

JRPP No.	2009WES006
Application No.	DA 73/09
Application is for:	Composting Facility for processing less than 7,500 tonnes / year of feedlot manure, abattoir by-products, citrus pulp, green wastes, sawdust and other organic products
Owner	Garrison Cattle Feeders Pty Ltd
Applicant	Garrison Cattle Feeders Pty Ltd
Lodgement Date	25/11/2009
Statutory Days	60 Days
Land/Address:	Lot 100 DP 756530, Tueloga Road
Land Zoning:	General Rural 1(a) Wakool Local Environmental Plan 1992
Capital Investment Value:	\$100,000.00
Current Use and development:	Vacant Agricultural land
Report Author/s	Gary Bruce, Consultant Planner, Geolyse Pty Ltd

EXECUTIVE SUMMARY:

Reason for Consideration by Joint Regional Planning Panel:

The application has been referred to the Joint Regional Planning Panel pursuant to Clause 13B (1) as the proposal relates to Designated Development.

Brief Description of Proposal:

The development application seeks approval for the use of the land for the purposes of composting facility and the associate construction of a compaction pad, effluent collection pond, 0.5m high bunding around the compaction pad and 2% slope to the effluent collection pad. The facility would enable the storage of 28 windrows with a typical length of 60 metres, width of 3 metres and height of 2 metres.

Compliance with Planning Controls:

The site is zoned 1(a) General Rural pursuant to the Wakool Local Environmental Plan 1992. The proposal does not meet a specific definition as provided by the LEP but would most likely be defined as a "Composting Facility" or "Rural Industry", all of which are permissible within this zone, with development consent.

The proposal is consistent with the zone objective as it will have negligible impact on the agricultural productivity of the area and does not pose any significant environmental impacts (subject to the imposition of the Draft conditions of consent).

Consultation:

The application was advertised and notified in accordance with EP& A Regulations with regard to Designated Development.

A large number of submissions were received (22 written submissions) with some in favour of the development and the majority opposing the development.

The application was also referred to the Department of Environment, Climate Change and Water, the Office of Water, the Department of Planning and the Department of Primary Industries. Council received comments from the Department of Environment, Climate Change and Water, and the Office of Water.

Recommendation:

It is recommended that DA 73/09 be approved subject to the conditions contained in Annexure 4.

1. Proposal

The proposal seeks consent for an aerobic composting facility that will convert up to 7,500 tonnes per annum of organic matter including manure, abattoir by products and other waste material. The proposal would involve the following;

- Construction of a 70m x 263m compacted pad that will provide a low permeability floor for the composting facility;
- Earth works to facilitate the proposed development in terms of a sloped compacted surface of a maximum height of 2.3m above ground level and a 0.5 metre high bund around the facility;
- Provision of 28 compost windrows with a length of 60m, width at base of 3m and a height of 2m;
- Provision of a 5m wide separation between and at the end of the windrows for vehicle access; and
- An effluent collection pond that will capture all of the leachate and contaminated surface water that enters the controlled area.

2. Site Description

The proposed facility is located in South-Western New South Wales, within the Local Government Area of Wakool. The locality is characterised by farming and agricultural land with a number of water courses such as Merran Creek and the Wakool River.

The site is located approximately 16km north of Swan Hill. It is legally known as lot 100 DP 756530 and comprises an area in excess of 250 hectares.

The proposed location of the composting facility is approximately 450 metres from the southern and western boundaries, 550 metres from the eastern boundary and 700 metres to the Merran Creek.

The proposed facility is accessed by Tueloga Road and a private access within the property.

3. Referrals

The application was referred to the Office of Water, the Department of Environment, Climate Change and Water, the Department of Planning and the Department of Primary Industries.

The application is integrated development due to the need to obtain an Environmental Protection License under the Protection of the Environment Operations Act.

The response received from the Government Agencies is attached to the report as Annexure 3.

4. Environmental Planning and Assessment Act 1979

In determining a development application, the consent authority must take into consideration matters referred to in Section 79C(1) of the Environmental Planning & Assessment Act 1979 as are of relevance to the development. The following section of this report summarises the relevant matters for consideration and provides a planning response.

Section 79C(1)(a)(i) any environmental planning instrument

State Environmental Planning Policy

SEPP No. 33 – Offensive and Hazardous Development

The proposed development is potentially offensive by reason of odour. A Preliminary Hazard Analysis (PHA) was not submitted with the application after consultation with the Department of Environment and Climate Change (DECC is now Dept of Environment, Climate Change and Water - DECCW).

The EIS does not include any modelling of odour but relies on a comparison of the development with a feedlot and the mandatory separation distances required by DECC for feedlots. It compares the proposed development with 9,375 head feedlot with a requirement for a 2.26km separation distance to houses and a 15.1km separation distance to a large town. The closest house is 3.6km from the proposal and 16.2km from Swan Hill.

In this respect, it is considered that the development is unlikely to be potentially offensive due to the separation distances and this is also the conclusion of the Regional Office of the Department of Environment, Climate Change and Water. An odour assessment would be required, should the application be approved, within 12 months of the commissioning of the facility.

SEPP No. 44 - Koala Habitat Protection

The development site has been largely cleared and it is therefore unlikely that the development would have any impact on koala habitat. There is a strand of Black Box Eucalyptus within 100m of the development site but it is not proposed to clear these and the proposed operations are unlikely to have any impact on koala habitat as the Eucalypt species is not listed in Schedule 2 of the SEPP as a free tree species.

SEPP (Rural Lands) 2007

The Rural Lands SEPP applies to the subject site as it is zoned 1(a) General Rural pursuant to the Wakool LEP.

Clause 7 – Rural Planning Principles

The rural planning principles are as follows:

- (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,*
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,*
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,*
- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,*
- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,*
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,*
- (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,*
- (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.*

The proposed development is not inconsistent with the rural planning principles as it does not involve the use of land that is suitable for agricultural purposes and produces a product (compost) that can be used to improve the productivity of agricultural land.

Deemed State Environmental Planning Policies

Murray Regional Environmental Plan No. 2 – Riverine Land

As of the 1 July 2009, the EP&A Act has been amended, amongst other things, to abolish Regional Environmental Plans (REPs) from the EPI hierarchy. As a result, existing REPs have now become 'deemed' SEPPs. Clause 123 of Schedule 6 of the EP&A Act provides that all deemed SEPPs, which were in force immediately before the relevant commencement day of the Amendment Act, continue to be in force and have effect according to their tenor. Therefore the *Murray Regional Environmental Plan No. 2 – Riverine Land* (Murray REP) and the provisions contained in that plan remain relevant.

The objectives of the plan are to ensure that the riverine environment is not affected by development and that the cultural and natural heritage of the environment is conserved. The proposed development has had to undergo a detailed assessment process which would ensure that the development is consistent with the objectives of the Murray REP.

Clause 10 - Planning Principles

Flooding

The land is located outside of the Moderate flood risk area and within the no flood risk area as identified by Wakool Shire Council.

Land Degradation

The proposal has identified that there is potential for ground water contamination. It is proposed to ameliorate these impacts by providing a compacted pad in which the development will occur. This would provide a surface that has low permeability and therefore reduce the risk of groundwater contamination. The risk of surface water contamination has been addressed above with the development site located outside of any flood prone areas.

The compacted area would also be bunded to ensure that any surface water is not directed within the controlled area.

The EIS has identified that the groundwater is quite vulnerable due to it being relatively shallow and saline. It is proposed to install two piezometers to monitor groundwater quality. The Department of Environment, Climate Change and Water are satisfied with the proposal in terms of reducing contamination risk but will require a more detailed monitoring system that may involve a series of piezometers. This is subject to any Environmental Protection License that will need to be obtained from the Department prior to the operation of the facility.

Water quality

This principle has been adequately addressed by the above comments.

Clause 11 - Planning Requirements and Consultation

The application was notified to the Office of Water, the Department of Environment, Climate Change and Water, the Department of Planning and the Department of Primary industries.

Clause 13 – Planning Control and Consultation Table

The proposal is considered to be a 'rural industry' and is subject to development consent. The application has been referred to the relevant authorities.

Clause 14 – Building Setbacks

There are no proposed buildings and therefore the provisions of this clause are not relevant.

Local Environmental Plan

Wakool Local Environmental Plan 1992

Clause 5 – Definitions

The proposed use of the land as a composting facility does not meet any of the definitions contained in this clause. The LEP does adopt the Model Provisions but these also do not have a specific definition that is consistent with the proposed use. As the Zone table allows any development other than those specifically identified as Prohibited, it is proposed to simply define the development as a composting facility.

The proposed use would also 'fit' into the definition of a rural industry as it treats primary products such as abattoir by-products, citrus pulp and saw dust.

Clause 8 – Zones indicated on the map

The land is zoned General Rural 1(a) in accordance with the Wakool LEP 1992.

Clause 9 – Zone objective and Development Control Table

The proposed development is not inconsistent with the objectives of the zone as it would not have any significant impact on agricultural production and could be operated ancillary to the agricultural use of the land. The development site does not contain any significant habitat and is unlikely to have any impact on indigenous or European heritage.

The proposed use could be defined as a rural industry and is permissible with the consent of Council. A rural industry in accordance with the Dictionary of the Standard Instrument – Principal Local Environmental Plan is;

“rural industry means an industry that involves the handling, treating, production, processing or packing of animal or plant agricultural products, and includes:

- (a) agricultural produce industry, or*
- (b) livestock processing industry, or*
- (c) use of composting facilities and works (including to produce mushroom substrate),*
or
- (d) use of sawmill or log processing works, or*
- (e) use of stock and sale yards, or*
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a*
rural enterprise,
undertaken for commercial purposes”.

Irrespective of whether the facility is defined as a composting facility or rural industry, the use is permissible in accordance with the Wakool LEP 1992.

Clause 23 – Environmentally Sensitive land

The proposed development is not for a purpose that is stipulated within the Clause and does not seek consent to remove any trees or vegetation.

Clause 24 – Flood Liable Land

The development site is not considered flood liable in accordance with information held by Wakool Shire Council and the Department of Environment, Climate change and Water.

Clause 26 and 27 – Heritage items and Development within the vicinity of heritage items

The subject site or adjoin land is not listed as an item of heritage and therefore is unlikely to impact on any items of heritage significance.

Section 79C(1)(a)(i) any draft environmental planning instrument that is or has been placed on public exhibition

There are no draft planning instruments that apply to the site.

Section 79C(1)(a)(iii) any development control plan

Development Control Plan No. 5 – Tree Preservation

The application does not seek consent to remove any trees. The site is largely cleared of any vegetation.

Development Control Plan No. 8 – Notification Policy

The application has been notified to adjoining properties and advertised in the newspaper in accordance with the Regulations required for designated development.

Section 79C(1)(a)(iiia) any planning agreement

None apply.

Section 79C(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purpose of this paragraph)

There are no matters applicable to this application.

Section 79C(1)(b) the likely impacts of the development

Pursuant to Schedule 1 of the EP&A Regulation, this section of the report outlines the environmental impacts of the proposed development and any measures required to protect the environment or lessen the harm to the environment.

The impacts have been identified through an assessment of the proposed development against the provisions of section 79C(1)(b) and the former NSW Department of Urban Affairs and Planning's (nd) *Guide to Section 79C*.

Context and Setting

The development site is within a rural landscape that would not be viewed from the road or any other public location. The site is located approximately 700 metres from Merran Creek; however the development is unlikely to have any effect on the scenic qualities of this riparian corridor.

The existing land use and adjacent land uses are all agricultural in nature and are unlikely to be impacted by the proposed development.

Access, Transport And Traffic

The development proposes approximately 375 incoming truck movements per year which equates to approximately 7 trucks movements per week.

Outgoing trucks are approximately 196 per year (4 truck movements per week) with the remainder of the compost to be distributed over the subject site.

Access to the site is proposed to be limited to 7.00am – 6.00pm weekdays and Saturday 7.00am – 12 noon.

In addition to these movements, there would be approximately two staff with associated light vehicle movements.

The development is therefore likely to generate approximately two truck movements per weekday (11 per week) which is not considered a high volume of traffic movements; however the nature of the vehicles used and the requirement for a certain standard of road would require the road to be upgraded.

Tueloga Road is a class 4(a) collector road and the Swan Hill –Moulamein Road is a class 2 road. The minimum standard for a heavy vehicle traffic is a class 4(a).Tueloga Road is a gravel road that does not currently meet the class 4(a) standard. It would be necessary that the road is upgraded so that it is resheeted with 150mm of good quality gravel, over a 9.0 metre width from the entrance of the property to Stoney Crossing Road (MR 67).

In addition to the required upgrade of the road, Section 94 contributions would be applicable at a rate of \$0.05 per tonne/km. This would equate to an annual contribution of \$2,601.90.

Public Domain

The development would have minimal impact on the public domain as it would not be viewed from any public location and although in relatively close proximity to Merran Creek; the development is considered to be an ancillary agricultural use and would not have any detrimental impact on the public domain.

Servicing

The development would not require to be serviced by utilities such as water, sewer, electricity and telecommunications. The development does require access to a public road and this has been discussed previously.

Heritage

The development site is not known to be significant from a European heritage aspect as there are no listed heritage items or nor surrounding the subject site.

The surrounding locality is considered to be sensitive in terms of Indigenous cultural heritage; however an AHIMS search did not identify any known artefacts.

The Edward and Wakool Rivers Floodplain Management Strategy Stage 4 does identify the locality to be part of an un-named Wetland (No. 12). The strategy carried out by the Department of Land and Water Conservation in July 2000 states that the *“lower Edward-Wakool floodplain is located within a region that had one of the largest Aboriginal populations in Australia and still contains one of the richest and most diverse suites of archaeological sites known”*.

The Strategy also states that the area within the vicinity of the Merran Creek is likely to be significant with regard to old burial sites.

It is therefore proposed to require members of the local aboriginal community, or a professional archaeologist, to be available and present during any construction works of the compost facility to advise if any artefacts are disturbed during construction.

Other Land Resources

The development is unlikely to have any impact on other land resources.

Water

Ground Water

It will be necessary to ensure that the development has minimal impact on the ground water resources of the locality. It is proposed to construct a low permeable pad that would ensure that leachate and any other contaminated water from the proposed composting facilities do not filter through to sub surface water resources.

The composting guidelines prepared by the EPA provide a level of permeability that is suitable for composting facilities. It will be necessary to condition that the compaction pad is constructed to this standard and that the compaction is certified by an engineer. There is an Australian Standard that sets out how compaction levels are to be achieved.

Surface Water

The development site is not known to be subject to flooding in accordance with Council's Flood mapping; however the Edward and Wakool River Floodplain Management Strategy prepared by the Department of Land and Water Conservation indicates that the locality is within an un-named wetland.

Both the Department's and Council's records also indicate that part of the subject (not within the development site) is also prone to flooding. The broad scale mapping of the floodplain management plan does not allow for certainty as to whether the development site is likely to be inundated by a flood event.

It is proposed as part of the application to provide a 0.5m high bund around the site and given the distance to the Creek; this is considered appropriate for dealing with surface water.

Other surface water collected within the contained area during a storm event will be directed to the effluent collection pond where it would evaporate and allow for settlement of nutrients and sediment.

Soils

The impact on soils is a similar consideration to ground water. The proposed development poses a risk to the natural soil profile in terms of nutrient overload and possible contamination. The composting site will have its soil profile protected by the compaction pad and this should also serve to reduce the interaction between the composting material and the site's soil characteristics.

Air And Microclimate

The development has the potential to create air pollution through odour if the facility is not managed properly. A well managed composting facility should not create any significant odour issues and the EIS does examine appropriate buffers to neighbouring houses and the closest town.

The following comments were provided by the Department of Environment, Climate Change and Water (DECCW):

DECCW has reviewed the information provided for Garrison Cattle Feeders, Tueloga Road Composting proposal. The assessment indicates that adverse odour impacts from the composting area are unlikely, provided operations are well managed and consistent with those proposed in the EIS. The separation distances between the feedlot facilities and the nearest receptors are considerably larger than the minimum separation distances calculated in accordance with the requirements for a Level 1 odour impact assessment as specified in DECCW's Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW.

In addition, the proponent has proposed a pad design and management regime designed to minimise odour impacts from these sources.

In order to verify that odour is being adequately managed, DECCW recommends that an odour audit be conducted within 12 months of the commencement of expanded operations and we have included the following relevant conditions in the recommended conditions of approval.

The other source of air emissions pollution (dust) would come from traffic movements and the operation of the composting turning machine. Given the nature of the area and the extent of gravel roads, it is not felt that there is a suitable alternative and it is considered

that the best method of managing dust emissions is to require the shutdown of the facility in windy conditions. The EIS does indicate that water captured within the collection pond can be reused to reduce dust nuisance. It would need to be illustrated how this is proposed to work and can be included as a condition of consent.

Flora And Fauna

The proposed development would have minimal direct impact on the protection and management of critical habitats; threatened species, populations, ecological communities or their habitats as the land is highly disturbed and would appear to have been used for agricultural purposes. It is not likely to create any significant vegetation disturbance or clearance.

The development may increase feral animal activity and weeds in the locality but this can be appropriately minimised by the proper management of the facility. It is considered that given the nature of the material to be utilised; the EIS does not adequately address this issue and further consideration should be given to the control of feral animals and weeds. A condition of consent will be included that requires appropriate measure to deal with this issue.

Solid Waste

The development proposes to collect solid waste and through a composting process provide a recycled and usable product. The development is therefore seeking to reduce the amount of waste generated by other industries.

Effluent Disposal

The EIS provides calculations as to the extent of effluent water generated by the development and it has demonstrated that there would be an overall balance in the generation and disposal of waste water. The EIS also states that these figures are likely to be conservative as it does not account for reuse of water on site.

Stormwater

Stormwater will be treated in two ways as part of the proposed development. Stormwater that falls outside of the controlled area will not be affected by the proposal whereas stormwater within the controlled area will be treated the same as leachate. The analysis of the contaminated stormwater has been discussed above.

Energy

The development would require a certain amount of energy to power the machines and trucks that will assist in the operations. The development process itself is a natural process and would not require any further energy sources.

Noise & Vibration

The development is not expected to generate any noise impacts that would be normally associated with farming practices. The potential noise sources include truck movements and the operation of the composting turning machine. There is sufficient separation from

boundaries to assume that the compost turning machine is unlikely to create a noise disturbance and the truck movements can be controlled by limiting operation hours.

Natural Hazards

The land is not likely to be affected by any natural hazards. The likelihood of the development being affected flooding has been discussed previously in this report.

Technological Hazards

The development is not likely to be at risk from a technological hazard.

Safety, Security And Crime Prevention

Not applicable

Social Impact

As defined by the NSW Government Office on Social Policy, social impacts are significant events experienced by people as changes in one or more of the following are experienced:

- peoples' way of life (how they live, work or play and interact with one another on a day-to-day basis);
- their culture (shared beliefs, customs and values); or
- their community (its cohesion, stability, character, services and facilities).

The proposed development is unlikely to have any impact on the social cohesion of the locality.

Economic Impact

The proposed development may provide some additional employment but is not considered to have any significant economic impacts.

Site Design And Internal Design

The site design is considered appropriate.

Construction

Construction activities have the potential to generate adverse impacts through construction traffic noise, surface water, land degradation and dust.

It is proposed to require a Construction Management Plan that will address possible impacts of the construction.

Cumulative impacts

There are no cumulative impacts that would warrant refusal of the applicant. Those impacts that have been identified can be successfully managed by the imposition of appropriate conditions.

Section 79C(1)(d) any submissions

The development application was publicly advertised and adjoining landowners informed of the proposal in accordance with the EP&A Regulations for designated development. A total of 22 public submissions were received. A summary of the issues raised is provided below:

Issue raised in Submission	Comment	Satisfactorily addressed
Possible Floodplain	Addressed in report. The development site is located outside the floodplain.	Yes
Impact on tourism	Difficult to see the nexus between the proposed development and the impact on tourism. There are many industrial activities that may not be considered appropriate for tourist related activities but they provide economic benefit.	N/A
Cultural significance	This has been addressed in the report and conditioned accordingly.	Yes
Affect on fish habitat	This has been addressed in the report and conditioned accordingly.	Yes
Standard of road	This has been addressed in the report and conditioned accordingly.	Yes
Affect on fauna by attracting predatory animals such as foxes	This has been addressed in the report and conditioned accordingly.	Yes
1080 baiting will affect non target species	The EMP is to be amended to include a more detailed response to pests being attracted to the facility.	Yes
Spillage by trucks (offal and weeds)	A condition has been imposed regarding the covering of loads and the EMP also addresses this issue.	Yes
Soil is sandy and not suitable as impermeable surface	This has been addressed in the report and	Yes

	conditioned accordingly.	
Devaluing property	Property values are not a relevant consideration in accordance with Section 79C of the EP&A Act 1979.	N/A
Recharge area	The locality is within a recharge area; however the proposed method of construction and the environmental precautions proposed would ensure that there is unlikely to be contamination of groundwater.	Yes
Possible water pollution	This has been addressed in the report and conditioned accordingly.	Yes
Odour	This has been addressed in the report and conditioned accordingly.	Yes
Increase pests, disease and weeds	This has been addressed in the report and conditioned accordingly.	Yes
Will there be a compliance regime?	The proposed development requires approval from Council and an EPL from the Department of Environment, Climate Change and Water. There are regular audits as part of the EPL licensing regime	Yes
Impact on rural lifestyle	This has been addressed in the report and conditioned accordingly.	Yes
Downstream contamination	This has been addressed in the report and conditioned accordingly.	Yes
Will it be managed properly?	Not a relevant consideration of this application.	N/A
Previous dumping of offal from Swan hill abattoir	Not a relevant consideration of this application.	N/A
Proximity to Merran Creek	This has been addressed in the report and conditioned accordingly.	Yes
Delivery times	This has been addressed in the report and conditioned accordingly.	Yes

Section 79C(1)(e) the public interest

There are no matters of the public interest that require any further comment.

5. Recommendation

The application has been assessed in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000. The evaluation demonstrates that the proposal is satisfactory in terms of the matters for consideration identified in the legislation.

It is recommended that the proposal be granted conditional development consent.

Gary Bruce
Consultant Town Planner

Mark Williams
Director of Development Services

13 April 2010

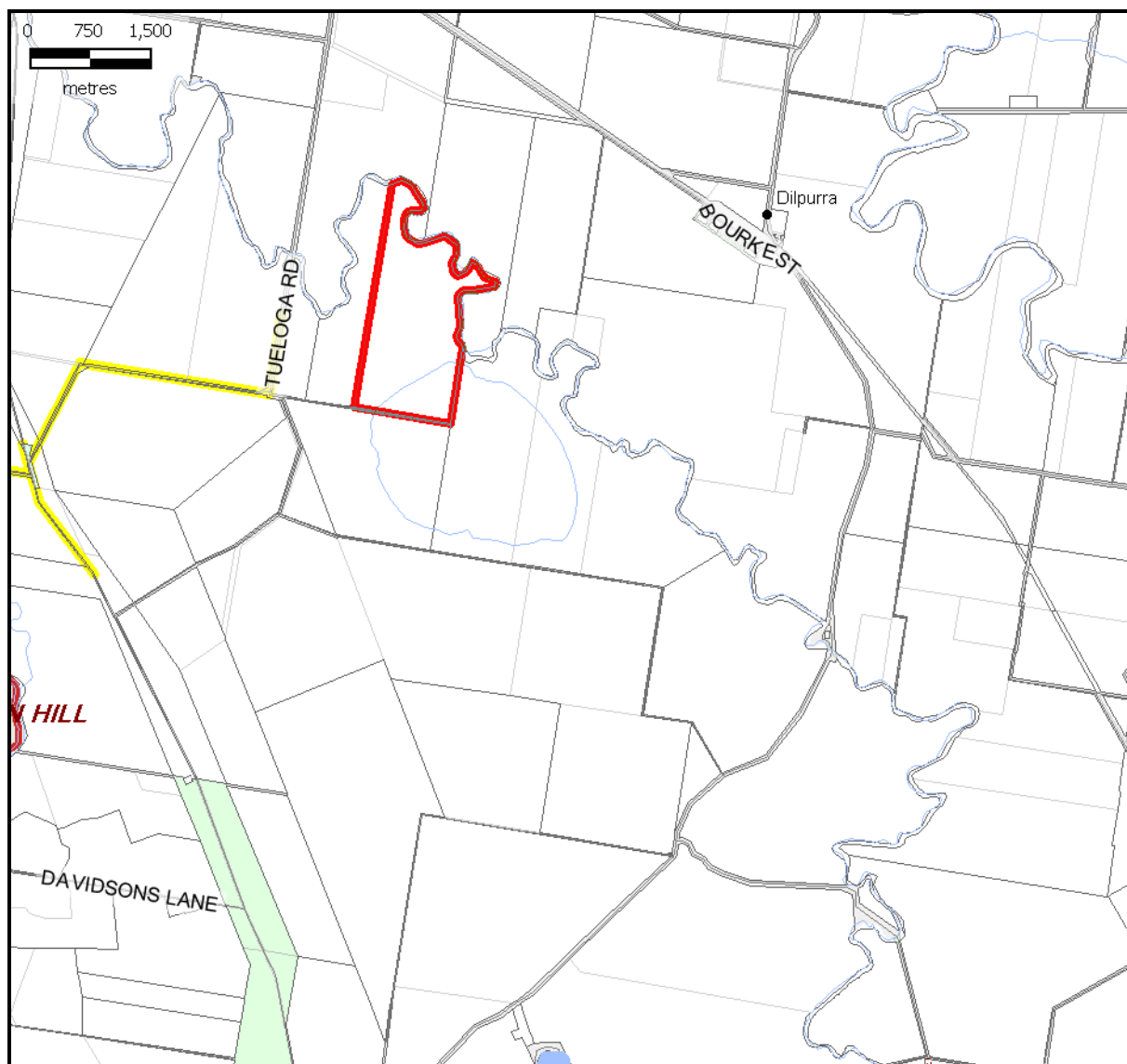
Annexure 1 – Locality Plan

Annexure 2 – Site Plans

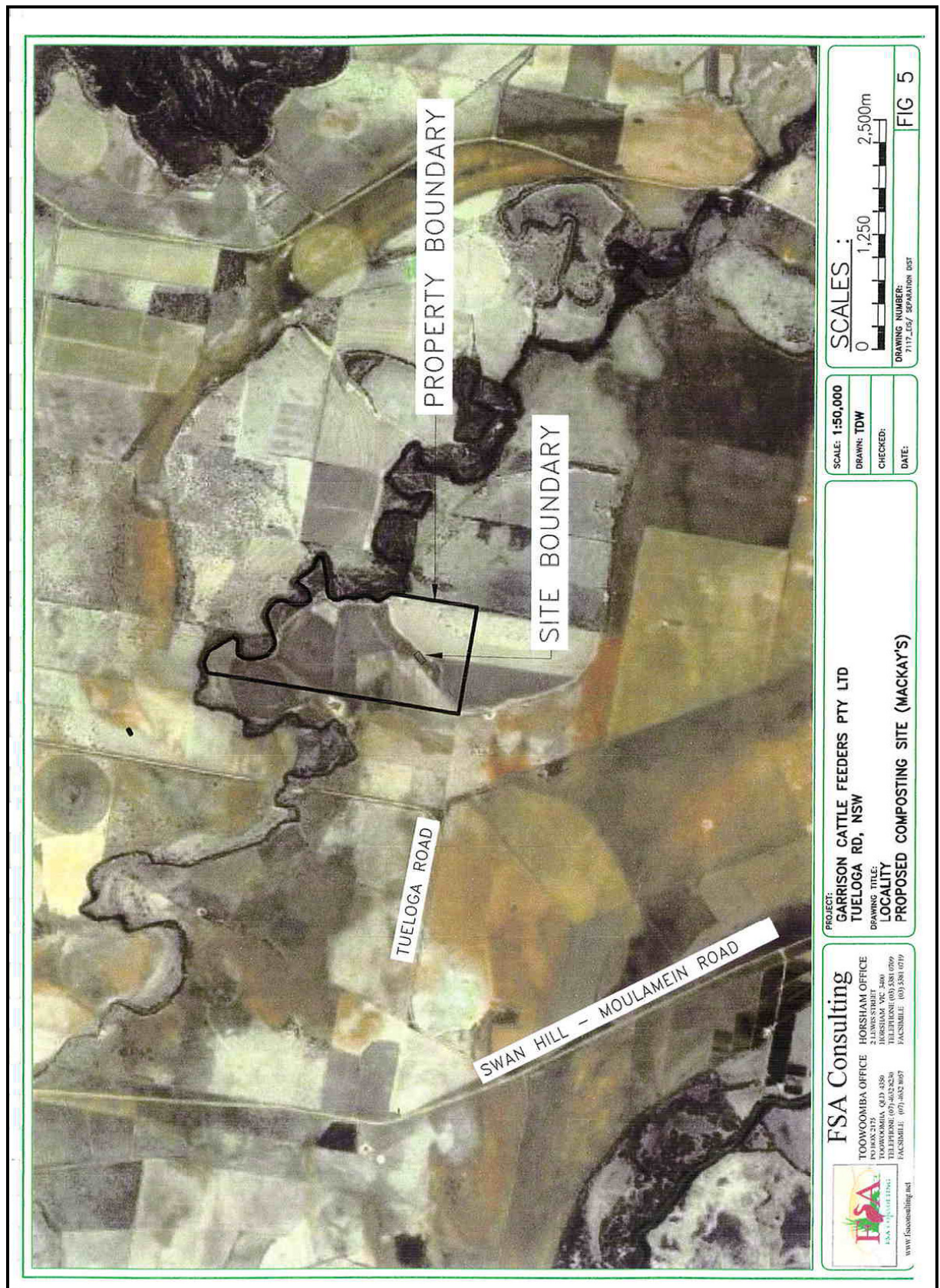
Annexure 3 – Referrals from Council Departments/ Government Agencies

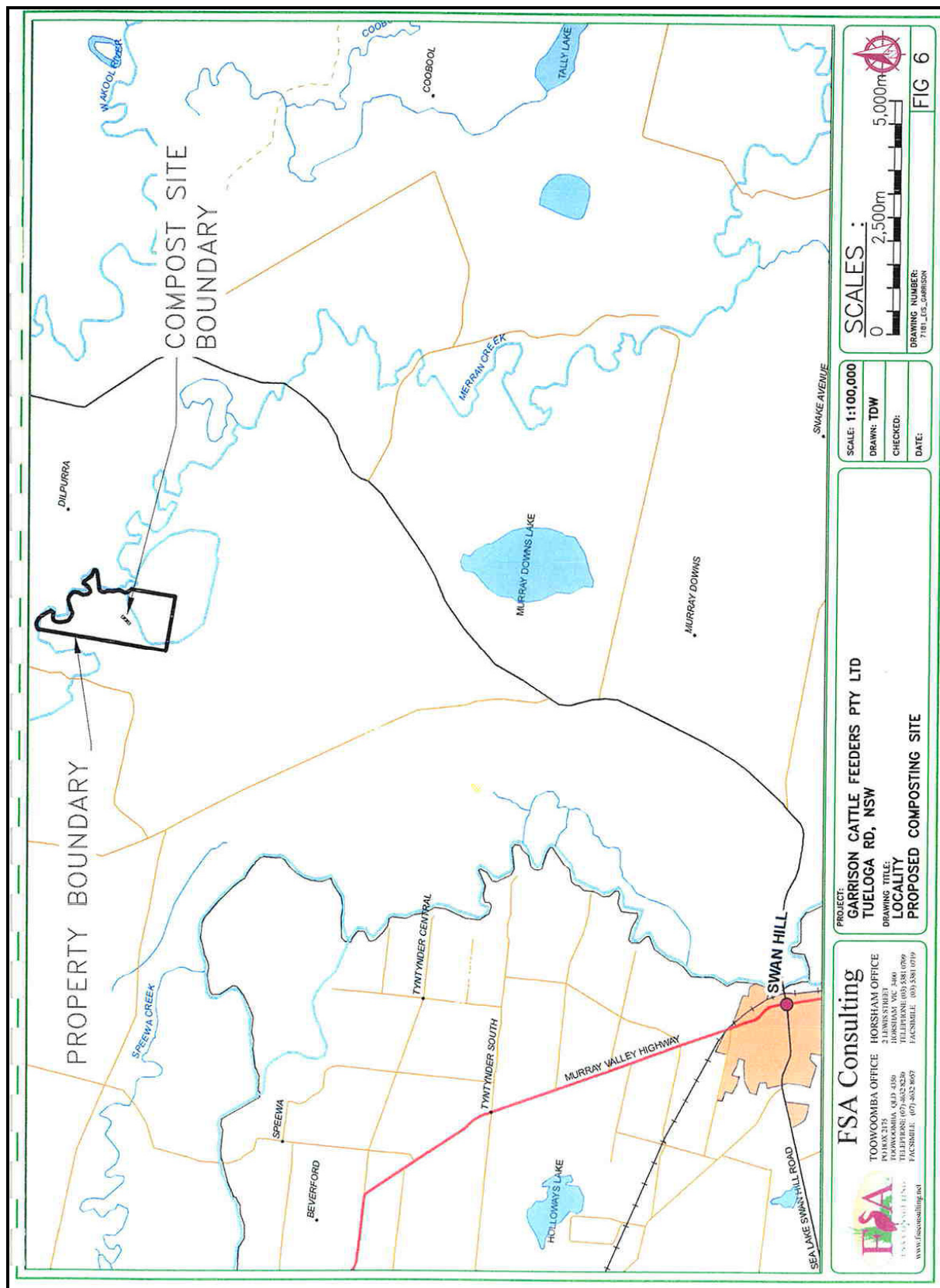
Annexure 4 – Public Submissions

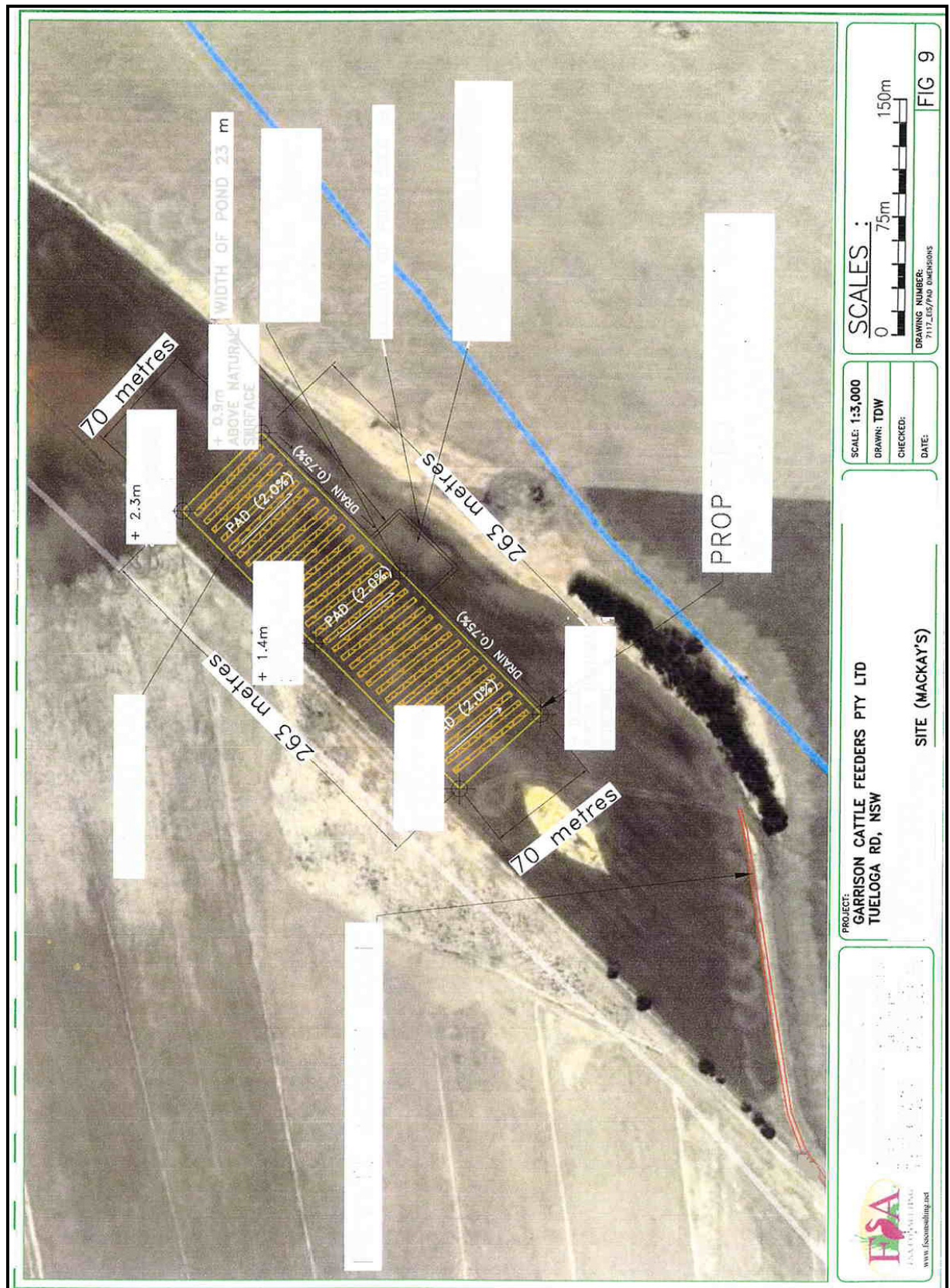
Annexure 5 – Draft Conditions of Consent



Legend		Disclaimer	
<ul style="list-style-type: none"> Wakool Towns Waterways Road Annotation Easements Property Parcel 	<ul style="list-style-type: none"> Aerial - Towns (2006) Aerial - SwanHill (2006) Parcel_unidentified STATE FORESTS OF NSW UNKNOWN STATE RAIL AUTHORITY OF NSW Road (Reserve) 	<p>Contains LPI Information ©The State of NSW, Department of Lands. Reproduced by permission of the Dept. of Lands, NSW Govt..</p> <p>This material may be of assistance to you but the State of NSW, Wakool Shire Council and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or consequences which may arise from your relying on any information contained in this material.</p>	
<p>** Not all layers depicted here are necessarily shown on map **</p>		<p>Contact Wakool Shire: Moulamein Office Tualka Terrace Ph: 03 5887 5007 Fax: 03 5887 5103 Email: mail@wakool.nsw.gov.au Web: www.wakool.nsw.gov.au</p>	







Jacky woolhouse

From: Brian Ebery
Sent: Wednesday, 17 February 2010 12:47 PM
To: Jacky woolhouse
Cc: .Wakool Shire Trim
Subject: Tueloga Road DA 73/09

Jacky,

Please find attached comment re the above.

-The environmental impact statement refers to Tueloga road meeting the min standards for high volume heavy vehicle developments.

The road is unsealed with low quality gravels, and to meet the requirements above would need to be sealed ie to cater for high volume heavy vehicle developments.

-The traffic proposed under the development is not classed as high volume and therefore the road could cater for the traffic, provided it is brought up to an all weather surface which will require a 150mm reheet of good quality gravel, over a 9m width between the entrance to the property and the Stoney Crossing Road (MR 67).

- Little consideration of traffic impacts has occurred. Heavy vehicle traffic volumes will increase by about 20% which is a significant amount.

-Section 94 contributions have been assessed at Councils current charge of 5 cents per tonne/km and at 4.2km of road gives \$2601.90 per annum

Brian

19/02/2010



Office
of Water

WAKOOL SHIRE COUNCIL No:

Received: 19 JAN 2010

Contact: Jane Taylor
Phone: 03 5898 3939
Fax: 03 5881 3465
Email: jane.taylor@dnr.nsw.gov.au

Our ref: 50 ERM2009/1323
File No: 9052980
Your Ref: DA73/09

The General Manager
Wakool Shire Council
Private Bag 40
Moulamein NSW 2733

Attention: Jacky Woolhouse

14 January 2010

Dear Jacky

Re: Designated Development – Tueloga Road, SWAN HILL – Proposed construction of Composition pad and effluent holding pond.

The NSW Office of Water has reviewed documents for the above development application and considers that, for the purposes of the *Water Management Act (2000)* a Controlled Activity Approval is not required and no further assessment by the NSW Office of Water is necessary for one of the following reasons.

- ☒ The proposed works are not occurring on waterfront land (ie land within 40 metres of a river or watercourse) and are not integrated development.
- ☐ The proposed works are exempt from the need to obtain a Controlled Activity Approval under clause 39A of the *Water Management Amendment (Controlled Activities) Regulation 2008*.
- ☐ The proposed works are occurring within an existing building footprint and will be covered by Council's development consent. Therefore the NSW Office of Water has deemed that no Controlled Activity Approval is necessary.
- ☐ The works are occurring on Crown Land and the documents are returned herewith.

The proponent will be required to obtain a license under the *Water Act 1912*, for the installation of piezometers as per the Environmental Impact Statement supplied. Monitoring data is to be supplied to the NSW Office of Water (Albury Office) at 6 monthly intervals, showing the depth to water table and the water quality results.

Should the proposed development be varied in any way that results in 'works' or more extensive 'works' on waterfront land (ie land in or within 40 metres of the highest bank of the watercourse) the NSW Office of Water should be notified.

Further information on Controlled Activity Approvals under the *Water Management Act 2000* can be obtained from the Department's website
<http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx>

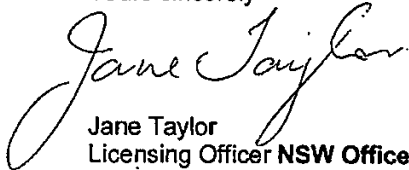
Department of
Environment, Climate Change and Water NSW



2

Please direct any questions regarding this correspondence to Jane Taylor,
jane.taylor@dnr.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink that reads "Jane Taylor". The signature is written in a cursive style with a large, flowing "J" and "T".

Jane Taylor
Licensing Officer **NSW Office of Water**
Licensing South

Notice No: 1112038
LIC10/11-DOC09/60954

**The General Manager
Shire of Wakool
Private Bag 40
MOULAMEIN NSW 2733**

Dear Mr Chapman

**Re: DA 73/09 Garrison Cattle Feeders Pty Ltd Composting Operation at
Tueloga**

I refer to the development application and accompanying information provided for the composting pad and effluent holding pond for Garrison Cattle Feeders Pty Ltd at "Mackay's", Tueloga Road Parish of Coonamit, received by the Department of Environment Climate Change and Water (DECCW) on 22 December 2009. The application encompasses the construction of a composting pad and associated drainage and effluent storage dam.

The DECCW has reviewed the information provided, including public submissions received on 19 February 2010, and has determined that it is able to issue an Environment Protection Licence for the proposal subject to a number conditions. The applicant will need to make a separate application to DECCW to obtain the required licence.

The general terms of approval for this proposal are provided at attachment A. If the Shire of Wakool grants development consent for this proposal these conditions should be incorporated into the consent. Attachment B contains some additional comments which Council may wish to consider.

These general terms relate to the development as proposed in the documents and information currently provided to DECCW. 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 DECCW about the changes before the consent is issued. This will enable DECCW to determine whether its general terms need to be modified in light of the changes.

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

1. Odour; and
2. Composting of Manures and Effluent Irrigation

If you have any questions, or wish to discuss this matter further please contact Frank Robinson at this office by telephoning 02 6022 0608.

Yours sincerely

BRIAN WILD
Head Albury Unit
Environment Protection and Regulation Division

ATTACHMENT A

Administrative conditions

1.1.1.1 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 No 73/09 submitted to Wakool Shire Council on 22 December 2009;
- Environmental Impact Statement, "Mackay's" Composting Site, prepared for Garrison Cattle Feeders Pty Ltd, PO Box 391 Murray Downs NSW 3585 relating to the development; and
- all additional documents supplied to the EPA in relation to the development.

1.1.1.2

1.1.1.3 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.

1.1.2 LIMIT CONDITIONS

1.1.2.1

1.1.2.2 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.

1.1.2.3

1.1.2.4 L2. Load limits

Not applicable.

1.1.2.5

1.1.2.6 L4. Volume and mass limits

Not applicable.

1.1.2.7

1.1.2.8 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.

1.1.2.9

1.1.2.10 L6. Noise limits

L6.1 Noise from the premises must not exceed the relevant levels specified in the NSW Industrial Noise Policy (January 2000)

1.1.3 OPERATING CONDITIONS

1.1.3.1

1.1.3.2 O1. Odour

L7.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

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 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.

L7.2 No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the Protection of the Environment Operations Act 1997.

1.1.3.3

1.1.3.4 O2. Dust

O2.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

1.1.3.5

1.1.3.6 O3. Stormwater/sediment control - Construction Phase

O3.1 An Erosion and Sediment Control Plan (ESCP) must be prepared and implemented. The plan must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities. The ESCP should be prepared in accordance with the requirements for such plans outlined in *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing).

1.1.3.7

1.1.3.8 O4. Stormwater/sediment control - Operation Phase

O4.1 A Stormwater and Effluent Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities.

1.1.3.9

1.1.3.10 O5 Maintaining Waste Water Utilisation Areas

O5.1 Waste water utilisation areas must effectively utilise the waste water applied to those areas. This includes the use for pasture or crop production, as well as ensuring the soil is able to absorb the nutrients, salts, hydraulic load and organic materials in the solids or liquids. Monitoring of land and receiving waters to determine the impact of waste water application may be required by the EPA.

1.1.4

1.1.5 MONITORING AND RECORDING CONDITIONS

1.1.5.1 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.

1.1.5.2

1.1.5.3 M2. Requirement to monitor concentration of pollutants discharged

M2.1 Not required

1.1.6 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.

Mandatory Conditions for all EPA licences

Operating conditions

4.1 ACTIVITIES MUST BE CARRIED OUT IN A COMPETENT MANNER

Licensed activities must be carried out in a competent manner.

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

4.2 MAINTENANCE OF PLANT AND EQUIPMENT

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

Monitoring and recording conditions

5.1 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:
the date and time of the complaint;
the method by which the complaint was made;
any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
the nature of the complaint;
the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
if no action was taken by the licensee, the reasons why no action was taken.
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.

5.2

5.3 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

6.1 ANNUAL RETURN DOCUMENTS

6.1.1 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 Statement of Compliance; and

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.

6.1.2

6.1.3 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, 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 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

in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or

in relation to the revocation of the licence – the date from which notice revoking the licence operates.

6.1.4

6.1.5 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’).

6.1.6

6.1.7 NOTIFICATION WHERE ACTUAL LOAD CAN NOT BE CALCULATED

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:
the assessable pollutants for which the actual load could not be calculated; and
the relevant circumstances that were beyond the control of the licensee.

6.1.8

6.1.9 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.

6.1.10

6.1.11 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.

6.1.12

6.1.13 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.

6.1.14

6.1.15 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, and
- c) 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

8.1 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.

ATTACHMENT B

Odour

DECCW has reviewed the information provided for Garrison Cattle Feeders, Tueloga Road Composting proposal. The assessment indicates that adverse odour impacts from the composting area are unlikely, provided operations are well managed and consistent with those proposed in the EIS. The separation distances between the feedlot facilities and the nearest receptors are considerably larger than the minimum separation distances calculated in accordance with the requirements for a Level 1 odour impact assessment as specified in DECCW's *Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW*.

In addition, the proponent has proposed a pad design and management regime designed to minimise odour impacts from these sources.

In order to verify that odour is being adequately managed, DECCW recommends that an odour audit be conducted within 12 months of the commencement of expanded operations and we have included the following relevant conditions in the recommended conditions of approval.

UX. Odour Audit

UX.1 By a date 12 months from the commencement of the operation the Licensee must submit an odour audit report to the DECCW's Unit Head Murray Region (Albury).

The odour audit report must address the following:

- (a) Benchmark the design and management practices at the Tueloga Road premises against industry best practice for minimising odour. This should include, but not be limited to, effluent application, pond management and feedlot pen management; and
- (b) Using the results of (a), if it is identified that if Tueloga Road does not meet industry best practice standards for odour minimisation in any area of the expanded operations, the report must include:
 - Proposed mitigation works and/or management practices to ensure that odour is minimised as far as is practicable; and
 - A timetable for the implementation of these works.

MX Meteorological monitoring

MX.1 For each monitoring point specified in the table below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency specified opposite in the other columns.

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Temperature @ 2 metres	°C	Continuous	15 minute	AM-4
Temperature @ 10 metres	°C	Continuous	15 minute	AM-4
Wind speed @ 10 metres	m/s	Continuous	15 minute	AM-2 & AM-4
Wind direction @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4
Sigma theta @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4
Solar radiation	W/m ²	Continuous	15 minute	AM-4
Additional requirements - Siting - Measurement				AM-1 & AM-4 AM-2 & AM-4

Ground water monitoring

In consultation with New South Wales Office of Water a network of monitoring bores must be established and maintained around the premises to measure any changes to ground water quality. Reporting the results from these monitoring bores must be made available the DECCW on a quarterly basis. No composting or storage of materials to be composted must occur at the premises until the groundwater monitoring system is in place.

DECCW considers these measures to be feasible and does not consider any further information is required.

WAKOOL SHIRE COUNCIL No:

Received: 21 JAN 2010

Ken Barnes
Crl Balranald Shire
Kyalite Pub
Kyalite
NSW 2734
50382221.

Mr Chris Chapman
General Manager
Wakool Shire Council.

Dear Sir

Re: "Development Proposal" Designated Development as advertised in the Swan Hill Guardian.

Garrison Cattle Feeders, for a Composting Pad and Effluent Holding Ponds, of Lot 100 Tueloga Road. Parish of Coonamit.

I have been approached by a number of downstream residents to raise their concerns with the Wakool Council.

The major anxiety is the possible contamination of the Waterways.

The information as presented to me is:

- 1/. The development is within close proximity to the Merrin Creek.
 - 2/. This land is a flood plane. Last flooded in 1975
 - 3/. What is the design and construction of the holding tanks? The soil is all sand with no clay base.
 - 4/. If the development proceeds what inspection program does the Council, or relevant authority, have to guarantee the purpose of the development is strictly adhered to?
 - 5/. It is generally accepted this location has previously been the site for the dumping of offal from the Swan Hill Abattoirs. If this is the situation, can Council guarantee it will not re-occur?
- The residents have a very real concern if this development is approved and not managed in a proper manner it does have the potential to cause major contamination of the Merrin Creek and Wakool river.

Yours.

Ken Barnes
Crl Balranald Shire Council



DEVELOPMENT APPLICATION RESPONSE FORM

109/4439

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2788

Dear Sir,

RE: NOTIFICATION OF 73/09 DESIGNATED DEVELOPMENT - FOR COMPOSTING PAD &
EFFLUENT HOLDING POND PN LOT 100, DP 788530, TUELOGA ROAD, PARISH OF
COONAMIT OWNED BY GARRISON CATTLE FEEDERS P/L

I / we have considered the proposal before Council, and wish to make the following
comment or lodge an objection as follows:

Please place a tick in the box against that statement that you agree with.

☐

I / we are of the opinion that the proposal will have nil, or only minimal effect
on our premises, and have no objections to the issue of a consent to the
application before Council.

☒

I / we are of the opinion that the proposal will affect my/our premises, or me /
us personally and state that I / we wish to formally object to the proposal as
follows:

As secretary of the Little Murrumbidgee Water Trust
we are concerned about the placement of
this pad & pond on a recognised flood
plain. How high are the retaining walls
planned for the effluent pond and the
surrounds for the composting pad.
We may be in drought now, but floods will come.
Please attach a separate sheet if there is insufficient space for your comments on day -

If you are unclear of the potential effects of the proposal on your premises, please contact
the Moulamein Office for an appointment to discuss this application further. Phone (03)
5887.5007.

Name/s and address of person/s making comment Please print details clearly

Name/s..... Barbara Boyd.....

Address..... Burra Burra R.S.D. Mellool 2734

(Postal)..... V.I.A. Swan Hill 3585.....

Contact details

Phone (At work)..... N/A..... (At home)..... 03 50345238.....

Signature..... B Boyd..... Fax 50345237.....

Dated..... 22-1-2009.....

Signature..... Dated.....

I09/4439

DEVELOPMENT APPLICATION RESPONSE FORM

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2733

WAKOOL SHIRE COUNCIL No:

Received: 28 JAN 2010

Dear Sir,

**RE: NOTIFICATION OF 73/09 DESIGNATED DEVELOPMENT - FOR COMPOSTING PAD &
EFFLUENT HOLDING POND PN LOT 100, DP 756530, TUELOGA ROAD, PARISH OF
COONAMIT OWNED BY GARRISON CATTLE FEEDERS P/L**

**I / we have considered the proposal before Council, and wish to make the following
comment or lodge an objection as follows:**

Please place a tick in the box against that statement that you agree with.

☒

I / we are of the opinion that the proposal will have nil, or only minimal effect
on our premises, and have **no objections** to the issue of a consent to the
application before Council.

☐

I / we are of the opinion that the proposal will affect my/our premises, or me /
us personally and state that I / we wish to formally **object** to the proposal as
follows:

Please attach a separate sheet if there is insufficient space for your comments

If you are unclear of the potential effects of the proposal on your premises, please contact
the Moulamein Office for an appointment to discuss this application further. Phone (03)
5887.5007.

Name/s and address of person/s making comment Please print details clearly

Name/s..... SEAN COLLINS.....
Address..... MELNESS MOULAMEIN RD VIA.....
SEAN HILL.....

Contact details

Phone (At work)..... 0350 340 554..... (At home)..... 0350 340 554.....

Signature..... [Signature]..... Dated.....

Signature..... Dated.....

I09 / 4439

Dear Sir,

I / we have considered the proposal before Council, and wish to make the following comment or lodge an objection as follows:

☒

We are not objecting. Our only request is that the development complies with the E.P.A. and that every effort is made to prevent seepage into the Merriam Creek. We encourage the developer in his efforts to deal with his feedlot issues. We are fortunate to have them in this Shire.

Name/s.....BARBARA REILLY & LINTON REILLY.....

Address..... 268 REILLY'S RD

CORACK via DONALD 3480

Contact details
Phone (At work).....0428 983224.....(At home).....0428 983224.....

Signature.....*Barbara Reilly*.....Dated.....*27-1-10*.....

Signature.....*Zinton Reilly*.....Dated.....*27.1.10*.....

DEVELOPMENT APPLICATION RESPONSE FORM

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2733

Dear Sir,

RE: NOTIFICATION OF 73/09 DESIGNATED DEVELOPMENT - FOR COMPOSTING PAD & EFFLUENT HOLDING POND PN LOT 100, DP 756530, TUELOGA ROAD, PARISH OF COONAMIT OWNED BY GARRISON CATTLE FEEDERS P/L

I / we have considered the proposal before Council, and wish to make the following comment or lodge an objection as follows:

Please place a tick in the box against that statement that you agree with.

☐

I / we are of the opinion that the proposal will have nil, or only minimal effect on our premises, and have **no objections** to the issue of a consent to the application before Council.

☒

I / we are of the opinion that the proposal will affect my/our ~~premises~~, or me / us personally and state that I / we wish to formally **object** to the proposal as follows:

We object to the proposal before Council on the grounds of potential contamination of the downstream waterways through the porosity of the soil and flooding.

Please attach a separate sheet if there is insufficient space for your comments

If you are unclear of the potential effects of the proposal on your premises, please contact the Moulamein Office for an appointment to discuss this application further. Phone (03) 5887.5007.

Name/s and address of person/s making comment *Please print details clearly*

Name/s Albert & Joyce Pollard

Address 91 Coronation Ave
Swan Hill Vic 3585

Contact details

Phone (At work) (At home) 03 50 32 57 48

Signature Albert Pollard Dated 2-2-2010

Signature Joyce Pollard Dated 2-2-2010

DEVELOPMENT APPLICATION RESPONSE FORM

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2733

Received:	109/3438 2010
WAKOOL SHIRE COUNCIL No:	
Received:	3 FEB 2010

Dear Sir,

RE: NOTIFICATION OF 73/09 DESIGNATED DEVELOPMENT - FOR COMPOSTING PAD & EFFLUENT HOLDING POND PN LOT 100, DP 756530, TUELOGA ROAD, PARISH OF COONAMIT OWNED BY GARRISON CATTLE FEEDERS P/L

I / we have considered the proposal before Council, and wish to make the following comment or lodge an objection as follows:

Please place a tick in the box against that statement that you agree with.

☐

I / we are of the opinion that the proposal will have nil, or only minimal effect on our premises, and have **no objections** to the issue of a consent to the application before Council.

☒

I / we are of the opinion that the proposal will affect my/our premises, or me / us personally and state that I / we wish to formally **object** to the proposal as follows:

My first objection to the proposed site is, we (my late husband + I) bought our land for the natural environment, fresh air, bird life, etc, and the outdoor life which will be all gone if this goes ahead.

Please attach a separate sheet if there is insufficient space for your comments

If you are unclear of the potential effects of the proposal on your premises, please contact the Moulamein Office for an appointment to discuss this application further. Phone (03) 5887.5007.

Name/s and address of person/s making comment *Please print details clearly*

Name/s Barbara Hughes
Address 110 Chequer Rd
Quantong Vic 3601

Contact details

Phone (At work) 0427 840215 (At home) 53840215

Signature [Signature] Dated 28-1-2010

Signature _____ Dated _____

The other reasons being
This is far too close to the Merrin Creek,
or any other water way. Because eventually
there would have to be seepage into the
creek. I have seen this myself from the
pasture on the opposite side of my
land, coming out of the banks not over
the top of them, which is seepage from
a long way off.

The smell would be unbearable for everyone
living or around that area within many kms.
As I live in Quantong about 3 kms from a
dairy farm with silage and feed lots the smell
here is very bad at times. Worse when
they spread the manure out on pastures. Also
I have driven past Garrison Cattle's business
many times on the Swan Hill - Moulamein Road
the smell makes you feel sick even when
the car is sealed. People can even smell
the stink in Swan Hill when the wind is
blowing from that direction. So like here
you would not be able to be outside at
certain times.

The site would also attract vermin such as
foxes to the area, which is a big pest already.
The flies would be like here, so bad and
they bite as bad as mosquitoes.
Another reason is carting compost from one
property to the other on the roads with
spillage from trucks. This has already happened
with offal spilt on the road, making roads
unsafe.

Barbara Hughes

DEVELOPMENT APPLICATION RESPONSE FORM

WAKOOL SHIRE COUNCIL No: 109/4439

Received: 05 FEB 2010

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2733

Dear Sir,

RE: NOTIFICATION OF 73/09 DESIGNATED DEVELOPMENT - FOR COMPOSTING PAD & EFFLUENT HOLDING POND PN LOT 100, DP 756530, TUELOGA ROAD, PARISH OF COONAMIT OWNED BY GARRISON CATTLE FEEDERS P/L

I / we have considered the proposal before Council, and wish to make the following comment or lodge an objection as follows:

Please place a tick in the box against that statement that you agree with.

☐

I / we are of the opinion that the proposal will have nil, or only minimal effect on our premises, and have **no objections** to the issue of a consent to the application before Council.

☒

I / we are of the opinion that the proposal will affect my/our premises, or me / us personally and state that I / we wish to formally **object** to the proposal as follows:

Our main concern is the smell
that it will generate.

Please attach a separate sheet if there is insufficient space for your comments

If you are unclear of the potential effects of the proposal on your premises, please contact the Moulamein Office for an appointment to discuss this application further. Phone (03) 5887.5007.

Name/s and address of person/s making comment *Please print details clearly*

Name/s. GRAHAM & JOY SHELDRIK
Address. "REDBANK" MOULAMEIN RD
VIA SWAN HILL 3585

Contact details

Phone (At work) (At home) 0350 346 277

Signature *J. L. Muldrick* Dated 2-2-2010

Signature *J. E. Sheldrick* Dated 2-2-2010

109/4439

DEVELOPMENT APPLICATION RESPONSE FORM

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2733

Received: 05 FEB 2010

Dear Sir,

RE: NOTIFICATION OF 73/09 DESIGNATED DEVELOPMENT - FOR COMPOSTING PAD &
EFFLUENT HOLDING POND PN LOT 100, DP 756530, TUELOGA ROAD, PARISH OF
COONAMIT OWNED BY GARRISON CATTLE FEEDERS P/L

I / we have considered the proposal before Council, and wish to make the following
comment or lodge an objection as follows:

Please place a tick in the box against that statement that you agree with.

☐

I / we are of the opinion that the proposal will have nil, or only minimal effect
on our premises, and have **no objections** to the issue of a consent to the
application before Council.

☒

I / we are of the opinion that the proposal will affect my/our premises, or me /
us personally and state that I / we wish to formally **object** to the proposal as
follows:

*Leaching into Mervan Creek
*Smell
*De-valuing of surrounding
properties

Please attach a separate sheet if there is insufficient space for your comments

If you are unclear of the potential effects of the proposal on your premises, please contact
the Moulamein Office for an appointment to discuss this application further. Phone (03)
5887.5007.

Name/s and address of person/s making comment Please print details clearly

Name/s

Michael Sheldrick

Address

"St Elmo" Via Swan Hill 3585

Contact details

Phone (At work) 0429346216 (At home) 50346216

Signature

M Sheldrick

Dated

3/2/10

Signature

Dated

109/4439

DEVELOPMENT APPLICATION RESPONSE FORM

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2733

Dear Sir,

**RE: NOTIFICATION OF 73/09 DESIGNATED DEVELOPMENT - FOR COMPOSTING PAD &
EFFLUENT HOLDING POND PN LOT 100, DP 756530, TUELOGA ROAD, PARISH OF
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I / we are of the opinion that the proposal will affect my/our premises, or me / us personally and state that I / we wish to formally **object** to the proposal as follows:

- * We are already experiencing ^{unpleasant} odours from that area with whatever is happening currently. Further development will only make this worse. * Increase in flies.
- * Concerned about carcasses being disposed of with possible diseases and the spread of diseases through the water table and run off.
- * this land has been underwater in many floods.
- Please attach a separate sheet if there is insufficient space for your comments*

If you are unclear of the potential effects of the proposal on your premises, please contact the Moulamein Office for an appointment to discuss this application further. Phone (03) 5887.5007.

Name/s and address of person/s making comment *Please print details clearly*

Name/s..... Terry + Lyn Vallance
Address..... "Studley Park" Moulamein Road,
Dilpura

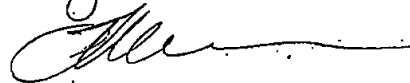
Contact details

Phone (At work)..... 50 32 99 11..... (At home)..... 50 34 62 37

Signature..... Lyn Vallance..... Dated..... 4-2-2010

Signature..... [Signature]..... Dated..... 4-2-2010

- this land has been underwater in many floods → further floods would carry disease and bacterias
- We have north westerly prevailing winds which leave us in direct line to experience awful sterch.
- * Concerned that development will be contained to size specified.

Lyn Vallance


4/2/10

4/2/10

I09/4439

DEVELOPMENT APPLICATION RESPONSE FORM

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2733

Dear Sir,

RE: NOTIFICATION OF 73/09 DESIGNATED DEVELOPMENT - FOR COMPOSTING PAD & EFFLUENT HOLDING POND PN LOT 100, DP 756530, TUELOGA ROAD, PARISH OF COONAMIT OWNED BY GARRISON CATTLE FEEDERS P/L

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☒

I / we are of the opinion that the proposal will affect my/our premises, or me / us personally and state that I / we wish to formally **object** to the proposal as follows:

- * the smell coming from this development will be a continual problem to me as I reside on the prevailing wind side of this development.
- * I am concerned about the breeding ground for flies
- * how can such a proposal be allowed in a flood prone piece of land

Please attach a separate sheet if there is insufficient space for your comments.

If you are unclear of the potential effects of the proposal on your premises, please contact the Moulamein Office for an appointment to discuss this application further. Phone (03) 5887.5007.

Name/s and address of person/s making comment Please print details clearly

Name/s. *Jayne Trotter* *Joyce Trotter*

Address. *Coahool Siding Road*
Dilysia

Contact details

Phone (At work).....(At home)..... *50 346 272*

Signature. *Jayne Trotter*.....Dated..... *4/2/2010*

Signature.....Dated.....

WAKOOL RIVER ASSOCIATION

The Chairman
Mr John Lolicato
"Whymoul"
Barham NW 2732

The Secretary
Mr Marcus Nalder
"Glenbar" via Mallan
Swan Hill VIC 3585

The General Manager
Wakool Shire Council
P O Box 40
Moulamein NSW 2733

6th February 2010.

Dear Chris,

RE: DA 73/09 Composting pad and Effluent pond

At a recent meeting of the Wakool River Association it was unanimously agreed to express our deep concern and oppose the proposed development application for the composting pad and effluent pond on Lot 100.

The main concerns that were expressed were:

- The possibility of leakage into our waterways with the real potential to contaminate a very sensitive eco-system.
- Previous owners confirming the possibility of the site being inundated with floodwater.
- The possibility of spillage whilst being transported to the site.
- The impact on adjoining neighbours especially in regard to odour and flies.
- The possibility of waste escaping the site by foxes and scavenging birds.

We appreciate the opportunity to make a submission on this issue and hope that the Shire will take into account our real concerns when making a decision on the project.

Yours sincerely

John Lolicato
Chairman



WAKOOL SHIRE COUNCIL No:
Received: 08 FEB 2010

President
Mick Burns
0427 323 036

Secretary
Janelle Cousins
0419 032 154

Treasurer
Jason Olney
0428 522 428

Re: Proposed Composting Facility at Mackay's property Garrison Cattle Feeders.

To whom it may concern,

On behalf of the Murray Downs Angling Club I would like submit our concerns regarding this proposal.

Mainly being that this facility will be located very close to one of our local creeks, we would hope that all measures have been taken to make sure that no seepage can make its way into the Merran Creek.

If this was to happen it will be cause a catastrophe to our local fish particularly as this water runs into the Wakool River and then into the Murray River and effectively South Australia's Water supply.

We cant help but wonder if a facility of this nature really needs to be located so close to one of our Waterways.

Regards,

Mick Burns
President

P.O. Box 1524, Swan Hill VIC 3585 - 0439 358 435

109/4439

DEVELOPMENT APPLICATION RESPONSE FORM

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2733

Dear Sir,

**RE: NOTIFICATION OF 73/09 DESIGNATED DEVELOPMENT - FOR COMPOSTING PAD &
EFFLUENT HOLDING POND PN LOT 100, DP 756530, TUELOGA ROAD, PARISH OF
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I / ~~we~~ have considered the proposal before Council, and wish to make the following comment or lodge an objection as follows:

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☒

I / ~~we~~ ^{am} are of the opinion that the proposal will affect my/~~our~~ premises, or me / ~~us~~ personally and state that I / ~~we~~ wish to formally **object** to the proposal as follows:

Please see attached

Please attach a separate sheet if there is insufficient space for your comments

If you are unclear of the potential effects of the proposal on your premises, please contact the Moulamein Office for an appointment to discuss this application further. Phone (03) 5887.5007.

Name/s and address of person/s making comment Please print details clearly

Name/s Joel D. McClelland

Address Residential: "Dandaboo" Bakranald Rd via Swan Hill

Postal: PO Box 1449 Swan Hill Vic 3585

Contact details

Phone (At work) 0447 063 850 (At home) as previous

Signature DMcClelland Dated 8th Feb 2010

Signature _____ Dated _____

Joel McClelland
"Dandaloo"
Balranald Rd Via Swan Hill

Introduction

Having worked in Waste Management for the Victorian State Government, I fully support the establishment of composting facilities that will help reduce waste to landfill. Such facilities, when established in an ecologically sustainable manner and in an appropriate location, for example, Western Composting Technology Pty Ltd at Shepparton which composts Shepparton's green waste, will have minimal impact on the surrounding area, neighbors and the environment.

However, I do have reservations about the location and subsequent consequences of the intended Composting Pad and Effluent Holding Pond proposed by Garrison Cattle Feeders Pty Ltd at "MacKay's", Tueloga Road. "MacKay's" is approximately 5 kilometers north of where I reside on "Dandaloo", Balranald Road via Swan Hill.

"MacKay's" is on the recharge area for the Merran Creek and, in flood times such as 1956 and the mid 1970's was under water. Should flooding occur in the future, this facility, at the current planned location, would create an environmental disaster for the surrounding flora and fauna as well as the Merran and associated rivers such as the Wakool and Murray.

Even under current drought conditions, establishing this facility in its current planned location also threatens the local environment.

Recharge Area

The property currently earmarked for development of a Composting Pad and Effluent Holding Pond, is part of the recharge area for the Merran Creek. The Merran subsequently flows in to the Wakool River and then into the Murray River.

The Environmental Impact Statement provided by Garrison Cattle Feeder Pty Ltd stated that the property "MacKay's" was not suited to agriculture. Having spoken to Tim Betts who farms "Tueloga" and the land on the opposite side of the Merran Creek, the area could never be irrigated because it is a recharge area and the soil very porous. In recharge areas such as this, the unconfined aquifer lacks a confining layer (University of NSW). In NSW, unconfined aquifers are the most important water bearing formation and provide most of the ground water typically used for stock and station supply (University of NSW).

Any seepage / spillage from the planned facility would jeopardise the health of the Merran Creek, Wakool River and the Murray River. A decline in river health in turn, impacts on the survival of native flora and fauna as well as having a social and economic impact on those who live and farm along the water courses.

Joel McClelland
"Dandaloo"
Balranald Rd Via Swan Hill

Land for Wildlife

"Tueloga" owned by Tim and Adele Betts is a close neighbour to "MacKay's", the property in question and the Betts family home is approximately 5 kilometres north of MacKay's.

Eight years ago, Tim and Adele partnered with National Parks and Wildlife Service (NPWS) and the Department of Environment and Conservation (DEC) make their property part of the community based "Land for Wildlife" Program. This is a voluntary program whereby land owners / managers manage areas of wildlife habitat on their properties (Land for Wildlife).

Tim and Adele have planted native trees, fenced off stands of remnant vegetation and maintained records to help conserve and protect wildlife and native vegetation for future generations. Stands of Belah on the Merran Creek opposite MacKay's (and the proposed facility) were fenced approximately 10 years ago to protect them. The Betts family have planted approximately 9,000 native trees forming a corridor between the Merran Creek to the Wakool River.

Any leakage / seepage from the proposed Composting Pad and Effluent Holding Pond could realistically jeopardise the years of work the Betts family has undertaken.

1080 Baiting - Risk to Environment and Wildlife

The Environmental Impact Statement provided by Garrison Cattle feeders Pty Ltd acknowledged that a facility of this type would attract vermin such as foxes and feral cats. Observations of tracks, scats and the removal of abattoir waste would be made and when it was identified that there was a problem, a 1080 baiting program would be undertaken.

1080 baiting is an effective way of reducing fox numbers. While burying baits increases the acceptability by foxes, it also reduces the likelihood of attracting non target species such native wildlife. However, cats which are also highly susceptible to 1080 require the baits be left on the surface (Mallee Parks Management Plan 1996). This increases the risk of poisoning non-target species such birds of prey and some native animals that will be attracted to scavenge around a facility such as this.

As previously mentioned, this facility is planned to be established on a recharge area and therefore 1080 baits should not be used. Under Section 120 of the *Protection of the Environment Operations Act 1997*, "it is an offence for a person to pollute dams, rivers, streams, waterways or drains with 1080 wild dog baits" (Government Gazette No. 130, 2008).

Joel McClelland
"Dandaloo"
Balranald Rd Via Swan Hill

Weeds

Weeds are a major threat to Australian primary production and natural environment. According to The National Weeds Strategy, *"weeds can reduce farm productivity, displace native species and can contribute to land degradation"*.

Stock is sourced both locally and interstate by Garrison Cattle Feeders Pty Ltd to be fattened at the feedlot and by Ashton Pty Ltd to be slaughtered at the abattoirs in Swan Hill. This provides a very real chance that weeds from other areas are being brought in either attached to the animals coats or through food they have consumed.

When trucking the waste to the Composting Facility at MacKay's, there is a very real chance that weed seeds could be spread along the roadsides by dripping from the trucks - the EIS stated that the waste contained much moisture. Spills of abattoir waste, which have already occurred in our area (Swan Hill Guardian 2008) or even an accident could contribute to weed invasion.

While some seeds will grow within a short period of time, others may require fire or flood to germinate and will therefore lay dormant for years until such an event occurs.

Along the Moulamein Road and the Balranald Road, the access route identified in the EIS for delivery of waste to "MacKay's", many areas have been either, revegetated, fenced for protection of flora or identified as significant vegetation areas.

The Wakool Shire has identified "Weed Control Areas", one being at the intersection of the Moulamein and Balranald Roads. Also the area around this intersection has been identified as a "Significant Roadside Vegetation Area". At Murray Downs, the Riverina Lands Protection Board has planted a large number of native trees in the "Charles Peach Plantation". Along the Balranald Road, between the Moulamein and Tueloga Roads, several "Environmental Restoration Areas" have been fenced off as part of the "Roadside Landscape for the Future" the Environmental Trust's program. Further along the Moulamein Road where there is alternative access to "MacKay's" are areas fenced off to protect the flora for collection of seed for the Seedbank.

Many government agencies along with the local community have identified that these areas need to be protected and therefore we do not need an outbreak of exotic weeds to infest our roadside and displace our native plants.

Joel McClelland
"Dandaloo"
Balranald Rd Via Swan Hill

Fauna

During 2003 – 2004, a very comprehensive survey was undertaken throughout the Murrakool area i.e. between the Murray and Wakool Rivers from Barham to Tooleybuc. Rivers and creeks that support healthy native vegetation corridors allow wildlife to move around, encouraging populations to intermix (Herring 2005).

Although not recorded during this study, both the Platypus and Carpet Python have been sighted in this area by local people. The Carpet Python has in fact been sighted on "Tueloga". Species such as the Fat Tailed Dunnart and possibly the Narrow-nosed Planigale have been identified in the Wetuppa area – further up the Merran Creek (Herring 2005).

A total of 11 birds considered threatened in New South Wales were found during this study of the Murrakool area. Significant bird species found around the Merran Creek included the Grey Crowned Babbler and the Diamond Firetail while significant reptiles included the Tessellated Gecko (Herring 2005).

Contamination of groundwater, creeks and rivers from the proposed Composting Pad and Effluent Holding Pond could further endanger these species if they were to drink polluted water. Access direct to the Effluent Holding Pond could also prove fatal. The effect that contamination could have on the trees and shrubs that provide food and habitat for birds, animals and reptiles could further threaten their ability to survive.

The attraction of feral animals to this Composting Pad also places an added pressure on the survival of our native fauna.

Conclusion

I believe the suggested site for a Composting Pad and Effluent Holding Pond proposed by Garrison Cattle Feeders Pty Ltd at "MacKay's", Tueloga Road is inappropriate as the area is a recharge area for the Merran Creek and is on a floodplain. Contamination of ground water would affect the Merran Creek, Wakool River and Murray River. Local farmers have worked hard to create habitat and protect native flora and fauna which would endure heavy losses if the water was to become polluted.

Our part of the Wakool Shire is relatively weed free and large amounts of native seed is produced and harvested by local people for the Seedbank. The introduction of exotic species could displace many of our native species.

Joel McClelland
"Dandaloo"
Balranald Rd Via Swan Hill

We need to manage areas such as the Merran Creek to improve the habitat and increase the wildlife carrying capacity just as the Betts family has done and not develop a facility that could have a detrimental effect on the environment.

References

Commonwealth of Australia (1997) *The National Weeds Strategy – A Strategic Approach to Weed Problems of National Significance*

Conservation Partners Program, Department of Environment and Conservation (NSW), *Land for Wildlife Brochure*

Department of Conservation and Natural Resources, Victoria (1996) *Mallee Parks Management Plan pp 30*

Government Gazette No. 130 (Oct 2008) *Pesticides ACT 1999 pp 9930 –9967*
<http://www.environment.nsw.gov.au/resources/pesticides/2008lcbait1080.pdf>

Herring, M.W. (2005) *Murrakool Wildlife: magnificent diversity, precarious future*. Murrakool Inc., New South Wales

Protection of the Environment Operations Act 1997

Swan Hill Guardian (16th January 2008) *Hunt for Truck*

University of New South Wales <http://connectedwaters.unsw.edu.au/resources>

DEVELOPMENT APPLICATION RESPONSE FORM

Received:

08 FEB 2010 13:39

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2733

Dear Sir,

RE: NOTIFICATION OF 73/09 DESIGNATED DEVELOPMENT - FOR COMPOSTING PAD &
EFFLUENT HOLDING POND PN LOT 100, DP 756530, TUELOGA ROAD, PARISH OF
COONAMIT OWNED BY GARRISON CATTLE FEEDERS P/L

I / we have considered the proposal before Council, and wish to make the following
comment or lodge an objection as follows:

Please place a tick in the box against that statement that you agree with.

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I / we are of the opinion that the proposal will have nil, or only minimal effect
on our premises, and have **no objections** to the issue of a consent to the
application before Council.

☒

I / we are of the opinion that the proposal will affect my/our premises, or me /
us personally and state that I / we wish to formally **object** to the proposal as
follows:

THE PROPOSED DEVELOPMENT LIES BESIDE A LARGE DEFLECTION BASIN IDENTIFIED
AS UNNAMED WETLAND 12 IN THE EDWARD + WAKOOL RIVERS FLOODPLAIN
MANAGEMENT STRATEGY. THIS BASIN FLOODS WITH ALL MODERATE FLOODS
IN THE MERRAN CREEK SYSTEM, THEREFORE POSES A RISK OF CONTAMINATION
TO THE MERRAN CREEK WITH DISEASE RISK TO HUMANS + LIVESTOCK.

Please attach a separate sheet if there is insufficient space for your comments

If you are unclear of the potential effects of the proposal on your premises, please contact
the Moulamein Office for an appointment to discuss this application further. Phone (03)
5887.5007.

Name/s and address of person/s making comment *Please print details clearly*

Name/s M.W. MURRAY
Address BONNIE DOON RSD SWAN HILL

Contact details

Phone (At work) 0428 346220 (At home) 03 50346220

Signature M.W. Murray Dated 5/1/10

Signature _____ Dated _____

DEVELOPMENT APPLICATION RESPONSE FORM

Received:

08 FEB 2010 139

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2733

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on our premises, and have **no objections** to the issue of a consent to the
application before Council.

☒

I / we are of the opinion that the proposal will affect my/our premises, or me /
us personally and state that I / we wish to formally **object** to the proposal as
follows:

OUR MAIN CONCERNS ARE -

- ① THE RISK OF CONTAMINATION TO THE MERRAN CREEK.
- ② THE SMELL AND FLYS THAT COME FROM THIS TYPE OF DEVELOPMENT.
- ③ THE IMPACT ON THE TUELOGA ROAD WHICH WE FEEL
IS ALREADY UNDER SERVICED CONSIDERING THE
VOLUME OF HEAVY VEHICLES THAT USE IT.

Please attach a separate sheet if there is insufficient space for your comments

If you are unclear of the potential effects of the proposal on your premises, please contact
the Moulamein Office for an appointment to discuss this application further. Phone (03)
5887.5007.

Name/s and address of person/s making comment Please print details clearly

Name/s..... MRS. N. M. WILLIAMS.....

Address..... "COMERSDALE" TUELOGA ROAD.....
..... VIA SWAN HILL, 3585.....

Contact details

Phone (At work)..... 03 50340501..... (At home)..... 03 50340501.....

Signature..... M Williams..... Dated..... 6-2-2010.....

Signature..... Dated.....

PLEASE NOTE —

I WOULD LIKE TO POINT OUT THAT
ON THE MAP PROVIDED WITH THIS
APPLICATION THE ROAD YOU HAVE
MARKED AS THE SWAN HILL - MOULAMEIN
ROAD IS ACTUALLY THE SWAN HILL -
BALRANALD ROAD.

Received: 08 FEB 2010
Wakool Forms P/L
PO Box 66
Swan Hill
3585

Wakool Shire Council
Private Bag 60
Moulamein NSW 2733

We the owners of "Apple Tree Point" Tuelooga Rd. adjoining Lot 20 Garrison Cattle for the purpose of composting and a effluent pond, wish to strongly lodge our objections as follows. We would also request a formal meeting with council members at a time convenient to council and other affected residents & community members to discuss this development. Writing a summarized even sanitized version of our objection doesn't convey the sensitivity of this environment which has because of government decisions allowed the almost total destruction of the Meron & Wakool rivers. To allow this continuing development to proceed officially would in the events of accidents!! mismanagement uncontrolled export of high river, would again put these rivers & the ecology again in threat along with the residents & communities from the Meron Wakool into the Murray and on to SA.

4 years ago this block was a reasonable cropping & grazing block (with no improvements) owned by an elderly couple (no retired) it now has had most of the trees removed.

(2)

(We hope with a permit & CMA involvement on monitoring native species) In the last 4 yrs & currently constant heavy grazing has made the land look devoid of life, as stated in the Executive Summary NOT GOOD QUALITY AGRICULTURAL LAND. Our adjoining country is known & benchmarked as the best in the District. This comparison of this intentional damage to Apple Tree Park and surrounding well managed properties is that it now looks like S. T. country. This leads us to our 1st objection & the main one to which will have the biggest effect (excluding environment) is of high financial effect

① Devaluing ours & surrounding property values. I have contacted a real estate person who has indicated that surrounding blocks would reduce in value. Currently mine is worth and valued by a registered valuer at \$1000 per acre to allow this worsened situation to district values & environment is unforgivable. My children will not thank you if they are made to live next to effluent. NEAR IT AT MORRAY DOWNS. We also own property on the hill opposite MD. The smell on days is unbearable even through closed air conditioning systems. we will never be able to develop that property to enhance MD settlement. We don't want to have that same effect where at the moment the

③

environment is recovering from drought & admitted by Mr David Harris that stopping water in the meron & wakool was an experiment gone wrong

Can Council take that risk. Kill an area with the stroke ~~and~~ of a pen

② Damage to current dry weather road. We have already seen & smelt & been engulfed with excessive dust that envelops apple tree house & yards due to the continuing truck to property lot 100 even though formal approval has not been gained. Deliveries to this block happens at night now.

③ This developed as it currently stands can be seen from the road if allowed to continue past history would indicate that the size would grow and grow & grow & grow !!! We are constantly travelling this road from ATP to Cookool Homestead all heavy machinery goes via the made Rd.

④ As we travel frequently I have had to pass and follow trucks from these establishments more offensive are those loads from the abattoirs which was evident - on the occasion that the tail gate opened where finally the load emptied on the road those vehicles that were unfortunate to be using the road at that time ourselves included could not wash off or remove the smell.

(4)

for ages. It was decaying tissue & fluid just what this application is stating that we live next door. It prevents any development on surrounding properties that wish to construct future residences for human habitation. On days of certain wind directions this odour can be smelt from within residences. One of the neighbours has a CF child smelt, airborne particles can pre-empt respiratory problems asthma exacerbations of COPD & distress to a CF child & his family. Before it were it is.

⑤ Flooding. This block has a well known history of flooding in high rivers all locals are aware of this as well as the Dept of Land & Environment. Therefore as always the optimum floods are going to occur in the future as a result this effluent & compost will end at the Merdon to the Wakool into the Murray and onto SA. I have had to watch the bottom end of the Merdon at Wakool River. (where we live) the sheep fish and all that ~~that~~ rely on this water supply & Environment do live, bring up families & make an adequate living. We are not scientists and are not sure ~~exactly~~ what the nutritional value of this effluent but like warm composts. It is known for its good fertilizing

(5)

effect so we assume that this effluent would contain ~~nutrients~~ ^{N & P} which would promote algal bloom if deposited into water systems or allowed to settle in areas of little or no flow.

There are many environmental reasons why we don't want this to proceed but please we beg you all to consider this application as in your backyard with its potential of an environmental disaster not unlike the current disaster that has engulfed our beautiful river systems with poor management, poor supervision of effects of dogmatic arrogance to effects on the environment or its natural & human residents.

We have many questions to ask that are not covered in the application we wish to have these answered eg. who & how often will this be monitored?

Can an application be revoked due to not complying with rules?

Or can money talk pay a fine & go on to do as you please?

Does council have any scientific evidence that this is safe?

(6.)

Does council plan to make this road
Buttress?

Does council plan to reduce my
rates?

Does council have any power to
enforce compliance?

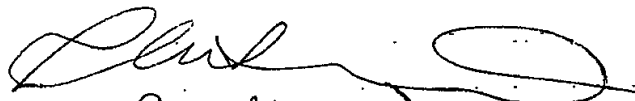
Does council have the power to
have the trees removed to be
replaced?

In conclusion I already have a
block at Murray Downs opposite
that stops up from blocking
a residents due to smell
Don't make it more crucial where
our life style is impacted
because of one.

LEAVE IT WHERE IT IS

Do the right thing
listen to the rate payers
instead of money

On behalf of
G.B. & P.J. MARTIN



Paul Martin

MARKOL FARMS

DEVELOPMENT APPLICATION RESPONSE FORM

08 FEB 2010
109/4439

THE GENERAL MANAGER
WAKOOL SHIRE COUNCIL
PRIVATE BAG 40,
MOULAMEIN, NSW 2733

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RE: NOTIFICATION OF 73/09 DESIGNATED DEVELOPMENT - FOR COMPOSTING PAD &
EFFLUENT HOLDING POND PN LOT 100, DP 756530, TUELOGA ROAD, PARISH OF
COONAMIT OWNED BY GARRISON CATTLE FEEDERS P/L

☒ we have considered the proposal before Council, and wish to make the following
comment or lodge an objection as follows:

Please place a tick in the box against that statement that you agree with.

☐

I / we are of the opinion that the proposal will have nil, or only minimal effect
on our premises, and have **no objections** to the issue of a consent to the
application before Council.

☒

~~I~~ we are of the opinion that the proposal will affect ~~my~~/our premises, or ~~me~~ /
us personally and state that ~~I~~ / we wish to formally **object** to the proposal as
follows:

Attached 6 pages
Being the immediate neighbour to the
North, separated by the Murrumbidgee Creek,
the effect on our business & lifestyle
will be catastrophic.

Please attach a separate sheet if there is insufficient space for your comments

If you are unclear of the potential effects of the proposal on your premises, please contact
the Moulamein Office for an appointment to discuss this application further. Phone (03)
5887.5007.

Name/s and address of person/s making comment Please print details clearly

Name/s... Tim & Adele Betts

Address... "Tueloga" (NSW) RSD. Dillpuma (NSW)
Via Swan Hill

Contact details
Phone (At work) 50346260 (At home) 50346260

Signature... Dated 07-02-10

Signature... Dated 07-02-10

1/.

LAND VALUE

As there will be an obvious deduction in land value, is the Council or EPA prepared to compensate adjoining land-holders to an agreed value?
Is the Council prepared to offer a reduction in rates to the loss of land value?
It is a recognized fact that a drop in land value occurs when a feedlot or composting works are introduced into an area.
The smell, vermin and flies and other insects attracted to the site, make for an unattractive area in which to habitate.

**ECOLOGICAL IMPACT DUE TO LEACHING INTO GROUND WATER
TABLE**

It is common knowledge and a proven scientific fact, that all the ground in the said area is recharge country. Having been tested as to the suitability to grow rice and found unsuitable. There is no clay base or bottom in the ground and all water eventually finds its way back to the creek, where the toxins contained in the raw manure and compost will kill native fish and other precious ecosystems. There are no dams in this area which will hold water.
There have been platypus, pythons and many other near or endangered species sighted recently in the area.
Who will care for the wildlife if we don't?
In February 2009 there was a massive ecological disaster adjoining this very site in the form of a massive native fish kill, which attracted media interest from all across Australia.

ECOLOGICAL IMPACT DUE TO WIND DRIFT

Being so close to the creek on 3 sides all of which will be affected by prevailing winds, it will be impossible to stop the dust of both effluent or compost from being blown into the creek where the toxins held within will kill mammals, fish, the birds that feed on them, precious ecosystems and destroy the environment.

FISH HABITAT

It is currently recognized by both aquaculture scientists, New South Wales Fisheries and fishermen alike, that the Merran Creek is one of the best and most critical breeding streams of native fish within the whole of the Murray Darling Basin. To propose an operation of this sort, within this proximity, given all the factors, is completely out of the question.

2/.

CULTURAL SIGNIFICANCE

If by chance, the site is above flood level, it would definitely be of Aboriginal Cultural Significance.

This area would have been a dry camp-site, in the middle of the flood plain.

IT COULD WELL BE A SACRED SITE.

HAVE LOCAL ABORIGINAL GROUPS BEEN CONSULTED?

HAVE ARCHAEOLOGICAL ASSESSMENTS BEEN CONDUCTED?

RISK DUE TO FLOODING

The previous owner of the site during the 1970 flood years, Mr. McKay is prepared to sign documentation to state that the whole of Lot 100 DP 756530 was at times completely under water. Obviously the site is completely unsuitable. The site may be only a few metres from the Merran creek, but is definitely not above the 1 in 100 year flood level.

Have there been EM 34 surveys conducted of the area?

FLOOD MITIGATION PLAN

The current flood mitigation plan state that this area is below flood level and that no levee is to be erected on this site.

PRECAUTIONS

Any levee or bank that has been constructed anywhere in the world, has at some time been breached,- resulting in ecological catastrophe in almost every case.

How can this development be considered in any way, shape or form in such an important fragile environment?

SHIRE RESPONSIBILITY

Is council prepare to upgrade the Tueloga Road up to B Double standard, at a minimum, to accommodate the extra truck traffic which will be imminent?

3/.

OUT OF SITE, OUT OF MIND

The proposed site is clearly visible from the Tueloga Road. If there are no ecological or environmental drawbacks with such an operation, why is there a need to shift it from its present location from Murray Downs? There is easy access to the site at Murray Downs, causing no problems to the main road. The Tueloga Road is all gravel and sand and becomes extremely dangerous when heavy trucks are continually backwards and forwards during the grain season. Imagine how dangerous it will become once the Garrison trucks are coming and going every day.

One would think its current position would be both more ecologically and commercially viable than the proposed site. Consequently, **LEAVE IT WHERE IT IS!!**

MONITORING

Will both the Wakool Shire and the EPA have open 24 hour access to the site and not have to give notice before right of entry? Will we have a direct line with the authorities to report any problems? Who will monitor the site, and how often?

RIGHT TO FARM

We have been assured that a works of this nature, at this distance, with the prevailing winds and dust drift, we will **LOSE OUR ORGANIC STATUS**. This will effectively bring our enterprise to a close. This will make us financially unviable. Then who will want to buy an organic property with no organic status?

DISEASE STATUS

Currently the Rural Lands Protection Board, in this area have a Johnes Free Status.

As cattle for the said feed-lot, are sourced from all areas of Australia, that feed-lot area must be quarantined. Therefore the effluent from these cattle cannot be considered disease free.

Trucks carrying effluent from the feed-lot to the propose site invariably drop some of the load, even pick up on their truck tyres, along the way. Therefore all properties along the route, should also lose their disease free status.

All movement on or agisting of stock along the stock route will have to cease due to the risk of infection from the spillage.

Any disease outbreak which occurs within the feedlot will bring about the quarantine of the whole of the Rural Lands Protection Area.

This must be considered an **UNACCEPTABLE RISK**.

4/.

QUALITY FAMILY LIFE

Where is our right to bring up our family in a peaceful, clean, healthy rural environment? The stench that we already have had to endure in the past has restricted us from carrying out normal family activities. Simple BBQ's or a fishing trip to the creek has been completely out of the question due to the intense stench, which leaves you feeling nauseous and overwhelmed.

Our children's friends and our friends when asked to visit have declined and invited us to their properties instead where the air is clean and clear and quality of life is better.

This, after just a few tonnes of effluent being dumped on the site.

One can only shudder at the thought of perhaps several HUNDRED OF THOUSANDS tonnes of effluent being dumped.

The overwhelming presence of stench must affect ones overall health, both mentally and physically.

WATER QUALITY

The Merran Creek is a tributary of the Wakool River. The Wakool River then picks up the out flow of the Edwards River before emptying into the Murray River.

Both the Edwards and the Murray River are major stock and domestic carries for Northern Victoria and Western New South Wales and are the Majority suppliers for all domestic supplies within South Australia.

The risk of contamination into the Merran Creek and the imminent flow-on which will effect a vast percentage of Australians is far too great.

The risk of contamination directly through drinking and contact.

By entering the food chain through ingestion by animals.

The risk through consumption of agricultural produce, (fruit and vegetables).

IMPACT ON TOURISM

Currently the major percentage of income into the Shire of Wakool through Tourism is via amateur fishing. The closure of these water- ways due to contaminant leaching of toxins into the creek and affecting flow on would effectively spell the death of the tourism industry, if by **nothing else but bad press**.

The flow-on affect of this would be catastrophic.

5/.

WIND DRIFT

Not only manure is contained within this waste. On a recent visit to observe Garrison Feeders current composting operations it was noted the myriad of plastic, plastic bags, cardboard and other non organic matter, distributed amongst and invariably blowing away from the site.

It will be impossible to stop this waste from finding its way into the creek and surrounding properties.

Also noted, were the vast number of scavenging birds, crows, hawks and kites, seen darting into the waste and recovering small tippets.

How will these birds be stopped from dropping this waste into neighbouring properties and into the creek?

One can only wonder, what **were** these tippets?

AERIAL SATELLITE RECORDS

The area in question has only been cleared of all native vegetation in the last 4 years. Prior to this, the area was prime grazing and cropping land. This area was once a haven for native ground dwelling mammals and birds. Presumably, there **were** permits to clear this area??

COMPOSTING OF OFFAL

The application to compost offal and dead animal carcasses, both from the feed-lot and abattoir based in **Victoria** in such an ecological fragile area and so close to permanent water ways is completely out of the question.

Will the Wakool Shire Council and Environmental Protection Authority be issuing permits for dead stock and abattoir offal to be transferred into the state and shire areas?

Will we have a continual trail of offal and waste from the Swan Hill Abattoirs to the Tueloga Road site as we have had in the past?

6/.

STATEMENT

As you are aware, both Wakool Shire and the Environmental Protection Authority, already have issues with Garrison Cattle Pty. Ltd., due to noncompliance. As these issues have been and are ongoing, it is reasonable to assume that the same management will operate in the same way at the proposed site, Lot 100 DP 756530.

Upon viewing the "Environmental Impact Statement", it was noted that a **disclaimer** was attached.

One will therefore assume that Wakool Shire Council, EPA, Fisheries departments, NSW office of Water, Murray CMA, Aboriginal Historians and all other Environmental Groups will have to carry out their own "Environmental Impact Statements" to get a true over view of the proposed site.

Therefore due to the fragility and ecological importance of the surrounding environment coupled with all other influencing factors, the proposed development is an ecological and environmental disaster waiting to happen. It must be considered too great a risk to proceed.

Tim and Adele Betts and family,
"Tueloga" Tueloga Road,
Dilpurra NSW 2733

PO Box 85
Swan Hill 3585

02.02.2010

Mr Chris Chapman
General Manager,
Wakool Shire
Box 40
Moulamein 2733

Re: waste dump in the Merran Wakool area.

Dear Sir,

It has been brought to my attention that an application has been written to your Shire for the granting of a permit for a waste dump to be established in this area.

I am strongly opposed to such a dump.

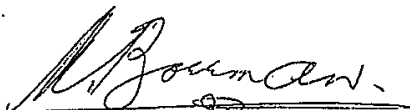
I lived on a property, Glenleigh, during the 1955-56 floods and most of this country went under water.

Could you imagine the stench the surrounding properties would have to suffer and also the potential health hazard of such a dump. Apart from any flood happening the discomfort and stench in the area would make it impossible to live there.

Perhaps the Shire could give consideration to excavating an area near the abattoirs for waste burial purposes.

Please give this your utmost consideration when this is before Council.

Your sincerely,



Marjorie Borrman

"Karina" RSD.

Balranald Road.

Via Swan Hill, Vic. 3585.

RE: Proposed development of composting pad & effluent
holding pond on Lot 100, DP756530, Parish of Coonamit.

Dear Sir,

I am writing to lodge an objection to the proposal. I live sixteen kilometres from Swan Hill on the Swan Hill-Balranald Road, approximately five kilometres from the proposed site.

Garrison Cattle Feedlot and Swan Hill Abattoir have grown from small operations causing little impact on the people and environment of the area, to large operations which are creating problems which need to be addressed.

I do not agree that the proposed site is suitable. The proposed site is on floodplain and flooded in the years 1956, 1974, 1975 and also in the late 1980's. Shifting the problem is not a solution, the problem needs to be fixed.

I would like to say that I agree with the concept of composting the by-products from the abattoir and feedlot, but it needs to be done at a site well above flood level. I consider the proposal will cause an environmental mess if it goes ahead. It is always better to do something properly from the outset, not try and fix a problem after it has occurred. This is really a function of poor siting of the abattoir and feedlot.

I noticed in the proposal that purchasing a suitable site is ruled out due to cost. If the businesses cannot bear the cost of doing business, but instead rely on neighbours and the environment to bear the cost, then those businesses need to be shut down.

Some reasons for my objection are;

- (1) The site is floodprone.
- (2) It will have a detrimental impact on neighbours.
- (3) It will have a detrimental impact on the environment.

- (4) It will degrade land values.
- (5) Possible risk from diseases of livestock.
- (6) Risk of spillage during waste transport.
- (7) Contaminating another area instead of fixing the problem on site.
- (8) The best solution should be employed, not the least cost option.

Yours sincerely,

Gerald O'Loughlin.

A handwritten signature in cursive script, reading "G. O'Loughlin".

8th Feb. 2010

Nick Martin and Amy Wilkinson
Appletree Park, Tueloga Road
P.O. Box 1857
Via Swan Hill, VIC 3585

8/02/2010

Wakool Shire Council
General Manager
Private Bag 40
Moulamein NSW 2733

To the General Manager,

Re: Objection to the proposal of an Effluent Holding pond and composting site on Tueloga Road, Coonamit.

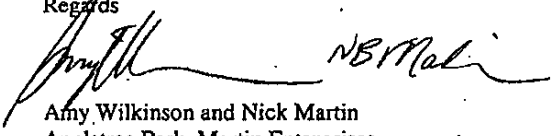
Our property, 'Appletree Park', is located on the South West end of Tueloga Road (just off the Balranald Stoney Crossing Road). We are approximately 25kms from the township of Swan Hill and the most direct route to the proposed effluent site. Our North boundary fence backs onto Mr Woodward's property.

Our concerns or objections to this proposal are

- Increased heavy vehicle traffic on a 'Dry Weather Road' only. This road receives very little maintenance and becomes almost impassable in wet conditions. When it's dry, heavy sand on the road makes the surface also dangerous in places to drive on. We are frequent users of this road for moving between our farming properties. We have also had to pull heavy vehicles off the road with tractors that have become bogged in wet conditions.
- Three of the properties we farm receive water from the Merran Creek and Wakool River down stream of the proposed site. With the proposed ponds being built on a flood plain the concern is for leaching into underground water sources which feed these water ways and potential water contamination. In the event of a flood this concern would be even greater with a high risk of materials potentially entering the water courses.
- Our concern is also with what products are being composted. If livestock guts, contents and carcasses continue to be moved onto the property for composting there will be an increase in vermin such as foxes and feral cats. This will impact on native fauna and also neighbouring livestock enterprises.

We hope you consider all objections carefully before making your final decisions and that rationale is made as to the many impacts this facility will have on the local farming community. Times are tough in our area as it is, this may just be the tipping point for some very fragile people.

In anticipation of an objection
Regards


Amy Wilkinson and Nick Martin
Appletree Park, Martin Enterprises

APPROVED PLANS

1. Development is to be carried out generally in accordance with the Environmental Impact Statement prepared by FSA Consulting titled 7117_EIS_Mackay's_2 September 2009, except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

CONDITIONS RELATED TO THE PROPOSED CONSTRUCTION WORK

These conditions are provided to ensure that the construction site is maintained in a suitable manner and in the accordance with the relevant requirements.

2. Toilet facilities are to be provided at or in the vicinity of the nominated work site and for this purpose provide an approved sewage management facility.
3. A Construction Management Plan is to be submitted to Council for approval prior to works commencing and shall outline the following:
 - The adoption of appropriate soil erosion control measures. This would include techniques such as minimising the area of disturbance at any given time, diverting clean runoff away from disturbed areas, treatment of dirty runoff using sediment traps and filters installed to engineering design standards and rehabilitating disturbed areas as soon as practicable following construction;
 - Preparation and implementation of a traffic management plan during construction works;
 - All plant and equipment would be operated and maintained in accordance with the manufacturer's specifications;
 - Works would be undertaken in accordance with the standard daytime hours recommended by the Environment Protection Authority: that is, 0700-1800 Monday to Friday and 0800-1300 on Saturday, with no works on Sunday or Public Holidays. Any variation to these hours would first be negotiated in consultation with adjoining landowners;
 - Construction drawings of the proposed compaction pad and effluent collection pad that have been designed in accordance with the conditions of consent and the guidelines *"Composting and Related Organics Processing Facilities"*, published by NSW Department of Environment and Conservation.
 - Details of the proposed vehicular access arrangements to the composting facility in accordance with condition 7.
4. The composting pad and effluent collection pad shall be compacted in accordance with the relevant Australian Standard (AS 3798-1996 or any other more suitable Standard).
5. If any aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately and the local aboriginal community and National Parks and Wildlife Service are to be notified. In this respect, it is advised that a member/s of the local aboriginal community or a professional archaeologist is to be

onsite during construction works to ensure that no indigenous artefacts are destroyed.

NOTE: This may require a permit under Section 87 of the National Parks and Wildlife Act

6. All disturbed areas are to be stabilised through the saving of topsoil during disturbance and its later respreading and establishment of vegetative cover.

SURFACE WATER CONTROLS

These conditions are provided to ensure that the facility site is designed and maintained in a manner that will prevent the contamination of surface water in accordance with the guidelines *"Composting and Related Organics Processing Facilities"*, published by NSW Department of Environment and Conservation.

7. The facility must be designed to prevent surface water from mixing with the compost material received, processed and the final products, process residuals and contaminated materials stored at the premises.
8. The compaction pad is to be provided with a designated access point that is designed to ensure that surface water does not enter the controlled area and leachate/surface water from within the compaction pad cannot escape. Details are to be provided with the Construction Management Plan.
9. All stormwater that enters the bunded compaction area must be drained to the effluent collection pond in the same manner as leachate.
10. The proposed effluent collection pond is to be designed and constructed in accordance with the following characteristics:
 - Capable of collecting all surface water generated from 1 in 10 year, 24 hour period storm event without overflowing.
 - The pond liner shall consist of at least 900mm of recompacted clay with an insitu permeability (K) of less than 10^{-9} ms^{-1} .
 - A flexible membrane liner (FML) of permeability (K) for water of less than 10^{-14} ms^{-1} shall be laid over the pond liner. The FML shall have an equivalent desired working life of the collection pond and have a minimum thickness of 1.5mm.

The design details of the effluent collection pond along with calculations shall be submitted to Council for approval prior to the commencement of work.

GROUND WATER CONTROLS

These conditions are provided to ensure that the facility site is designed and maintained in a manner that will prevent the contamination of groundwater water in accordance with the guidelines *"Composting and Related Organics Processing Facilities"*, published by NSW Department of Environment and Conservation.

11. The proposed compaction pad is to be designed and constructed in accordance with the following characteristics:

- A clay or modified soil liner consisting of at least 600mm of recompacted clay with an insitu permeability (K) of less than 10^{-7} ms^{-1} . Such liners are to be placed in successive layers up to 300mm uncompacted thickness. Each underlying layer should be scoured to prevent excessive permeability due to the lamination, OR;
- A natural geotechnical barrier that is proven by competent geotechnical investigations to provide a secure barrier between the groundwater, soil and substrata and the composting organics, equivalent to the 600mm recompacted clay above, OR
- A concrete or asphalt cement pad of a thickness of at least 100mm, designed to withstand the loads from all machines, vehicles and equipment that are required to operate the facility.

The design details of the effluent collection pond shall be submitted to Council for approval prior to the commencement of work as part of the Construction Management Plan.

ACCESS

These conditions are imposed to ensure that there is adequate and reliable access to the development site.

12. The internal access road to the facility should be designed for an articulated vehicle.
13. All vehicles entering or leaving the site and carrying a load that may generate dust shall be covered at all times, except during loading and unloading. Any such vehicles shall be covered or enclosed in a manner that will prevent emissions of dust from the vehicle at all times.
14. The driveway is to have a minimum width of 8 metres sufficient to allow manoeuvring access and is to be constructed with a suitable all weather material and must be maintained in a satisfactory condition at all times.
15. All vehicles to enter and leave the site in a forward direction at all times.
16. Tueloga Road is to be upgraded to the following requirements. The road is to be upgraded from the entrance of the property to Stoney Crossing Road (MR 67) so that it has the following characteristics:
 - Resheeted with 150mm of good quality compacted gravel, material equivalent to class 3 crushed rock.
 - Width of 9.0 metres;

GENERAL CONDITIONS RELATING TO THE ONGOING OPERATION OF THE DEVELOPMENT

17. The working surfaces, including the incoming organics, final product, process residuals, contaminated material storage areas, the active composting pad and access roads, must be able to support all structures, machinery and vehicles as applicable and allow access to any utilised part of the processing site, irrespective of the weather conditions; vehicles may include:
 - a) transport vehicles,
 - b) mobile equipment used in all phases of all the processes on the site,
 - c) fire fighting vehicles and equipment.

18. The facility shall be operated in accordance with the guidelines "*Composting and Related Organics Processing Facilities*", published by NSW Department of Environment and Conservation, or any equivalent guideline that is taken to supersede the aforementioned guideline.
19. The proposed composting operations, including storage of raw material and the final product, shall not operate outside of the controlled area. The controlled area is considered to be the compaction pad and effluent collection pond that has been designed to prevent pollution of the subsoil, groundwater and surface water.
20. Where required by the Protection of the Environment Operations Act 1997, an Environmental Protection License is to be obtained in association with the approved development. The provisions of this license are to be taken as conditions of this consent. Where there is a conflict between the provisions of this consent and those of an Environmental Protection License associated with the development, the more onerous requirement shall prevail.
21. The operator shall ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent and the Environmental Management Plan contained in the Environmental Impact statement (EIS).
22. The operator shall be responsible for the environmental impacts resulting from the actions of all persons on the site, including any visitors.
23. All operational activities at the premises are restricted to the following times:
 - a) 7:00 am to 6:00 pm Mondays to Fridays;
 - b) 8:00 am to 1:00 pm on Saturdays; and
 - c) at no time on Sundays and Public Holidays
24. The operator shall ensure no offensive odours at nearby receivers in accordance with section 129 of the *Protection of the Environment Operations Act 1997*, except in an emergency.
25. All practicable measures are to be taken to ensure that either materials stored on-site for the purpose of composting, or the final composted product does not unintentionally leave the site or otherwise become wind or water borne.
26. Section 94 contributions (haulage routes) are applicable to the proposed development in accordance with Council's Section 94 Developer Contributions Plan at a rate of \$0.05 per tonne/km. This would equate to an annual contribution of \$2,601.90 and is subject to CPI.

Contributions shall be submitted to Council at the end of every financial year.

PRIOR TO USE OF THE SITE FOR COMPOSTING ACTIVITIES

27. Engineer's certification of the proposed compaction pad and collection pond shall be submitted to Council detailing that the prescribed permeability has been achieved.

28. The Environmental Management Plan (EMP) shall be revised prior to the operation of the facility and submitted to Council for approval. The revised EMP shall address pest control and weed management. The specific issues that require further clarification:
- Ensuring that predatory animals and pest (foxes) are not attracted to the facility and methods of dealing with this issue should it become a problem;
 - Management of weeds and disease that can be carried by the delivery trucks to the site.
29. Details of the proposed reuse of waste water on the composted material are to be provided with the revised EMP. The revised EMP shall be approved by Council.
-

General Terms of Approval – Department of Environment, Climate Change and Water

Administrative conditions

1.1.1.1 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 No 73/09 submitted to Wakool Shire Council on 22 December 2009;
- Environmental Impact Statement, “Mackay’s” Composting Site, prepared for Garrison Cattle Feeders Pty Ltd, PO Box 391 Murray Downs NSW 3585 relating to the development; and
- all additional documents supplied to the EPA in relation to the development.

1.1.1.2 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.

1.1.2 LIMIT CONDITIONS

1.1.2.1 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.

1.1.2.2 L2. Load limits

Not applicable.

1.1.2.3 L4. Volume and mass limits

Not applicable.

1.1.2.4 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.

1.1.2.5 L6. Noise limits

L6.1 Noise from the premises must not exceed the relevant levels specified in the NSW Industrial Noise Policy (January 2000)

1.1.3 OPERATING CONDITIONS

1.1.3.1 O1. Odour

L7.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

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 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.

L7.2 No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the Protection of the Environment Operations Act 1997.

1.1.3.2 O2. Dust

O2.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

1.1.3.3 O3. Stormwater/sediment control - Construction Phase

O3.1 An Erosion and Sediment Control Plan (ESCP) must be prepared and implemented. The plan must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities. The ESCP should be prepared in accordance with the requirements for such plans outlined in *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing).

1.1.3.4 O4. Stormwater/sediment control - Operation Phase

O4.1 A Stormwater and Effluent Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities.

1.1.3.5 O5 Maintaining Waste Water Utilisation Areas

O5.1 Waste water utilisation areas must effectively utilise the waste water applied to those areas. This includes the use for pasture or crop production, as well as ensuring the soil is able to absorb the nutrients, salts, hydraulic load and organic materials in the solids or liquids. Monitoring of land and receiving waters to determine the impact of waste water application may be required by the EPA.

1.1.4 MONITORING AND RECORDING CONDITIONS

1.1.4.1 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

1.1.4.2 M2. Requirement to monitor concentration of pollutants discharged

M2.1 Not required

1.1.5 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.

Mandatory Conditions for all EPA licences

Operating conditions

3.1 ACTIVITIES MUST BE CARRIED OUT IN A COMPETENT MANNER

Licensed activities must be carried out in a competent manner.

This includes:

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

3.2 MAINTENANCE OF PLANT AND EQUIPMENT

All plant and equipment installed at the premises or used in connection with the licensed activity:

- must be maintained in a proper and efficient condition; and

- must be operated in a proper and efficient manner.

Monitoring and recording conditions

4.1 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:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.
- 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.

4.2 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

5.1 ANNUAL RETURN DOCUMENTS

5.1.1 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 Statement of Compliance; and
- 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.

5.1.2 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,

- 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

- 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 in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or in relation to the revocation of the licence – the date from which notice revoking the licence operates.

5.1.3 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').

5.1.4 NOTIFICATION WHERE ACTUAL LOAD CAN NOT BE CALCULATED

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:

- the assessable pollutants for which the actual load could not be calculated; and
- the relevant circumstances that were beyond the control of the licensee.

5.1.5 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.

5.1.6 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.

5.1.7 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.

5.1.8 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, and
- c) 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

7.1 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.

UX. Odour Audit

UX.1 By a date 12 months from the commencement of the operation the Licensee must submit an odour audit report to the DECCW's Unit Head Murray Region (Albury).

The odour audit report must address the following:

- (a) Benchmark the design and management practices at the Tueloga Road premises against industry best practice for minimising odour. This should include, but not be limited to, effluent application, pond management and feedlot pen management; and

(b) Using the results of (a), if it is identified that if Tueloga Road does not meet industry best practice standards for odour minimisation in any area of the expanded operations, the report must include:

- Proposed mitigation works and/or management practices to ensure that odour is minimised as far as is practicable; and
- A timetable for the implementation of these works.

MX Meteorological monitoring

MX.1 For each monitoring point specified in the table below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency specified opposite in the other columns.

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Temperature @ 2 metres	°C	Continuous	15 minute	AM-4
Temperature @ 10 metres	°C	Continuous	15 minute	AM-4
Wind speed @ 10 metres	m/s	Continuous	15 minute	AM-2 & AM-4
Wind direction @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4
Sigma theta @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4
Solar radiation	W/m ²	Continuous	15 minute	AM-4
Additional requirements - Siting - Measurement				AM-1 & AM-4 AM-2 & AM-4

Ground water monitoring

In consultation with New South Wales Office of Water a network of monitoring bores must be established and maintained around the premises to measure any changes to ground water quality. Reporting the results from these monitoring bores must be made available the DECCW on a quarterly basis. No composting or storage of materials to be composted must occur at the premises until the groundwater monitoring system is in place.