

Environmental Planning and Assessment Act, 1979

**Notice to Applicant of Determination of a
Development Application**

To: R.P. Hadwen
Australia Meat Holdings Pty Ltd.
P O Box 139
BOOVAL QLD 4304

being the Applicant in respect of Application No. DA 27/93.

Pursuant to Section 92 of the Act notice is hereby given of the determination by the Minister for Planning as the consent authority, pursuant to Clause 8 of State Environmental Planning Policy No . 34 – Major Employment Generating Industrial Development, of the development application No. DA 27/93 relating to the land described as follows:-

Lots 5,6,7,10,14,15,18,19,20,22 and 23 DP 756044, lots 1 and 2 DP 706842, lot 2 FDP 202475 Parish of Cockburn, lot 2 DP 223515, lots 4, 5 and 6 DP 756057 Parish of Maiden and the northern section of Jones Road between Tabbita Channel and Tabbita Lane, Parish of Cockburn, County Sturt.

Date of Lodgement: 26 November, 1993.

Brief Description of Proposed Development: construction and operation of a 60,000 head cattle feedlot, a feed mill, a 600 head per day abattoir, and rendering plant. All liquid effluent is to be disposed of on site.

The development application has been determined by: granting of consent subject to the conditions specified in this notice.

Red type represents 2006 S96(1A) Modification – MOD 1

Blue type represents 2008 S96(1A) Modification – MOD 2

Green type represents 2020 S4.55(1A) Modification – MOD 3

The Conditions of the consent are set out as follows:

SECTION A – GENERAL CONDITIONS

Definitions

The Act	Environmental Planning and Assessment Act 1979
The Applicant	JBS Australia Pty Limited, or any person carrying out any development under this consent
BC Act	Biodiversity Conservation Act (2016)
BCD	The Biodiversity and Conservation Division within the Department
Blast misfire	The failure of one or more holes in a blast pattern to initiate
Council	Carrathool Shire Council
DA	Development Application
Department	The Department of Planning, Industry and Environment
DPI Agriculture	Department of Primary Industries - Agriculture
DPIE Water	Water Group within the Department
EMP	Environmental Management Plan

EPBC Act	Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPA	Environment Protection Authority
EPL	Environment Protection Licence
Extraction Campaign	The annual period where extraction is occurring in Quarry 2 and 3 (ie excluding processing, stockpiling and transportation) which does not exceed a total of: <ul style="list-style-type: none"> • 28 consecutive days for Quarry 2 (Gravel); and • 60 consecutive days for Quarry 3 (Clay).
Heritage NSW	The Heritage Group within Department of Premier and Cabinet
Heritage item	An Aboriginal object, an Aboriginal place, or a place, building, work, relic, moveable object, tree or precinct of heritage significance that is listed under any of the following: <ul style="list-style-type: none"> • the State Heritage Register under the <i>Heritage Act 1977</i>; • a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i>; • a Local Environmental Plan under the Act; • the World Heritage List; • the National Heritage List or Commonwealth Heritage List under the EPBC Act; or • anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance
Material harm	Is harm to the environment that: <ul style="list-style-type: none"> • involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) This definition excludes “harm” that is authorised under either this consent or any other statutory approval
MEG	Mining Exploration and Geoscience within the Department of Regional NSW
Modification 3	The modification as described in the document referred to in condition 1(g) of Section A
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Planning Secretary	Planning Secretary under the Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Quarry 2	The gravel quarry located at the feedlot, as shown in Appendix 1
Quarry 3	The clay quarry located at the feedlot, as shown in Appendix 1
Quarrying Operations	The extraction, processing, stockpiling and transportation of extractive materials carried out on the site and the associated removal of vegetation, topsoil and overburden
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
TfNSW	Transport for NSW
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act

1. **General**

The Applicant must carry out the development generally in accordance with the:

- (a) environmental impact statement prepared by Envirosciences dated 17 November 1993, as amended by the supplementary information compiled by the Applicant dated 1 February 1994;

- (b) drawings numbered TF-001 to TF-004 dated January 1994, S934-108 sheets 1 and 2 dated December 1993;
- (c) the letter from the Applicant referenced RJ/jm/9415 dated 16 February 1994;
- (d) the document titled "Phosphorus Assimilation in Proposed Waste Disposed Areas", prepared by Envirosciences;
- (e) modification application MOD-65-5-2006 and the associated statement of environmental effects, titled "Modification Prime City Cattle Feedlot, Tabbita, NSW" dated April 2006, and prepared by HLA-Envirosciences Pty Limited for Australia Meat Holdings Pty Limited;
- (f) modification application DA 27/93 MOD 2 and the associated statement of environmental effects, titled "Modification Prime City Cattle Feedlot, Tabbita, NSW" dated August 2008;
- (g) modification application DA 27/93 MOD 3 and the associated Modification Report, titled "JBS Australia – Prime City Feedlot (Tabbita) – Expansion of Quarry (MOD 3)" dated May 2020 and prepared by NGH Environmental, and the revised Modification Report dated July 2020; and
- (h) the conditions of this consent.

1A. In the event of an inconsistency between:

- (a) the conditions of this consent and any document listed from condition 1 the conditions of this consent shall prevail to the extent of the inconsistency; and
- (b) any document listed from condition 1, the most recent document shall prevail to the extent of the inconsistency.

2. Noise

Noise generated by the feedlot, feed mill, abattoir and rendering plant, individually or in combination, must between 7 am and 10 pm, not exceed an LA 10, T sound pressure level of 40 dB(A); between 10 pm and 7 am must not exceed an LA 10, T sound pressure level of 33dB(A) when measured or computed at any point within one (1) metre of any residential premises not situated on the development site.

2A. Blasting Limits

- (a) The Applicant must ensure that the airblast overpressure level from the blasting operations does not exceed:
 - (i) 115 dB (Lin Peak) for more than 5% of the total number of blasts carried out on the premises during each reporting period; and
 - (ii) 120 dB (Lin Peak) at any time.
- (b) The Applicant must ensure that the ground particle velocity from blasting operations does not exceed:
 - (i) 5mm/s for more than 5% of the total number of blasts carried out on the premises during each reporting period; and
 - (ii) 10 mm/s at any time.
- (c) Blasting operations are permitted between the hours of 9am and 3pm Mondays to Fridays.

Note:

For the purposes of this condition, the blasting limits in Condition 2A of Section A above, do not apply at any affected residences or noise sensitive location owned by the Applicant or subject to a private agreement between the owner of the residence or noise sensitive location and the Applicant.

2B. Blasting Frequency

- (a) The Applicant may carry out a maximum of 1 blast per extraction campaign within Quarry 2.

Note: A 'single blast event' means a blast which involves either a single detonation or a number of individual blasts fired in quick succession in a discrete area of the development. Should an additional blast be required after a blast misfire, this additional blast and the blast misfire are counted as a single blast event.

3.

Sewerage

A sewerage treatment system **must** be installed which will treat and dispose of all effluent produced by the personnel facilities at the feedlot, feed mill and abattoir, in accordance with the requirements of the **EPA**.

4. **Capacities**

- (a) The feedlot **must** not hold in excess of 60,000 head of cattle at any time except in emergency situations, (i.e. when the abattoir is unable to process finished cattle due to industrial action or equipment failure) when up to 65,000 head may be held on the feedlot for a maximum period of four (4) weeks. The average daily number of cattle on the feedlot **must** not exceed 60,000 head over any 12 month period.
- (b) Feed mill production **must** not exceed that required for cattle held on the property.
- (c) The abattoir **must** only process cattle from the feedlot, except during the first 12 months of operation.
- (d) The abattoir **must** not slaughter in excess of 3,000 head of cattle per week.
- (e) The rendering plant **must** only render the remains of cattle processed in the on site abattoir and dead cattle from the feedlot.

5. **Water Allocation**

- (a) A minimum high security water allocation of 2,500 ML **must** be maintained for use by the feedlot, feed mill, abattoir and for dilution of liquid effluent for irrigation, unless otherwise agreed in writing by the **Planning Secretary**.

6. **Land**

- (a) A minimum of 1,800 ha of land capable of being irrigated and 4,000 ha of dry land capable of being cultivated **must** be maintained at all times for the utilisation of liquid effluent and manure produced by the development once the feedlot has reached full capacity, unless otherwise shown to be acceptable in the Environmental Management Plan and agreed by the **Planning Secretary**.
- (b) The land referred to in condition 6(a) **must** not be sold, leased or otherwise made unable to receive effluent and/or manure without the prior written agreement of the **Planning Secretary**.

7. **Heritage Operating Conditions**

- (a) If suspected human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must immediately notify NSW Police and Heritage NSW, and work must not recommence in the area until authorised by NSW Police and Heritage NSW.
- (b) If any Aboriginal object is discovered on the site:
 - (i) all work in the immediate vicinity of the object or place must cease immediately;
 - (ii) a 10 metre buffer area around the object or place must be cordoned off; and
 - (iii) Heritage NSW must be contacted immediately.

- (c) Work in the immediate vicinity may only recommence if:
 - (i) the potential Aboriginal object is confirmed by Heritage NSW upon consultation with the Registered Aboriginal Parties not to be an Aboriginal object; or
 - (ii) the Planning Secretary is satisfied as to the measures to be implemented in respect of the Aboriginal object and makes a written direction in that regard.

8. Erosion and Sedimentation Control

All works for the conveyance, distribution and storage of:

- liquid effluent,
- runoff to the effluent disposal areas, quarry and access roads; and
- runoff from the access roads, quarry and effluent disposal areas

must be designed, constructed and maintained to the satisfaction of the **DPIE Water**.

9. Transport

Within the first twelve (12) months of operation of the abattoir, the Applicant **must** investigate the feasibility of transporting employees to work by bus and include the conclusions of this study in the first subsequent Environmental Management Report.

10. Recycling

Receptacles **must** be provided and maintained for the collection of recyclable materials. Material collected **must** be periodically removed to recycling depots.

11. Odour

The development **must** be managed so as to minimise the generation of offensive odours and nuisance to adjoining residents, to the satisfaction of the **EPA**.

SECTION B – DESIGN

1. General

- (a) Liquid fuel and chemical storage areas **must** be constructed and bunded in accordance with the requirements of the Dangerous Goods Act 1975.
- (b) A water storage pond **must** be constructed to hold sufficient water (at least 30 ML) for use in the feedlot, feed mill and abattoir during periods when the irrigation channel is unable to deliver water.
- (c) Any bore used to gain water for use in conjunction with the development **must** be approved by the **DPIE Water**. The characteristics and intended use of any ground water extracted **must** be described in the Environmental Management Plan.
- (d) All effluent and water holding ponds **must** be constructed to minimise leakage and seepage.
- (e) The drainage system **must** be designed to prevent any contaminated runoff or irrigation tailwater leaving the property.

2. Feedlot

- (a) The feedlot pens **must** provide 10-15m² per beast.
- (b) Diversion banks **must** be constructed to direct all uncontaminated surface water away from the feedlot, feed mill and associated facilities.
- (c) The feedlot drainage system **must**:
 - (i) direct all runoff from the feedlot, feed mill area, silage pit area, induction area and manure stockpile to a sedimentation pond; then into the effluent holding pond;
 - (ii) direct runoff from the feedlot around the manure stockpile area, and
 - (iii) include sedimentation weirs, sedimentation ponds and effluent holding ponds of sufficient capacity, to the satisfaction of EPA.
- (d) Sedimentation basins to collect contaminated runoff from the feedlot/feed mill area **must** be capable of holding a volume equal to at least the first hour plus the time of concentration of a 1 in 20 year, 24 hour storm event using an 80% runoff coefficient.
- (e) The feedlot effluent holding ponds **must** be constructed to have at least the capacity to hold runoff from the feedlot/feed mill area for –
 - (i) A 1 in 20 year, 24 hour storm event at an 80% runoff coefficient; or
 - (ii) A 90 percentile wet year using a 30% runoff coefficient and based on a monthly water balance;

whichever is the greater.
- (f) All pens, banks and drains **must** be constructed and maintained so as to prevent ponding of effluent and erosion.
- (g) A vegetation buffer 50m in width **must** be constructed and maintained to the satisfaction of the **DPIE Water** along the northern side of the Wah Wah Channel for a distance of 1,000m from Jones Road in an easterly direction to trap nutrient and sediment. No effluent **must** be applied to the buffer zone.
- (h) Internal roads **must** be constructed to an all-weather standard capable of safely carrying the volume and type of vehicles anticipated and to minimise the generation of dust.
- (i) Car and heavy vehicle parking **must** be provided to accommodate employees and visitors.
- (j) Detailed design plans for the feedlot **must** be submitted to the **Planning Secretary, DPIE Water** and the **EPA** at the time of lodging the building application with Carrathool Council.

2A. Feed Mill

- (a) Waste water from the feed mill **must** be directed into the feedlot drainage ponds.
- (b) Detailed design plans of the feed mill **must** be submitted to the **Planning Secretary** and the **EPA** at the time of lodging the building application with Carrathool Council.

3. Abattoir

- (a) A minimum area of 100ha of land **must** be provided for irrigation of abattoir effluent.
- (b) Sealed access roads, loading areas and parking for a least 350 cars **must** be provided for use in conjunction with the abattoir.
- (c) Diversion banks and a tail water collection dam **must** be constructed so as to prevent effluent or contaminated runoff from the abattoir irrigation area from leaving the designated 100 ha irrigation area, during the first hour plus time of concentration of a 1 in 20 year storm of 24 hours duration using an 80% runoff coefficient.
- (d) A wet weather storage pond **must** be constructed to have at least the capacity to store 50% of all effluent generated from 1 May to 31 August in any year.
- (e) Aerobic and anaerobic ponds for the treatment of abattoir waste water **must** be constructed to enable detention of waste water in accordance with the requirements of the **EPA**.
- (f) All drains and banks **must** be constructed and maintained so as to prevent ponding of effluent and erosion.
- (g) Roof collected rain water **must** not be directed into the abattoir effluent treatment ponds.
- (h) The buildings and structures in the abattoir complex **must** be constructed such that their height, scale, location and setback from the property boundaries are generally in accordance with the submitted plans.
- (i) The abattoir complex **must** be landscaped generally in accordance with the submitted plans.
- (j) The rendering plant **must** be fitted with emission control equipment so as to prevent adverse odour impacts at surrounding residential premises.
- (k) All power for the abattoir **must** be provided from the Murrumbidgee Electricity grid.

Note:

If, at any time, the Applicant wishes to generate electricity on site for use in the abattoir and/or feedlot complex, a subsequent development application and an EIS are likely to be required to examine the environmental impact of that particular activity.

- (l) Detailed design plans of the abattoir and supporting calculations **must** be submitted to the **Planning Secretary**, the Australian Quarantine Inspection Service, the **NSW Food Authority** and the **EPA** at the time of lodging the building application with Carrathool Council.

4. Gravel Pit

- (a) Tree planting **must** be undertaken to augment the existing vegetation surrounding the gravel pit in order to screen the pit and reduce the dispersion of dust. Planting **must** be to the satisfaction of Carrathool Council.

5. Roads

- (a) Tabbita Lane **must** be upgraded along its entire length, to the following standard within three (3) years of the commencement of construction at the Applicant's expense:
 - 2 x 3.5 metre sealed lanes;
 - 2 x 2.0 metre shoulders (which may be constructed using compacted in situ material) with 1.0 metre seal;
 - table drains as deep as practicable;
 - edge and centre line marking;
 - provision made for bus stops on both sides of the road at a maximum of 7 locations;
 - reconstruction of the link between Jones Road and Main Road 80 **must** be completed within 12 months from the start of construction on the feedlot; and
 - native vegetation beyond the table drains to be retained.
- (b) The intersections of Tabbita Lane with Main Road No.80 and Main Road No. 244 **must** be upgraded within 3 years from commencement of feedlot construction in consultation with the TfNSW.
- (c) Jones Road **must** be closed and purchased by the Applicant prior to stocking of the feedlot.
- (d) The Applicant **must**, at its own expense, upgrade the intersection of Jones Road with Tabbita Lane and the proposed intersection with Tabbita Lane for access to the abattoir, in accordance with Diagram A. Design plans and construction **must** be to the satisfaction of the Director of Planning or nominee and Carrathool Council.
- (e) The Applicant **must**, prior to stocking of the feedlot, pay \$3000 to the TfNSW to be applied towards the cost of supplying and erecting of three (3) signs to direct heavy vehicles along the State Road network.

Note:

The three signs required are to be at

SH 21 Deniliquin
SH 14 East Darlington Point
SH 14 West Hay

SECTION C – MANAGEMENT

1. Feedlot and Feed Mill

- (a) The feedlot pens **must** be cleaned at least every (6) months without damaging the pad.
- (b) An “animal care statement” **must** be submitted to **DPI (Agriculture)** within six (6) months of commencement of feeding operations, in the form approved by the Standing Committee on Feedlot Guidelines.
- (c) Spilt or spoilt feed **must** be removed from pen and work areas at least weekly.
- (d) Vehicles making deliveries of grain or maize to the feedlot or feed mill **must** not be unloaded between the hours of 8.00 pm and 6.00 am. Delivery vehicles other than for cattle should be discouraged from arriving during these hours.
- (e) Until the commissioning of the rendering plant, all dead stock **must** be buried or composted at the carcass disposal site generally as shown in Figure 2 of the Statement of Environmental Effects dated April 2006 and prepared in support of MOD-65-5-2006.

Note:

For the purposes of this condition dead stock can only be disposed of at the carcass disposal site until the rendering plant is constructed and is operational. Once the rendering plant commences operation, all dead stock must be processed through the rendering plant as required in Condition 1(f) of Section C.

- (f) The carcass disposal site **must** not be used for the burial of feed stock once the rendering plant commences operation, except during instances when the plant cannot operate due to equipment failure or industrial action.
- (g) Prior to burial, all dead stock **must** have their abdomen and paunch opened, and **must** be limed and covered with soil at a frequency which minimises odour emission.
- (g1) The Applicant must ensure that cattle to be composted **must** be covered in organic material both top and bottom, as described in the Statement of Environmental Effects dated April 2006 and prepared in support of MOD-65-5-2006, and appropriately managed.
- (h) The feedlot and feed mill **must** be managed in a manner that will minimise generation of flies, mosquitoes and other pests.
- (i) All necessary measures **must** be taken to prevent nuisance to neighbouring properties from flies or other pests, to the satisfaction of Carrathool Council.
- (j) Dust control measures **must** be taken to minimise the generation of dust from pens, equipment and vehicle access areas, to the satisfaction of Carrathool Council.
- (k) The Applicant **must** prepare an Environmental Management Plan (EMP) to show how the feedlot and feed mill will, once in operation achieve the environmental performance requirements of the EPA and address the utilisation of liquid and solid waste in an ecologically sustainable manner. The EMP must be submitted to the Planning Secretary for approval, in consultation with DPI Agriculture, the EPA and the DPIE Water at least 21 days before the feedlot commences operation and be amended at the end of every twelve (12) month period thereafter as necessary. The EMP **must** address the following:
 - pen maintenance;
 - liquid and solid waste management on a land management unit basis;
 - protection of surface and ground waters;
 - odour emission control;
 - dust control;
 - noise control;
 - crop management, including strategies for irrigation of water;
 - salt and nutrient status of soils;
 - soil monitoring program;
 - erosion and sedimentation control measures; and
 - any changes proposed as a result of monitoring program data.

2. Feedlot Waste Utilisation Areas

- (a) The waste utilisation areas **must** be managed so as to prevent land degradation and to ensure that the areas can continue to receive liquid and solid waste in an ecologically sustainable manner.

- (b) The volume of liquid effluent and/or fresh irrigation water applied on site **must** be dictated by the need to redress the soil moisture and nutrient deficit created by crop/pasture production.
- (c) Solid waste **must** only be applied to the utilisation areas when weather conditions are favourable and nuisance from odour is likely to be minimised.
- (d) At least 250 ha of land capable of receiving liquid effluent **must** be available prior to the commencement of feedlot stocking.

3. Abattoir

- (a) The abattoir slaughter and boning shifts **must** operate within the hours of 6.30 am and 7.30 pm Mondays to Saturdays.
- (b) Deliveries **must** only be made to or from the abattoir between the hours of 6.00 am and 9.00 pm Mondays to Saturdays, with no deliveries on Sundays.
- (c) The abattoir and rendering plant **must** not operate on Sundays.
- (d) The abattoir effluent irrigation area **must** be managed so as to prevent land degradation and to ensure that utilisation of the area for disposal of effluent is ecologically sustainable.
- (e) The volume of liquid effluent applied on site **must** be dictated by the need to redress the soil moisture and nutrient deficit created by crop/pasture production.
- (f) The Applicant **must** prepare an Environmental Management Plan (EMP) to show how the abattoir will once in operation, achieve the environmental performance requirements of the **EPL** and address the utilisation of liquid and solid waste in an ecologically sustainable manner. The EMP **must** be submitted to the **Secretary** for approval, in consultation with **EPA and DPI Agriculture** at least 21 days before the abattoir commences operation and be amended at the end of every twelve (12) month period thereafter as necessary. The EMP **must** address the following:
 - liquid and solid waste management;
 - protection of surface and ground waters;
 - odour emission control;
 - dust control;
 - noise control;
 - crop management, including strategies for irrigation of water;
 - salt and nutrient status of soils;
 - soil monitoring program;
 - Surface and groundwater monitoring program;
 - erosion and sedimentation control measures; and
 - any changes proposed as a result of monitoring program data.

4. Quarries

- (a) Quarry 2 and Quarry 3 are to be located generally as shown in Appendix A and as described in the documents of condition 1(g) of Section A;
- (b) Quarrying operations may be carried out on the site for a period of 10 years from the date Modification 3 is approved;
- (c) Material extracted from the quarries must not be sold or removed for use off site;
- (d) A maximum of 50,000 cubic metres of quarry products may be extracted from the site in any calendar year, unless otherwise agreed by the Planning Secretary;

- (e) Quarrying operations are permitted between the hours of 7:00 am and 6:00 pm Mondays to Fridays and 8:00 am to 1:00 pm Saturdays;
- (f) Unless otherwise agreed in writing by the Planning Secretary, the Applicant must not undertake more than one extraction campaign per calendar year in each of Quarry 2 and Quarry 3;
- (g) The Applicant must not exceed an extraction depth of:
 - (i) 6.3m (104m AHD) at Quarry 2; and
 - (ii) 8.8m (101m AHD) at Quarry 3;
- (h) Prior to the commencement of quarrying operations under Modification 3, the Applicant must prepare and implement an Erosion and Sediment Control Plan to the satisfaction of the Planning Secretary. This plan must:
 - identify activities that could cause soil erosion, generate sediment or affect flooding;
 - describe the measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, and manage flood risk;
 - describe the location, function, and capacity of erosion and sediment control structures;
 - describe what measures would be implemented to maintain (and if necessary, decommission) the structures over time; and
 - provide a detailed description for the surface water management system on the site.

Rehabilitation and Biodiversity Management Plan

- (i) Prior to commencement of quarrying operations approved by Modification 3, the Applicant must submit a Quarry Biodiversity and Rehabilitation Management Plan for all land disturbed by quarrying operations to the satisfaction of the Planning Secretary. This plan must:
 - (i) be prepared by suitably qualified and experienced person/s;
 - (ii) include performance indicators and completion criteria for each rehabilitation stage;
 - (iii) describe the measures to be implemented on the site to achieve a safe, stable and non-polluting landform that is fit for the intended post-quarrying operations land use;
 - (iv) describe the measures to be implemented within the approved disturbance areas to:
 - minimise the amount of clearing and progressively rehabilitate disturbed areas;
 - minimise impacts on fauna, including undertaking pre-clearance surveys, prior to each extraction campaign; and
 - maximise the salvage of resources, including vegetation and soil resources, for beneficial reuse;
 - (v) describe the measures to be implemented on the site to:
 - minimise impacts to threatened ecological communities listed under the BC Act and EPBC Act;
 - minimise impacts on fauna habitat resources such as hunting and foraging areas, habitat trees and fallen timber;

- avoid impacts to hollow-bearing trees, including through the maintenance of a minimum 5 metre setback between the Quarry 2 and 3 pits and any hollow-bearing trees;
- ensure that no quarry material is stockpiled within the dripline of trees surrounding the proposed quarry footprint; and
- control weeds and feral pests, including measures to avoid and mitigate the spread of noxious weeds.

The Applicant must implement the Biodiversity and Rehabilitation Management Plan as approved by the Planning Secretary.

Bushfire Management

- (j) The Applicant must:
- (i) ensure that the development provides for asset protection in accordance with the relevant requirements in the *Planning for Bushfire Protection (RFS, 2019)* guideline; and
 - (ii) ensure that there is suitable equipment to respond to any fires on the site.

Production Data

- (k) Within 3 months of completing each extraction campaign, the Applicant must provide quarry production data to MEG.

5. Roads

- (a) All heavy vehicles must access the premises either via the Griffith-Hillston Road (MR80) then Tabbita Lane; from the Mid Western Highway (SH6), then the northern section of the Carrathool Road (MR244) then Tabbita Lane. Vehicles delivering grain, livestock or other produce from properties within the area bounded by the Murrumbidgee River, the Mid Western Highway (SH6), the Griffith-Hillston Road (MR80) and the Darlington Point-Griffith Road (MR87) are exempt from compliance with this condition.
- (b) The Applicant **must** ensure that all contracts, sub-contracts or agreements for purchase, sale or delivery of any goods, livestock or grain to and from the premises are subject to a condition which states that the premises must be accessed in accordance with condition 5(a).
- (c) In accordance with s.94 of the Act, the Applicant **must** contribute towards the cost of maintaining Tabbita Lane for a period of three (3) years from the date of commencement of construction of the feedlot by making the following payments:
 - (i) one year after the date of commencement of construction of the feedlot - \$55,000'
 - (ii) two years after the date of commencement of construction of the feedlot - \$35,000; and
 - (iii) three years after the date of commencement of construction of the feedlot - \$5,000.
- (d) All internal roads used by heavy vehicles, delivery vehicles or for access to parking areas **must** be maintained to a standard which ensures safe all weather access and minimises the generation of dust to the satisfaction of Carrathool Council.
- (e) All vehicles **must** enter and exit the premises using either of the two proposed access points on to Tabbita Lane.

6. **Landfill Site**

- (a) The garbage land fill site **must** be used only for the disposal of garbage generated by the development and **must** not be used for the disposal of any material which is of a toxic nature, or likely to contaminate groundwater.
- (b) The land fill site **must** be managed so as to minimise odour and to prevent litter and dust being blown from the site by wind.
- (c) No open waste material **must** be burnt on site.
- (d) Garbage generated by the development **must not be used as fill during the rehabilitation of the quarries.**

SECTION D – MONITORING AND REPORTING

1. An environmental monitoring program **must** be established to monitor any significant changes to the environment caused by the development. The program **must** include the items below:

(i) **Baseline and pre-start up monitoring**

- (a) The monitoring data presented in the EIS, supplementary information compilation dated 1st February, 1994 and the document titled “Phosphorus Assimilation in the Proposed Waste Disposal Areas”, prepared by Envirosciences **must** be used as baseline information for the purposes of on-going monitoring and reporting.
- (b) A rainfall gauge **must** be installed within the site for the measurement and recording of rainfall on a daily basis.

(ii) **Operational Monitoring**

- (a) The quality and characteristics of:
 - ground water;
 - water in the Wah Wah Channel;
 - soils in the irrigation areas;
 - soils in the dry land cropping areas;
 - soils in the feed lot modules;
 - effluent in the treatment and holding ponds; and
 - solid waste **must** be monitored in accordance with the EMP and the specifications issued by the **EPA** in consultation with **DPI Agriculture** and the **DPIE Water**.
- (b) All required analyses **must** be performed by a laboratory accredited to perform such analyses by the National Association of Testing Authorities or by a laboratory approved by the **EPA**.

2. **Annual Monitoring Report**

- (a) The Applicant **must** prepare an environmental report (EMR) **in consultation with EPA, DPI Agriculture and DPIE Water, and Council, and submit it to the Planning Secretary for approval** at the end of each twelve (12) month period from the commencement of construction. The EMR **must**:
 - present the results of the monitoring program undertaken in accordance with this section;

- compare the results of the monitoring program with baseline data and offer and interpretation of the results;
 - describe the management of liquid and solid waste;
 - outline any proposed changes to the EMP based on the results of monitoring; and
 - list any complaints received regarding the development and outline measures taken to address them.
- (b) In the event that the monitoring results show an unacceptable decline in environmental quality or sustainability as a result of the development, measures **must** be taken to ameliorate the adverse impacts, to the satisfaction of the **Planning Secretary** .

3. **Management Plan Requirements**

- (a) Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (i) a summary of relevant background or baseline data;
 - (ii) details of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures and criteria; and
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (iii) any relevant commitments or recommendations identified in the document/s listed in condition 1, Section A;
 - (iv) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (v) a program to monitor and report on the:
 - impacts and environmental performance of the development; and
 - effectiveness of the management measures set out pursuant to condition 3(a)(iii) above;
 - (vi) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (vii) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (viii) a protocol for managing and reporting any:
 - incident, non-compliance or exceedance of the impact assessment criteria or performance criteria;
 - complaint; or
 - failure to comply with statutory requirements;
 - (ix) public sources of information and data to assist stakeholders in understanding environmental impacts of the development; and
 - (x) a protocol for periodic review of the plan.

Note: *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

- (b) The Applicant must ensure that management plans prepared for the development are consistent with the conditions of this consent and any EPL issued for the site.

4. Revision of Strategies, Plans and Programs

- (a) Within three months of:
 - (i) the submission of an incident report under condition 5(a) of Section D;
 - (ii) the submission of an Annual Review under condition 2(a) of Section D; or
 - (iii) the approval of any modification of the conditions of this consent (unless the conditions require otherwise);the suitability of existing strategies, plans and programs required under this consent must be reviewed by the Applicant.
- (b) If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary and submitted to the Planning Secretary for approval within six weeks of the review.

Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.

5. Reporting and Auditing

Incident Notification

- (a) The Applicant must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing through the Department's Major Projects website and identify the development (including the development application number and name) and set out the location and nature of the incident.

Non-Compliance Notification

- (b) Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing through the Department's Major Projects website and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

The reasons for the imposition of these conditions are as follows:

1. To minimise the adverse impacts of noise, odour and dust on residents within close proximity of the site;
2. To minimise adverse impacts on soil and water quality;
3. To ensure the development will be ecologically sustainable in the long term;
4. To ensure that the local community is not unreasonably burdened with the cost of upgrading and maintaining infrastructure as a result of the development;

5. To ensure public safety and amenity are maintained; and
6. To establish mechanisms to enable the impacts of the development to be monitored.

NOTES

1. The Applicant should meet the requirements of all public authorities having statutory responsibilities in respect of the proposed development. Relevant authorities may include those listed below:
 - Carrathool Council: building approval under the local Government Act, 1993.
 - EPA:
 - Clean Waters Act, 1970
 - Clean Air Act, 1961
 - Noise Control Act 1975*
 - DPIE Water
 - Soil Conservation Act 1938
 - NSW Food Authority
 - Australian Quarantine Inspection Service
 - TfNSW
 - Workcover Authority: Dangerous Goods Act 1975
 - Department of Health; Public Health Act, 1902.
2. . To ascertain the date upon which the consent becomes effective refer to section 93 of the Act.
3. To ascertain the date upon which the consent is liable to lapse refer to section 99 of the Act.
4. Section 97 of the Act confers on an Applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and

Minister for Planning

Dated this 22nd day of February, 1994

APPENDIX 1: QUARRY LAYOUT



Figure 1: Quarry 2



JBS Feedlot Proposal Area

Legend

- Existing Quarry 3 Boundary
- Proposed Quarry 3 Boundary

Data Attribution:
 © NGS 2020
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 Rd 19-011, Tazewell Lane, Quarry, ON, M0G 1S1
 JBS Feedlot Proposal Area copy
 Author: Kozak /
 Date created: 09.07.2020
 Datum: CGDA84 / NGA zone 95

0 100 200 m



Figure 2: Quarry 3