

Project Approval

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

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

These conditions are required to:

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



Frank Sartor MP
Minister for Planning

Sydney

21ST FEB

2007

SCHEDULE 1

Application No:	06_0141
Proponent:	WM and JK Hibbard
Approval Authority:	Minister for Planning
Land:	Lot 1 DP 783886, Tweed Valley Way, Tumbulgun
Project:	Construction and operation of a turf farm.

DEFINITIONS

Council	Tweed Shire Council
DEC	Department of Environment and Conservation
Department	Department of Planning
Director-General	Director-General of the Department (or delegate)
DNR	Department of Natural Resources
EA	Environmental Assessment Under Part 3A of the Environmental Planning and Assessment Act, 1979 (As Amended) Proposed Turf farm Lot 1 DP 783886, Tweed Valley Way Tumbulgum (Tweed Shire) prepared by Darryl Anderson Consulting and dated July 2006
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning & Assessment Regulation 2000</i>
Minister	Minister for Planning (or delegate)
Project	Construction and operation of a turf farm, as described in the EA
Proponent	WM and JK Hibbard
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
RTA	Roads and Traffic Authority
Site	Land to which application applies.

SCHEDULE 2
ADMINISTRATIVE CONDITIONS AND ENVIRONMENT CONDITIONS

Obligation to Minimise Harm to the Environment

1. The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction and/or operation of the project.

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the;
 - (a) EA;
 - (b) Statement of Commitments; and
 - (c) conditions of this approval.
3. If there is any inconsistency between the above documents, the conditions of this approval shall prevail to the extent of the inconsistency.
4. The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
 - (a) any reports, plans or correspondence that are submitted by the Proponent in accordance with this approval; and
 - (b) the implementation of any actions or measures contained in those reports, plans or correspondence submitted by the Proponent.

Section 94 Contribution

5. Prior to the commencement of construction, the Proponent shall pay Council \$810.81.

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

Information Requirements

6. Prior to construction, the Proponent shall provide detailed plans of the design and layout of the project, including the irrigation and stormwater/drainage system, for the approval of the Director-General. These plans shall be developed in consultation with Council and DNR.

Compliance

7. Prior to the commencement of construction and operation of the project, the Proponent shall certify in writing to the satisfaction of the Director-General that it has complied with all conditions of this approval.

Protection of Public Infrastructure

8. The Proponent shall:
 - a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and
 - b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.

Operation of Plant and Equipment

9. The Proponent shall ensure that all plant and equipment used on the site is:
 - a) maintained in a proper and efficient condition; and
 - b) operated in a proper and efficient manner.

Noise

10. During the life of the project, the Proponent shall carry out all reasonable and feasible measures to minimise the noise generated by the project, to the satisfaction of the Director-General.
11. The Proponent shall only carry out construction on the site between 7am and 6pm Monday to Friday, and 7am and 1pm on Saturdays. No construction is allowed on site on Sundays or public holidays.

Air Quality

12. The Proponent shall not cause or permit the emission of offensive odour beyond the boundary of the site, unless as permitted by a licence under the POEO Act.
13. The Proponent shall design, construct, operate and maintain the project in a manner that prevents and/or minimises air and dust emissions from the site.
14. During the life of the project, the Proponent shall ensure that:
 - a) all vehicles entering or leaving the site with loads have their loads covered; and
 - b) all vehicles associated with the construction and/or operation do not track dirt onto the public road network.

Hazards and Risks

15. The Proponent shall store and handle all dangerous goods (as defined by the Australian Dangerous Goods Code, including pesticides and fertilisers) and combustible liquids, strictly in accordance with:
 - a) all relevant Australian Standards;
 - b) *Pesticide Act 1999*;
 - c) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - d) the DEC's technical bulletin on *Bunding and Spill Management*.

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

Soil and Water

16. Prior to the construction of the water storage(s), the Proponent shall ensure any relevant licence or water entitlement is obtained for the water storage(s) on the site in accordance with the *Water Act 1912*.
17. The Proponent shall prepare and implement a Soil and Water Management Plan for the site to the satisfaction of the Director-General. This plan must:
 - a) be submitted to the Director-General for approval prior to construction;
 - b) be prepared in consultation with the DNR and Council; and
 - c) include:
 - an erosion and sediment control plan;
 - the acid sulfate soil management plan submitted as part of the EA; and
 - a groundwater management plan.
18. The erosion and sediment control plan must:
 - a) be consistent with the requirements in the latest version of *Managing Urban Stormwater: Soils and Construction* (Landcom);
 - b) identify construction and operation activities on site that could cause soil erosion and generate sediment; and
 - c) describe what measures would be implemented to:
 - minimise soil erosion and the transport of sediment to downstream waters; and
 - maintain these structures over time.
19. The groundwater management plan must:
 - a) identify activities that have the potential to impact on groundwater quality, and how these materials and activities are to be managed to prevent those impacts;
 - b) include a groundwater quality monitoring program, which includes parameters to be monitored and the frequency of monitoring; and
 - c) detail contingency measures and management options should monitoring of groundwater quality indicate that the project has had, or is having, an adverse effect on groundwater quality.
20. The storage dam must have a minimum base and wall permeability of 1×10^{-9} metres per second or be artificially lined with an impermeable high density polyethylene liner.
21. Except as may be expressly provided by an Environment Protection Licence for the project, the Proponent shall comply with section 120 of the POEO Act, which prohibits the pollution of waters.
22. The Proponent shall maintain a 10m buffer between any spray irrigation and the edge of any perimeter drains.

23. The Proponent, in consultation with Council, shall design and erect signs warning that irrigation water is sourced from non-potable treated wastewater, prior to the operation of the project.

Transport

24. Prior to construction, the Proponent shall design and construct the proposed access road and intersection with the Tweed Valley Way in consultation with RTA and to the satisfaction of Council.
25. No heavy vehicles shall enter or exit the Tweed Valley Way from the north of the site.
26. Heavy vehicles accessing the site shall not queue or wait within the adjacent roads.
27. Vehicles associated with the project shall not park on local roads in the vicinity of the site at any time.

Lighting

28. The Proponent shall ensure that any lighting associated with the project:
- a) complies with the latest version of Australian Standard AS 4282(INT) - *Control of Obtrusive Effects of Outdoor Lighting*; and
 - b) is mounted, screen and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Heritage

29. The Proponent shall not destroy or relocate any Aboriginal object on the site without the written approval of the Director-General.

Incident Reporting

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

Environmental Management

31. Prior to construction, the Proponent shall prepare (and following approval implement) an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:
- a) describe in broad terms the proposed environmental management strategy for the project;
 - b) identify the person who would be responsible for overseeing the environmental management of the project, and provide contact details for this person;
 - c) describe the procedures that would be implemented to:
 - keep the relevant agencies informed about the progress of the project;
 - receive, handle, respond to, record and report any complaints about the project;
 - resolve any disputes that may arise during the project; and
 - respond to any non-compliances.
32. The Proponent shall update this strategy to the satisfaction of the Director-General:
- a) prior to operations on the site; and
 - b) every 3 years thereafter, or as directed by the Director-General.