and Traffic Authority</i>

GENERAL

1. The development must be carried out in accordance with the Development Application, submitted Environmental Impact Statement (EIS) as prepared by Bath Stewart Associates (May 2001) and accompanying plans, reports, drawings and other documents, except as amended by conditions of this consent.

NOTE: Any amendment to the development or to these conditions will require the consent of the Council.

Reason: To confirm and clarify the terms of Council's approval.

2. The application, plans and specifications complying with the relevant sections of the Environmental Planning and Assessment Act, 1997, Local Government Act, 1993 and Regulations and the Building Code of Australia.

Reason: To ensure that work is carried out in accordance with the relevant standards.

3. The development must be carried out in accordance with the Development Application, submitted Environmental Impact Statement (EIS) as prepared by Bath Stewart Associates (May 2001) and accompanying plans, reports, drawings and other documents, except as amended by conditions of this consent.

Reason: To confirm and clarify the terms of Council's approval.

4. All proposed building, site works or property improvement indicated on the submitted plans or otherwise required under the terms of this consent being completed prior to occupation of the premises.

Reason: To ensure compliance with the provisions of the *Environmental Planning and Assessment Act, 1979*.

PLANNING

Production Threshold

5. This development consent relates to a maximum production of 10,000 tonnes per annum. Should it be intended to increase production above this threshold, a further development application and associated information will be required to be submitted to Council for consideration and determination.

Reason: To confirm and clarify the terms of Council's approval.

Noise

6. The applicant/operator shall comply strictly with the requirements of the Environment Protection Authority and the general terms of approval as outlined in Condition No. 29.

Reason: To confirm and clarify the terms of Council's approval and to ensure compliance with the requirements of the Environment Protection Authority.

Erosion and Sediment Control

7. Erosion and sediment control measures shall be carried out in accordance with the submitted Water and Wastewater Management report as prepared by Bath Stewart Associates, May 2001 (Annexure G of the EIS).

Reason: To confirm and clarify the terms of Council's approval.

Lighting

8. Any lighting associated with the development shall be installed and operated in such a manner so as to prevent any glare nuisance to adjoining landholders.

Reason: To protect the amenity of the area and to ensure that glare or nuisance to adjoining landholders is not created.

9. Any lighting associated with the development shall be in accordance with the recommendations of the Lighting Assessment prepared by Connell Wagner, May 2001 (Appendix H of the EIS).

Reason: To confirm and clarify the terms of Council's approval.

Fauna

10. If threatened species are identified on the site during development, through construction or operation of the facility, the Applicant shall contact the NPWS and cease work in the relevant location pending investigation and negotiation of amelioration measures.

Reason: To ensure that identified Threatened Species are not affected as a result of the development.

Environmental Management

Environmental Management Plans

11. An environmental management plan shall be prepared in accordance with the recommendations of the EIS and supporting reports, plans and documentation and as amended by the conditions of this development consent.

Reason: To confirm and clarify the terms of Council's approval.

Annual Environmental Management Report

12. In addition to the Annual Return required by the EPA, the Applicant shall, throughout the life of the facility, prepare and submit an Annual Environmental Management Report (AEMR) to the Council and the EPA. The AEMR shall review the performance of the facility against the environmental management plans (refer condition 11), the conditions of this consent, and other licences and approvals relating to the complex. To enable ready comparison with the EIS predictions, diagrams and tables, the report shall include, but not be limited to the following matters:

- 1) an annual compliance audit of the performance of the project against conditions of this consent and statutory approvals;
- 2) a review of the effectiveness of the environmental management of the facility in terms of EPA, DLWC and Council requirements;
- 3) results of all environmental monitoring required under this consent or other approvals;
- 4) a listing of any variations obtained to approvals applicable to the subject area during the previous year.
- 5) environmental management strategies and targets for the next year.

Reason: To ensure that the development operates in an environmentally sustainable manner and complies with appropriate approvals.

13. In preparing the AEMR, the Applicant shall:

- (a) consult with Council during the preparation of the report for any additional requirements;
- (b) comply with the requirements of Council or other relevant Government Agency; and
- (c) ensure that the first report is completed and submitted within twelve (12) months of this consent or at the date determined by Council in consultation with the EPA and annually thereafter.

Reason: To confirm and clarify the terms of Council's approval.

Landscaping

14. Landscaping of the proposed development site shall be carried out generally in accordance with the Landscaping Plan submitted with the Environmental Impact Statement. Landscaping shall incorporate an inclusion of "quick" growing native trees, such as wattles. Council encourages the use of mounding and mulching to enhance the effectiveness of landscaping.

Reason: To enhance the development and protect the amenity of the area.

15. The submission of a landscaping bond of \$2,000 is required to ensure that landscaping is effectively established and maintained for a period of twelve months from the issue of the Occupation Certificate. The bond will be accepted by Council in the form of cash or an approved bank guarantee and shall be lodged with Council **prior to the issue of the Construction Certificate.**

Reason: To ensure that the landscape component of the development is maintained to an acceptable standard

16. Landscaping shall include the on-going maintenance of newly established tree and shrub plantings to ensure adequate screening of the proposed development.

Reason: To ensure that the landscape component of the development is maintained to an acceptable standard

Feed Storage

17. All grain or feed storage facilities associated with the proposal are to be fully enclosed or suitably covered so as not to attract or support vermin and birds.

Reason: To ensure that site facilities do not attract or support vermin or birds.

Complaints Register

This requirement has been incorporated into Condition No. 29

Utilities

18. All adjustments to existing utility services made necessary by the development are to be undertaken by the developer at no cost to Council.

Reason: To protect the community against costs/expenses resulting from a development.

19. The Applicant shall consult with affected service authorities and make satisfactory arrangements for the protection and relocation of utility services.

Reason: To provide the required infrastructure in accordance with community expectations.

Traffic & Transport

Public Road Maintenance Contribution

20. The Applicant will be required to contribute toward routine maintenance provided by Council to those sections of the public road under the control of Parry Shire Council and utilised by haulage operators to and from the site. Such roads shall include the Wallamore, Gidley-Appleby Roads & Gidley Lane.

Such contributions shall be based upon Council's adopted Contribution Methodology Formula for Rural Based Traffic Generating Industries pursuant to Section 94 of the Environmental Planning and Assessment Act 1979.

The current rate of the contributions have been assessed at 2 cents/tonne of each additional load hauled from the site. This equates to 0.75 cents/tonne for overall laden movements of product in and out of the plant.

Payment shall be made to Council on a quarterly basis and shall commence immediately with the commencement of the haulage operations to and from the site.

The General Manager may at any reasonable time request production of the applicant's records to verify such quantities.

The agreed rate of contribution per tonne hauled shall be subject to annual adjustment in accordance with the Bureau of Transport and Communication Economics Road Construction Price Index levels, or other negotiated appropriate Index, and these adjustments will be effective from 1st July each year.

The agreed rate of contribution per tonne hauled shall also be increased by any statutory GST payments applicable thereto.

Reason: To provide for public amenities and public services within the area in accordance with community expectations.

Intersection Upgrade & Internal Roadworks

21. The design standard and construction specification of the proposed intersection of the access road and the existing Wallamore Rad are to be in accordance with Council's approved engineering standards. Intersection widenings are to comply with *Ausroads Guide to Traffic Engineering Practice, Part 5 Intersections at Grade*.

Pavement thickness is to be a minimum of 300mm compacted approved crushed road base.

Design plans and specifications for the access road and intersection are to be approved by Council's Director of Engineering Services.

A Compliance Certificate shall be obtained from Council upon completion of internal access roads and construction of the intersection.

Reason: To ensure that public road facilities are upgraded to an appropriate standard having regard to the traffic generated by the proposed development.

Haulage Routes

22. Haulage routes shall be generally as stipulated within the Environmental Impact Statement as prepared by Bath Stewart Associates and accompanying plans, drawings and reports.

Reason: To confirm and clarify the terms of Council's approval.

23. Haulage via Bowlers Lane is not permitted without prior approval of Tamworth City Council, unless haulage involves access to the Company's Bowlers Lane Poultry Complex.

Reason: To confirm and clarify the terms of Council's approval.

Haulage – General

24. The Applicant shall ensure that all vehicles are appropriately loaded so that spillage shall not occur at any stage. Appropriate covering of loads should occur as required.

Reason: To ensure that loads are appropriately covered in the interest of traffic safety.

25. The Applicant shall ensure that all road haulage contractors comply with requirements as set out in Annexure "B".

Reason: To confirm and clarify the terms of Council's approval.

Aboriginal Archaeological Heritage

26. If, during the course of construction operations, the Applicant becomes aware of any heritage or archaeological material, all work likely to affect the material shall cease immediately and the relevant authorities consulted about an appropriate course of action prior to the recommencement of work.

The relevant authorities may include National Parks & Wildlife Service and the Local Aboriginal Lands Council. Any necessary permits or consents shall be obtained and complied with prior to the recommencement of work.

Reason: To confirm and clarify the terms of Council's approval.

Air Quality & Noise Management

27. Compliance with the requirements of the Environmental Protection Authority's (EPA's) General Terms of Approval as set out in Annexure 'A'.

Reason: To comply with the requirements of the Environment Protection Authority (EPA) and to confirm and clarify the terms of Council's approval.

Advertisement

28. The erection of an advertisement sign is subject to a further Development Application and consent by Council.

Reason: To ensure compliance with *Parry Local Environmental Plan, 1987* (as amended).

2 Creek
SS

INTEGRATED DEVELOPMENT PROVISIONS & AGREEMENTS OF GOVERNMENT AGENCIES

Environment Protection Authority

29. The applicant shall comply with the General Terms of Approval (GTAs) as issued by the Environment Protection Authority outlined in Annexure 'A' of this development consent.

Reason: To comply with the requirements of the Environment Protection Authority (EPA) and to confirm and clarify the terms of Council's approval.

Department of Land and Water Conservation

DRath

30. The applicant shall prepare detailed erosion and sediment control plans for each stage of the development for inclusion in the overall Environmental Management Plan.

Reason: To comply with the requirements of the Department of Land and Water Conservation (DLWC) and to confirm and clarify the terms of Council's approval.

Rail Services Australia

31. The level crossing shall comply with at minimum Rail Access Corporation Standard T.S3901 and be to the satisfaction of Rail Services Australia.

Reason: To comply with the requirements of the Rail Services Australia (RSA) and to confirm and clarify the terms of Council's approval.

OTHER APPLICATIONS & APPROVALS

Compliance Certificates

32. An application for a Compliance Certificate shall be made upon completion of road construction and upgrading works.

Reason: To ensure that required roadworks are undertaken to a satisfactory standard.

Construction Certificate

33. The applicant is advised that prior to construction of the approved development it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued either by Council or an approved accredited certifier. A separate application, complete with detailed plans (layout of store area) and specifications, must be made for a Construction Certificate.

Reason: To ensure compliance with the provisions of the *Environmental Planning and Assessment Act, 1979*.

Onsite Sewage Management

34. A separate application shall be submitted to Council accompanied by the requisite fee. NO drainage is to be installed until such application has been submitted and approved and drainage plan/details obtained from Council.

Reason: To ensure appropriate design and installation of on-site sewage management system.

Fire Safety

35. The applicant shall engage a competent and suitably qualified consultant to design a comprehensive fire protection system for the complex.

The design shall have regard to:

- a. water storage requirements for fire suppression
- b. numbers and location of fire hydrants
- c. compliance with relevant Australian Standards
- d. Provision for fire hose reels
- e. Numbers, location and types of on-site pump sets
- f. Demonstrated compatibility with Emergency Services Equipment
- g. Provision for portable fire suppression equipment
- h. Management procedures for training requirements for personnel
- i. Management procedures for minimizing the risk of fire

The report shall be furnished to Council within sixty (60) days of Council's consent date and prior to a Construction Certificate being issued for any work on the site. The recommendations of the fire protection report shall be fully implemented within twelve (12) months of Council's consent date.

Reason: To ensure the adequate provision of personal and property fire protection on the premises.

→ fire main
→ hydrants
\$ 210K

36. The owner of the building must cause the Council to be given a statement (an "annual fire safety statement") in relation to each essential fire or other safety measure implemented on the complex.

The annual fire safety statement for the building is to state:

- a) that the essential fire or other safety measure:
 - (i) has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so, and
 - (ii) at the date of the assessment was found to be capable of performing to a standard not less than the relevant standard prescribed in the schedule attached to the building approval, and
- b) that a person (chosen by the owner of the building) who is properly qualified to do so (whether the person referred to in paragraph (a) or another person) has inspected the building and has certified that, at the date of the inspection, the condition of the building does not disclose any grounds for a prosecution under the Act.

Reason: To ensure fire safety equipment is maintained.

37. **Fire Safety Schedule**

Current Measures	Minimum Standard for Performance
Proposed measures (implemented as a condition of approval)	
Class 8 Part Emergency Lighting Hose Reel Systems Exit Signs Portable Fire Extinguishers Fire hydrant systems Water Storage	CI E4.2 and E4.4 Building Code of Aust. & AS2293.1 CI E4.1 Building Code of Aust. And AS2444 CI E4.5, E4.6, E4.8 Building Code of Aust. & AS2293.1 CI E1.6 Building Code of Aust. & AS2444 CI E1.3 Building Code of Aust & AS2419.1

Reason: To clarify Council's requirements for fire protection system.

18/10 Noted DA
ZZ 10/01



Notice No: 1011776

Mr Inglis
General Manager
Parry Shire Council
PO Box 441
TAMWORTH NSW 2340

Attention: Donna Ausling

FILE NO	1.4	
Corresp. No.	4899	
Date Rec'd	17.10.2001	
Photocopy		<input checked="" type="checkbox"/>
Attachments		<input type="checkbox"/>
Action	Yes	No
GM	<input type="checkbox"/>	<input type="checkbox"/>
DCS	<input type="checkbox"/>	<input type="checkbox"/>
DES	<input type="checkbox"/>	<input type="checkbox"/>
DP&ES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Council	<input type="checkbox"/>	<input type="checkbox"/>

Western Regions

17/10

Dear Mr Inglis

RE: DA No. 2000/428 Tangaratta Stockfeeds P/L, Wallamore Road, Tamworth.

I refer to the development application and accompanying information provided for proposed alterations and additions to Tangaratta Stockfeeds P/L premises received by the EPA on 12 June 2001.

The EPA has reviewed the information provided and has determined that it is able to issue a licence variation for the proposal subject to a number conditions. The applicant will need to make a separate application to the EPA to vary their licence.

The general terms of approval for this proposal are provided at attachment A. If Parry Shire Council grants development consent for this proposal these conditions should be incorporated into the consent.

These general terms relate to the development as proposed in the documents and information currently provided to the EPA. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with the EPA about the changes before the consent is issued. This will enable the EPA to determine whether its general terms need to be modified in light of the changes.

In assessing the proposal the EPA has also identified a number of environmental issues that Parry Shire Council may wish to consider in its overall assessment of the application. These issues are discussed in attachment B and include the following issues:

1. Noise impacts from the premises on adjoin residential premises including general mill output and truck movements on the site during the night time hours.
2. Particulate emissions from milling equipment and material transfer.
3. Potential polluted run-off for waste water irrigation.

If you have any questions, or wish to discuss this matter further please contact Robert O'Hern on 02 6773 7000.

Yours sincerely

Regional Manager/ Unit Head
for Director-General
cc Bath Stewart Associates
Tangaratta Stockfeeds P/L

15/10/01

ADMINISTRATIVE CONDITIONS

A1. Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the development application 2000/428 submitted to Parry Shire Council on 7 June 2001;
- any environmental impact statement *Upgrade of Tangaratta Poultry Feedmill, Wallamore Road, Tangaratta (Volumes 1 to 3)* dated May 2001 relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including the document titled *Additional Acoustic Assessment of the Planned Upgrade of Tangaratta Stockfeeds Mill, Wallamore Road, Westdale via Tamworth* dated 14 August 2001 and letter from *HLA-Envirosciences P/L* dated 3 September 2001.

A1.2 Except as expressly provided by these general terms of approval, all conditions of the existing Environment Protection Licence number 2775 for the Tangaratta Stockfeeds P/L premises remain and will extend to the works and activities identified in the development application specific in condition A1.1 of these general terms of approval.

A2. Fit and Proper Person

A2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.

L3. Concentration limits

L3.1 For each discharge point or utilisation area specified in the table/s below, the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentrations limits specified for that pollutant in the table.

L3.2 Where a pH quality limit is specified in the Table, the specified percentage of samples must be within the specified ranges.

L3.3 To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.

General Terms of Approval



Water and Land

Point 5 - discharge from First Flush System

The following are interim concentration limits. Final limits to be applied by the EPA will depend upon the outcome of monitoring of the discharge as outlined in condition M2.1 of these general terms of approval.

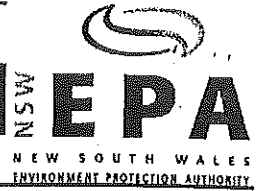
Pollutant	Units of measure	50% concentration limit	90% concentration limit	3DGM concentration limit	100% concentration limit
TSS	mg/L	50			
Oil & Grease	mg/l	10			
pH	pH	6.5 – 8.5			
Total Nitrogen	mg/l	25			
Total Phosphorus	mg/l	10			
BOD	mg/l	15			
Ammonia Nitrogen		12			
Faecal coliforms	CFU/100ml	500			

Point 6 - discharge from Wheel Wash Turkey's Nest Dam

The following are interim concentration limits. Final limits to be applied by the EPA will depend upon the outcome of monitoring of the discharge as outlined in condition M2.1 of these general terms of approval.

Pollutant	Units of measure	50% concentration limit	90% concentration limit	3DGM concentration limit	100% concentration limit
TSS	mg/L	50			
Oil & Grease	mg/l	10			
pH	pH	6.5 – 8.5			
Total Nitrogen	mg/l	25			
Total Phosphorus	mg/l	10			
BOD	mg/l	15			
Ammonia Nitrogen		12			
Faecal coliforms	CFU/100ml	500			

General Terms of Approval



Air

Point 1 - Boiler stack emissions

Pollutant	Units of measure	100% concentration limit
SO ₃	g/m ³	0.1
<i>Sulphur Dioxide</i> SO ₂	g/m ³	7.2
<i>Nitrous Dioxide</i> NO ₂	g/m ³	0.35
Smoke Emissions	Ringleman	No darker than Ringleman 1
Solid Particles	g/m ³	100
<i>Cadmium</i> Cd	g/m ³	1.0
<i>Mercury</i> Hg	g/m ³	1.0
SB, As, Be, Cd, Cr, Co, Pb, Mn, Hg, Ni, Se, Sn, V	g/m ³	5.0 (in aggregate)

Point (multiple) - Cyclone emissions

Pollutant	Units of measure	100% concentration limit
Solid Particles	g/m ³	100

L4. Volume and mass limits

L4.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of: liquids discharged to water; or

solids or liquids applied to the area, must not exceed the volume/mass limit specified for that discharge point or area.

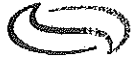
Point 4 – Waste Water utilisation area

Pollutant	Units of measure	Volume/Mass limit
Volume	KL/day	115

L5. Waste

L5.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.

L5.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.



General Terms of Approval



L6. Noise limits

L6.1 Noise from the premises must not exceed:

an $L_{Aeq(15\text{ minute})}$ noise emission criterion of 38 dB(A) (7am to 6 pm) on any day; and

an $L_{Aeq(15\text{ minute})}$ noise emission criterion of 37 dB(A) during the evening (6pm to 10pm) on any day; and at all other times;

an $L_{Aeq(15\text{ minute})}$ noise emission criterion of 35 dB(A); and

an $L_{A1(15\text{ minute})}$ noise emission criteria of 45 dB(A), except as expressly provided by these general terms of approval.

L6.2 Noise from the premises is to be measured at a point approximately 30 meters from the "Rosebank" property dwelling in the direction of Tangaratta feedmill to determine compliance with this condition. The location of the point must be approved by the EPA.

Definition

$L_{Aeq(15\text{ minute})}$ is the equivalent continuous noise level - the level of noise equivalent to the energy average of noise levels occurring over a measurement period.

$L_{A1(15\text{ minute})}$ is the A-Weighted sound pressure level that is exceeded for 1 per cent of the time over which a given sound is measured.

Note: Noise measurement

For the purpose of noise measures required for this condition, the L_{Aeq} noise level must be measured or computed at the point defined in condition L6.2 over a period of 15 minutes using "FAST" response on the sound level meter.

For the purpose of the noise criteria for this condition, 5dBA must be added to the measured level if the noise is substantially tonal or impulsive in character. The location or point of impact can be different for each development, for example, at the closest residential receiver or at the closest boundary of the development. Measurement locations can be:

1 metre from the facade of the residence for night time assessment;

at the residential boundary;

30 metres from the residence (rural situations) where boundary is more than 30 metres from residence.

L6.3 The noise emission limits identified in L6.1 apply for prevailing meteorological conditions (winds up to 3m/s), except under conditions of temperature inversions. Noise impacts that may be enhanced by temperature inversions must be addressed by:

documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions;

where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts under temperature inversions conditions should be developed and implemented.

Hours of operation

Self mid x 6am - 10pm for noise consent consent.

L6.4 All construction work at the premises must only be conducted between 7 am to 6 pm on any day.

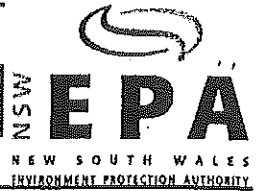
L6.5 Activities at the premises, other than construction work, may only be carried on between midnight Sunday to midnight Saturday and 6 am to 10 pm on Sundays subject to the exclusion specified in condition U1 and L7.1 of these General Terms of Approval.

*Mid - 6am
6am - 10pm - mid Sun night*

prob time shown by [signature]

Should include 6am - 10pm Sundays under consent consent.

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For emergency procedures

L6.6 This condition does not apply to the delivery of material outside the hours of operation permitted by condition **L6.4** or **L6.5**, 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 to be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

L6.7 The hours of operation specified in conditions **L6.4** and **L6.5** may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

Product Transfer by Pneumatic Process

L6.8 Loading and/or unloading of trucks and/or other product transfer by a pneumatic or similar process must only be carried out between 7 am and 6 pm Monday to Saturday and is not permitted at any time on Sunday.

Staged Development

L7.1 The development outlined in condition A1.1 must be carried out in the stages set in the table below. The licensee must meet the minimum timeframe and/or milestone requirements of each stage prior to progressing to the next stage subject to the exclusion provided by condition **L7.2** of these General Terms of Approval.

Stage	Action	Timeframe/Milestone
1.	<p>A. Undertake the following works and/or actions identified in the EIS and accompanying documents (identified in conditions A1.1) including but not limited to:</p> <ul style="list-style-type: none"> a) relocate site entrance to the premises (including the new weigh bridge), b) install the noise barrier, and c) install all other noise attenuation measures necessary to comply with condition L6.1 of these General Terms of Approval by 30 June 2002. <p>B. Undertake all works and actions identified in the EIS that do not impact on noise output from the premises significantly. A list of the proposed works and actions must be approved by the EPA prior to commencement.</p> <p>C. Demonstrate compliance with condition L6.1 of these General Terms of Approval by 30 June 2002.</p> <p>D. Restrict truck movements on the premises to between 6 am and 10 pm on any day except as allowed by condition L6.6 of these General Terms of Approval.</p> <p>E. Develop and implement a complaints management system by 31 December 2001 incorporating the requirements of conditions M5.1, M5.2, M5.3 of licence number 2775 including:</p> <ul style="list-style-type: none"> a) a 24 telephone contact number; b) recording and investigating every complaint; and c) providing a written report to the EPA of every complaint detailing all items listed in condition R3.3 of licence number 2775. Additionally, if the complaint relates to noise provide a summary and analysis of the noise data retrieved from the noise 	<p>All works and actions required by Stage 1 to be completed and compliance with condition L6.1 of these General Terms of Approval demonstrated to the EPA's satisfaction prior to commencing Stage 2.</p>

Done



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	<p>logger on the "Rosebank" premises.</p> <p>The system it to be approved by the EPA and implemented by the licensee.</p>	
2	<p>A. Install and/or replace additional noise producing equipment on the premises as identified in the EIS on a staged basis outlined in section 3.3.2 of the EIS referred to in condition A1.1 and demonstrate compliance with condition L6.1 of these General Terms of Approval prior to installing the equipment identified in the next Stage (as detailed in section 3.3.2 of the EIS). Any modification to the sequence of the Stages set out in section 3.3.2 of the EIS must be approved by the EPA prior to any change occurring.</p> <p>B. Restrict truck movements on the premises to between 6 am and 10 pm on any day except as provided by condition L6.6.</p>	<p>Assess impact of each individual piece of equipment installed on the premises for each stage (as detailed in section 3.3.2 of the EIS) and demonstrate compliance with condition L6.1 of these General Terms of Approval prior to installing the next piece of equipment.</p> <p>All equipment identified in stages outlined in section 3.3.2 of the EIS must be installed and compliance with condition L6.1 of these General Terms of Approval demonstrated prior to commencing Stage 3.</p>
3.	<p>Trial 24 hour, 7 days per week truck movements on the premises for a 3 month period during which time a detailed noise assessment of the impacts is undertaken.</p>	<p>Demonstrate compliance with condition L6.1 of these General Terms of Approval prior to progressing to stage 4</p>
4.	<p>Permanent 24 hour, 7 days per week truck movement on then premises permitted.</p>	<p>Ongoing compliance checking to determine compliance with conditions L6.1 of these General Terms of Approval.</p>

L7.2. Where the licensee is unable to demonstrate compliance with the any action, timeframe and/or milestone in condition L7.1 and/or condition L6.1 of these General Terms of Approval, the licensee may negotiate an alternative solution with the owners of the "Rosebank" and "Braekel" properties to control noise impacts. Any negotiated solution must be approved by the EPA, and if agree to, formalised in a manner agreed to by the EPA. The EPA retains the option to remove or modify the requirements of condition L6.1 in line with any negotiated agreement to control noise impacts where the EPA is satisfied that doing so will not result in any adverse noise impact on any other residential receivers.

L8 Odour

No condition of this general terms of approval identifies a potentially offensive odour for the purposes of 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 licensee must not cause or permit the emission of any offensive odour from the premises but provides a

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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.

Operating conditions

01. Dust

01.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

01.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

02. Waste Water Effluent Utilisation Areas

02.1 Waste water must only be applied to the area nominated as effluent utilisation area/s identified in the documents listed in condition A1.1 of these General Terms of Approval.

02.2 Spray from waste water application must not drift beyond the boundary of the waste water effluent utilisation area/s to which it is applied.

05. Maintaining Waste Water Effluent Utilisation Areas

05.1 The quantity of effluent applied to the effluent utilisation area/s must not exceed the capacity of the area to effectively utilise the effluent. For the purpose of this condition, 'effectively utilise' include the use of the effluent for pasture or crop production, as well as the ability of the soil to absorb nutrient, salt, hydraulic load and organic material. Monitoring of land and receiving waters to determine the impact of waste water application may be required by the EPA.

06 Effluent application from Aerated Wastewater Treatment System (AWTS)

06.1 Effluent application from the AWTS must not occur in a manner that causes surface runoff or ponding.

06.2 Livestock access to any effluent utilisation area/s for the AWTS must be denied during effluent application and until the relevant effluent utilisation area/s has dried.

06.3 Effluent liquid waste pipelines and fittings associated with AWTS must be clearly identified. Standard water taps, hoses and valves must not be fitted. The effluent system must not be connected to other pipelines. Lockable valves or removable handles must be used where there is public access to the premises.

06.4 Public access to any effluent utilisation area/s for the AWTS must be denied during effluent application and until the relevant effluent application area/s has dried.

06.5 Adequate notices, warning the public not to drink or otherwise use the treated effluent from the AWTS, must be erected on the site. These notices must be legible English and in any other languages as may be necessary, and must indicate that the water in use is "Reclaimed Water – Unfit for Drinking".

06.6 The licensee must retain the effluent utilisation area/s.

06.7 Pasture, fodder or other crops must not be harvested before the relevant effluent utilisation area/s has dried.

07 Noise logger maintenance

07.1 The licensee must maintain and operate the noise logger on the "Rosebank" property required conditions U2 and M2.1 of these General Terms of Approval in a proper and efficient manner.



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Note: This condition is subject to the owner of the "Rosebank" property providing access to the noise logger.

Monitoring and recording conditions

M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

M1.2 All records required to be kept by the licence must be:

in a legible form, or in a form that can readily be reduced to a legible form;

kept for at least 4 years after the monitoring or event to which they relate took place; and

produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected: the date(s) on which the sample was taken;

the time(s) at which the sample was collected;

the point at which the sample was taken; and

the name of the person who collected the sample.

M2. Requirement to monitor concentration of pollutants discharged

M2.1 For each monitoring/ discharge point or utilisation area specified below (by a point number), the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

Water and Land

Point 5 - discharge from First Flush System.

Pollutant	Units of measure	Frequency	Sampling Method
BOD	mg/L	6 monthly during discharge	representative sample
TSS	mg/L	6 monthly during discharge	representative sample
TP	mg/L	6 monthly during discharge	representative sample
TN	mg/L	6 monthly during discharge	representative sample
Oil and Grease	mg/L	6 monthly during discharge	representative sample
Ammonia Nitrogen	mg/L	6 monthly during discharge	representative sample

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pH		6 monthly during discharge	representative sample
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Point 6 - discharge from Wheel Wash Turkeys Nest Dam.

Pollutant	Units of measure	Frequency	Sampling Method
BOD	mg/L	6 monthly during discharge	representative sample
TSS	mg/L	6 monthly during discharge	representative sample
TP	mg/L	6 monthly during discharge	representative sample
TN	mg/L	6 monthly during discharge	representative sample
Oil and Grease	mg/L	6 monthly during discharge	representative sample
Ammonia Nitrogen	mg/L	6 monthly during discharge	representative sample
pH		6 monthly during discharge	representative sample

Points – soils in first flush waste water and effluent utilisation area/s

Pollutant	Units of measure	Frequency		Sampling Method
		Top Soil	Sub Soil	
pH	pH	annually	annually	special method
Electrical conductivity	uS/cm	annually	annually	special method
Nitrate – N	mg/kg	annually	annually	special method
Total N	mg/kg	annually	N/A	special method
Available P	mg/kg	annually	N/A	special method
Total P	mg/kg	annually	every 3 years	special method
Exchangeable sodium percentage	%	annually	every 3 years	special method
P sorption capacity	k/ha	establish background, then every 3 years	every 3 years	special method

Special method – means composite soil samples must be taken of the:

1. top soils, and
2. sub soils

for each soil monitoring point. The monitoring of the pollutants must be done in accordance with the NSW Agriculture publication "Soil Testing Methods and Interpretation".



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Noise

Point 7 – noise logger on “Rosebank” property

Pollutant	Units of measure	Frequency	Sampling Method
Noise	L _{A1} (15 minute)	Special frequency	noise logger
Noise	L _{A10} (15 minute)	Special frequency	noise logger
Noise	L _{A90} (15 minute)	Special frequency	noise logger
Noise	L _{Aeq} (15 minute)	Special frequency	noise logger

Special frequency – monitor continuously until the EPA determines that monitoring is not necessary.

Air

Point – boiler stack emissions

Pollutant	Units of measure	Frequency	Sampling Method
<i>Sulphate</i> SO ₃	g/m ³	Special frequency	Special method
<i>sulphite</i> SO ₂	g/m ³	Special frequency	Special method
<i>nitrous oxide</i> NO ₂	g/m ³	Special frequency	Special method
Smoke Emissions	Ringleman	Special frequency	Special method
Solid Particles	g/m ³	Special frequency	Special method
<i>Cadmium</i> Cd	g/m ³	Special frequency	Special method
<i>Mercury</i> Hg	g/m ³	Special frequency	Special method
SB, As, Be, Cd, Cr, Co, Pb, Mn, Hg, Ni, Se, Sn, V	g/m ³	Special frequency	Special method

Special frequency – monitor once only within 3 months of commissioning the boiler.

Special method – in accordance with methods prescribed by the Clean Air (Plant and Equipment) Regulation (1997) or other methods as approved by the EPA.

Point – cyclone emissions

Pollutant	Units of measure	Frequency	Sampling Method
Solid Particles	g/m ³	Special frequency	Special method

Special frequency – monitor once only within 3 months of commissioning cyclones.

Special method – in accordance with methods contained in the Clean Air (Plant and Equipment) Regulation (1997) or other methods as approved by the EPA.

SB - Antimony

Cr - chromium

Ni - nickel

As - Arsenic

Co - cobalt

Se - selenium

Be - Beryllium

Pb - lead

Sn - tin

Mn - manganese

V - Vanadium

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M3. Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with a relevant local calculation protocol must be done in accordance with:

any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or

if no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or a condition of the licence or the protocol (as the case may be) requires to be used for that testing; or

if no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The Clean Air (Plant and Equipment) Regulation 1997 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".)

M3.2 Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by condition **M2** must be done in accordance with:

the Approved Methods Publication; or

if there is no methodology required by the Approved Methods Publication or by the general terms of approval or in the licence under the Protection of the Environment Operations Act 1997 in relation to the development or the relevant load calculation protocol, a method approved by the EPA in writing before any tests are conducted,

unless otherwise expressly provided in the licence.

Reporting conditions

R1.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

Pollution Studies and Reduction Studies

U1 Pollution Reduction Program - Noise

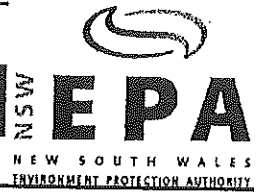
The licensee must undertake the actions and works identified in Stage 1 of condition L7.1 of these General Terms of Approval and demonstrate compliance with condition L6.1 of these General Terms of Approval by 30 June 2002.

U2 Install Noise Logger on Rosebank Property.

The licensee must install a permanent noise logger (Type 2 or better) on the "Rosebank" premises by 31 December 2001 at a location agreed to by the EPA. The logger must:

- Record at least the L_{Aeq} (15 minute) L_{A90} (15 minute) L_{A10} (15 minute) and L_{A1} (15 minute) on a continual basis,
- have a minimum measurement range from 20 dB(A) to 80dB(A)

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- provide the EPA with 24 hour modem access to the recorded noise data; and
- be calibrated at least every 12 months.

Note: This requirement is subject to owner of "Rosebank" providing written agreement to the installation. The noise logger can only be removed from the "Rosebank" premises with prior agreement from the EPA. If the owner of "Rosebank" does not provide written approval, the EPA may specify another location.

ATTACHMENT – MANDATORY CONDITIONS FOR ALL EPA LICENCES

ADMINISTRATIVE CONDITIONS

Other activities

This licence applies to all other activities carried on at the premises, including:

Effluent/wastewater treatment and utilisation

OPERATING CONDITIONS

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

- This includes:
 - a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
 - b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Maintenance of plant and equipment

- All plant and equipment installed at the premises or used in connection with the licensed activity:
 - a) must be maintained in a proper and efficient condition; and
 - b) must be operated in a proper and efficient manner.

MONITORING AND RECORDING CONDITIONS

Recording of pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

- The record must include details of the following:
 - a) the date and time of the complaint;
 - b) the method by which the complaint was made;
 - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - d) the nature of the complaint;
 - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - f) if no action was taken by the licensee, the reasons why no action was taken.

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The record of a complaint must be kept for at least 4 years after the complaint was made.

The record must be produced to any authorised officer of the EPA who asks to see them.

Telephone complaints line

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

This condition does not apply until 3 months after this condition takes effect.

REPORTING CONDITIONS

Annual Return documents

What documents must an Annual Return contain?

- The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
 - a) a Statement of Compliance; and
 - b) a Monitoring and Complaints Summary.

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

Period covered by Annual Return

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

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

- Where this licence is transferred from the licensee to a new licensee,
 - a) the transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - b) the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

- Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on
 - a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

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Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Notification where actual load can not be calculated

(Licences with assessable pollutants)

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

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

Licensee must retain copy of Annual Return

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

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

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- (a) the licence holder; or
- (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

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

Notification of environmental harm

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

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

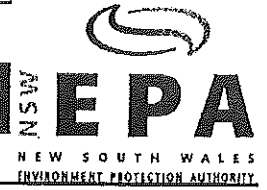
The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Written report

Where an authorised officer of the EPA suspects on reasonable grounds that:

- (a) where this licence applies to premises, an event has occurred at the premises; or
- (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

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and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

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

- The request may require a report which includes any or all of the following information:
 - a) the cause, time and duration of the event;
 - b) the type, volume and concentration of every pollutant discharged as a result of the event;
 - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
 - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
 - g) any other relevant matters.

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

GENERAL CONDITIONS

Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies.

The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.