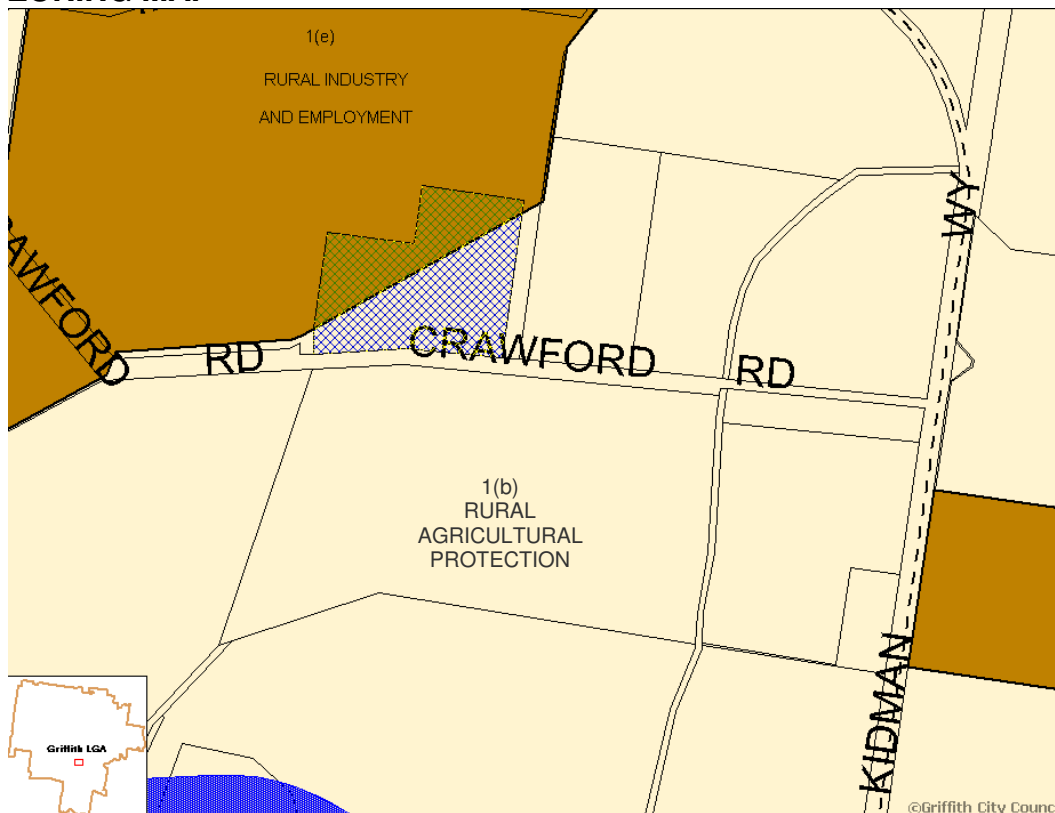


## ATTACHMENT 'A' – AERIAL AND ZONING MAPS

### AERIAL MAP



### ZONING MAP

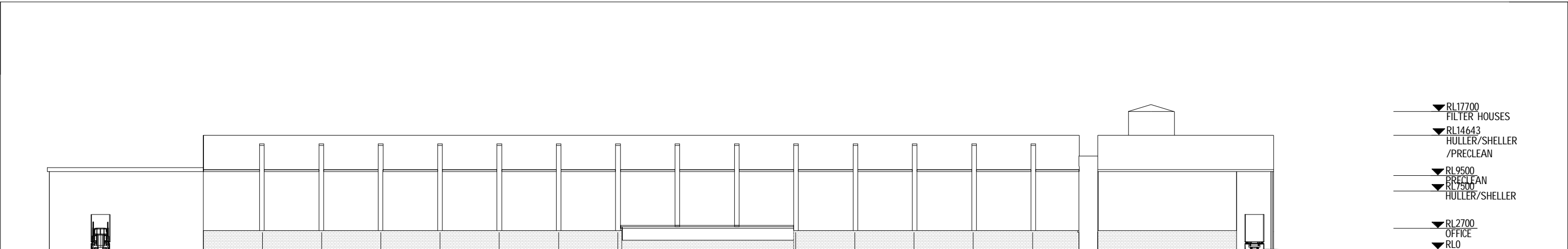






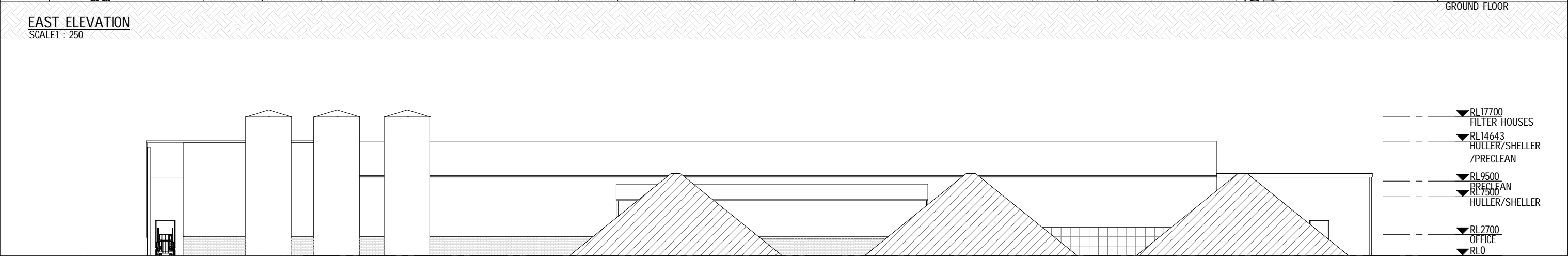
**ALMONDCO AUSTRALIA LIMITED**  
**ALMOND PROCESSING FACILITY - PROJECT EAST**  
LOT 6 CRAWFORD ROAD, HANWOOD 2680





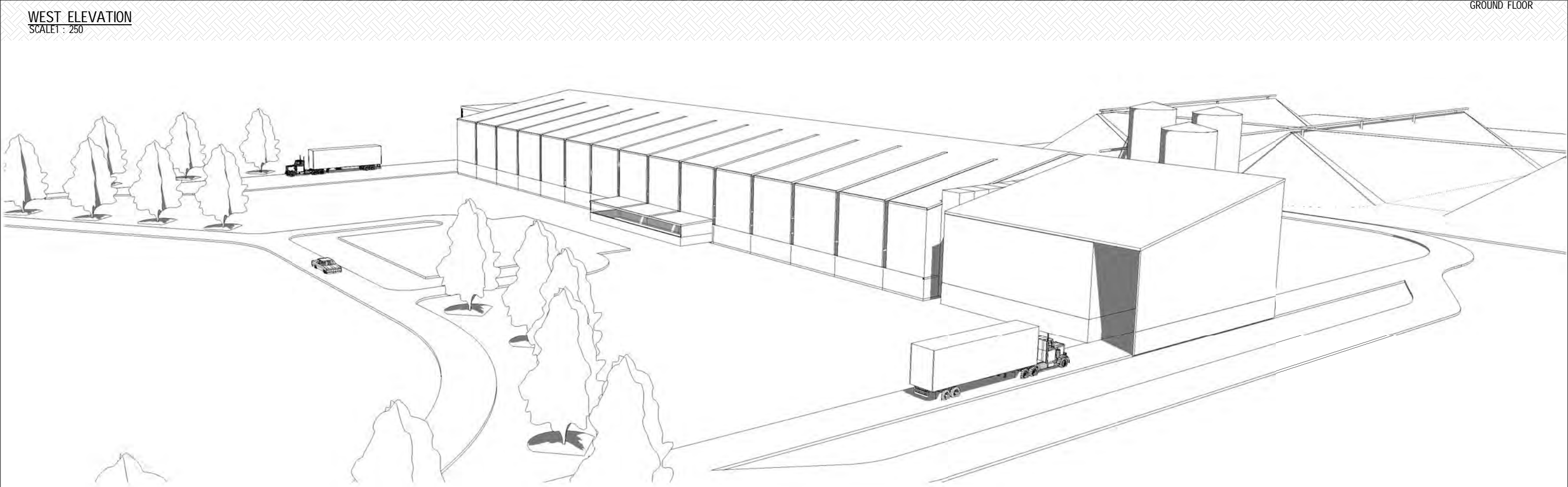
EAST ELEVATION  
SCALE 1 : 250

- ▼ RL17700  
FILTER HOUSES
- ▼ RL14643  
HULLER/SHELLER  
/PRECLEAN
- ▼ RL 9500  
PRECLEAN
- ▼ RL 7500  
HULLER/SHELLER
- ▼ RL 2700  
OFFICE
- ▼ RLO  
GROUND FLOOR



WEST ELEVATION  
SCALE 1 : 250

- ▼ RL17700  
FILTER HOUSES
- ▼ RL14643  
HULLER/SHELLER  
/PRECLEAN
- ▼ RL 9500  
PRECLEAN
- ▼ RL 7500  
HULLER/SHELLER
- ▼ RL 2700  
OFFICE
- ▼ RLO  
GROUND FLOOR



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		Drawn	Checked	Approved	



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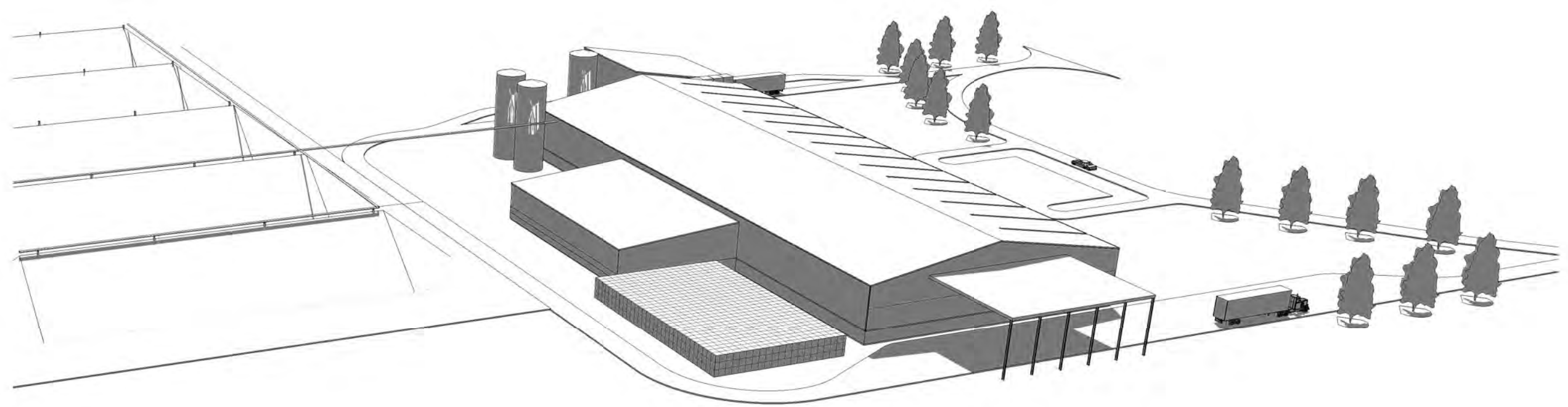
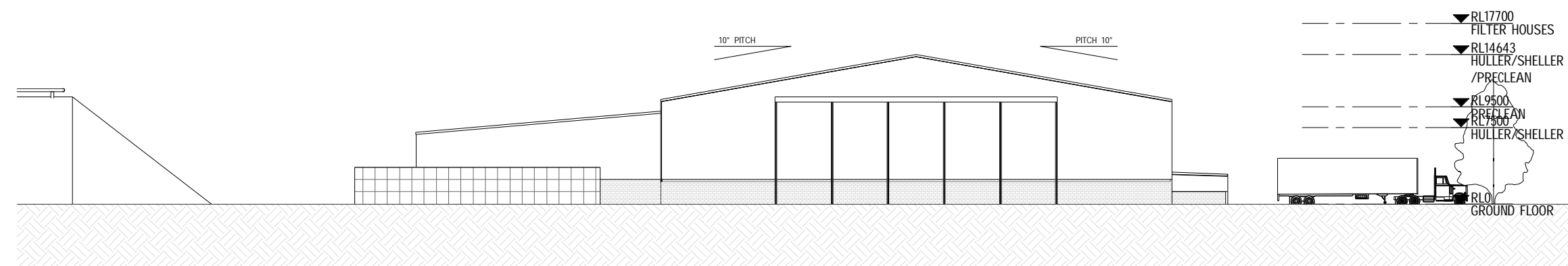
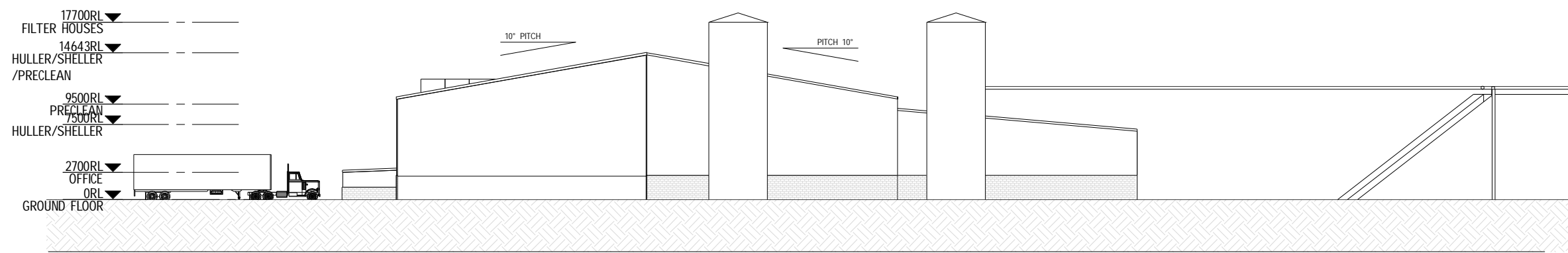
Drawn **I.ALI**  
Drafting Check **J.SMITH**  
Approved **D.GRZAN**  
Date  
Scale **1 : 250**

Designed **J.SMITH**  
Design Check **J.SMITH**

Client **ALMOND CO.**  
Project **EAST - GRIFFITH**  
Title **ARCHITECTURAL CONCEPT AND ELEVATIONS**

Original Size **A1**      Drawing No: **31-23239- A002**      Rev:

This Drawing must not be  
used for Construction unless  
signed as Approved



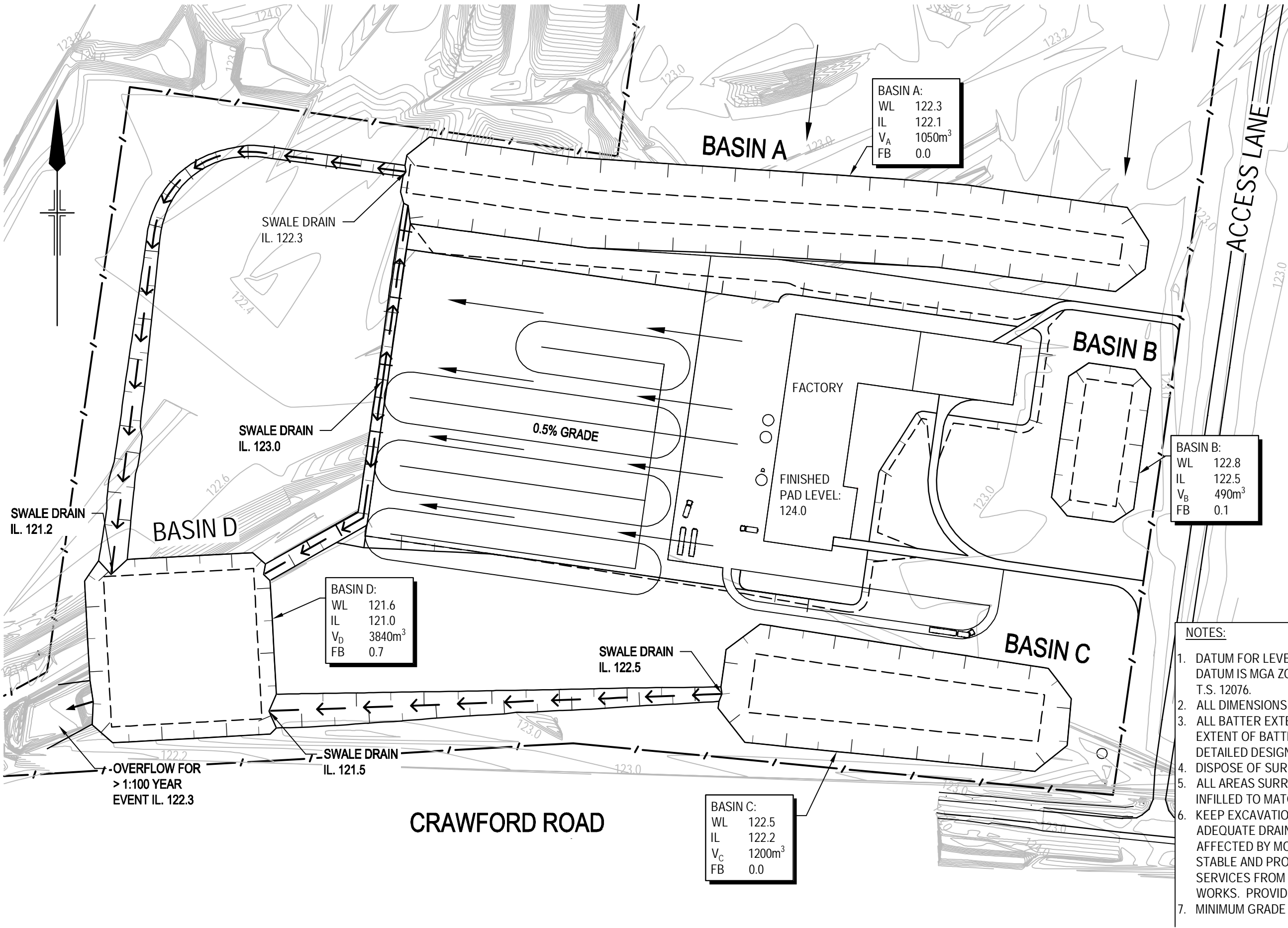
No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Checked	Approved	Date



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Drawn	I.ALI
Designed	J.SMITH
Drafting Check	J.SMITH
Design Check	J.SMITH
Approved	D.GRZAN
Date	
Scale	1 : 250

Client	ALMOND CO.	
Project	EAST - GRIFFITH	
Title	ARCHITECTURAL CONCEPT AND ELEVATIONS	
Original Size	A1	Drawing No: 31-23239-A003
Rev:		





BASIN A:  
WL 122.3  
IL 122.1  
V<sub>A</sub> 1050m<sup>3</sup>  
FB 0.0

BASIN B:  
WL 122.8  
IL 122.5  
V<sub>B</sub> 490m<sup>3</sup>  
FB 0.1

BASIN D:  
WL 121.6  
IL 121.0  
V<sub>D</sub> 3840m<sup>3</sup>  
FB 0.7

BASIN C:  
WL 122.5  
IL 122.2  
V<sub>C</sub> 1200m<sup>3</sup>  
FB 0.0

DETENTION VOLUME REQUIRED:  
V<sub>R</sub> 3530m<sup>3</sup>

BASIN VOLUME A - 1050m<sup>3</sup>  
BASIN VOLUME B - 490m<sup>3</sup>  
BASIN VOLUME C - 1200m<sup>3</sup>  
BASIN VOLUME D - 3840m<sup>3</sup>

DESIGN VOLUME - 6580m<sup>3</sup>

DESIGN VOLUME WITH  
FREEBOARD - 8320m<sup>3</sup>

TOTAL CUT - 34900m<sup>3</sup>  
TOTAL FILL - 27600m<sup>3</sup>  
EXCESS OF  
CUT OVER FILL - 7300m<sup>3</sup>

LEGEND:

- SWALE DRAIN
- FENCE LINE
- TOP OF BATTER
- TOE OF BATTER
- DESIGN WATER LEVEL WL
- INVERT LEVEL IL
- DESIGN VOLUME V<sub>A</sub>
- FREEBOARD FB
- OVERLAND FLOW

NOTES:

- DATUM FOR LEVELS IS AHD VIDE T.S. 12076 AZIMUTH DATUM IS MGA ZONE 55 WITH COORDINATE ORIGIN AT T.S. 12076.
- ALL DIMENSIONS IN METRES UNLESS NOTED OTHERWISE.
- ALL BATTER EXTENTS ARE SHOWN INDICATIVE ONLY, EXTENT OF BATTERS AND SWALE DRAINS AS PER DETAILED DESIGN.
- DISPOSE OF SURPLUS MATERIAL ON SITE.
- ALL AREAS SURROUNDING WORKS TO BE TRIMMED / INFILLED TO MATCH FINISHED SURFACE LEVELS.
- KEEP EXCAVATIONS FREE OF WATER. PROVIDE ADEQUATE DRAINAGE TO ENSURE FORMATION IS NOT AFFECTED BY MOISTURE. ENSURE EXCAVATIONS ARE STABLE AND PROTECT SURROUNDING PROPERTY AND SERVICES FROM ADVERSE EFFECTS OF GROUND WORKS. PROVIDE TEMPORARY WORKS AS REQUIRED.
- MINIMUM GRADE OF EARTHEN DRAINS 1 IN 500.

PRELIMINARY

A UNDER REVISION FOR GHD INTERNAL USE ONLY		NG			
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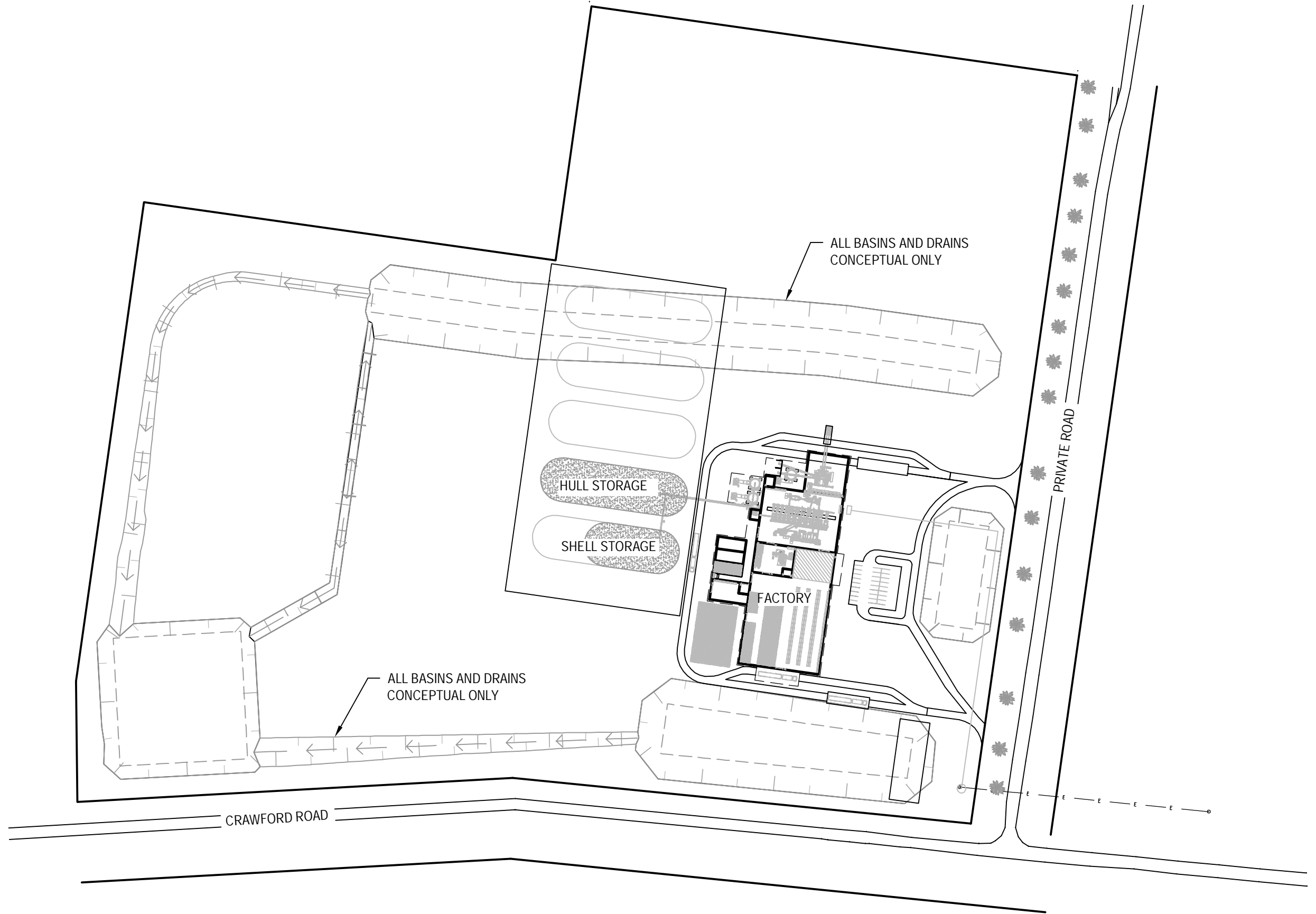
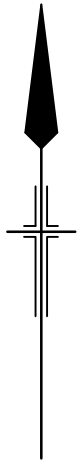


CLIENTS | PEOPLE | PERFORMANCE

57 Orange Avenue Mildura VIC 3500 Australia  
T 61 3 5018 5200 F 61 3 5018 5201  
E mildura\_msl@ghd.com.au W www.ghd.com.au

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Drafting Check	Design Check
Approved	
Date	
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Client	ALMONDCO - PROJECT EAST
Project	CONCEPT CIVIL DESIGN
Title	CONCEPT DRAINAGE & EARTHWORKS DESIGN
Original Size	A3
Drawing No:	31-23239-C001
Rev:	A



PRELIMINARY

A		ISSUED FOR CLIENT REVIEW				AS			
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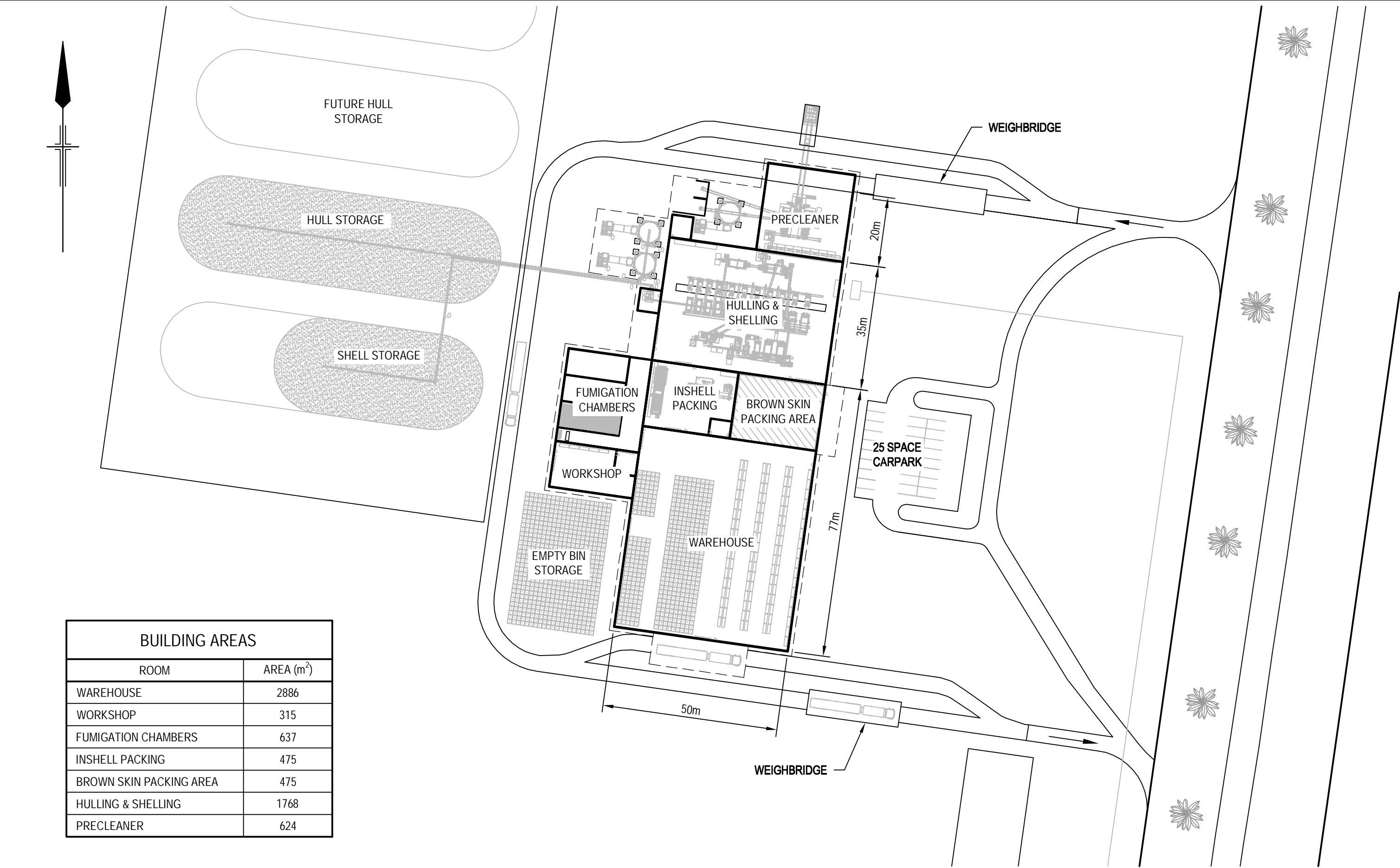


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Hazelwood Drv Morwell VIC 3840 Australia  
Locked Bag 5 Morwell VIC 3840  
T 61 3 5136 5800 F 61 3 5136 5888  
E mwimail@ghd.com.au W www.ghd.com.au

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		Approved	
		Date	
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Client	ALMONDCO		
Project	EAST FACTORY GRIFFITH		
Title	SITE LAYOUT		
Original Size	A3	Drawing No: 31-23239-G002	Rev: A



BUILDING AREAS	
ROOM	AREA (m <sup>2</sup> )
WAREHOUSE	2886
WORKSHOP	315
FUMIGATION CHAMBERS	637
INSHELL PACKING	475
BROWN SKIN PACKING AREA	475
HULLING & SHELLING	1768
PRECLEANER	624

B	INCORPORATION OF CLIENT'S DESIGN	AS			
A	PRELIMINARY ISSUE	NG			
No	Revision	Note: * Indicates signatures on original issue of drawing or last revision of drawing	Drawn	Checked	Approved
					Date



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Designed	J SMITH
Drafting Check	Design Check
Approved	
Date	
Scale	AS SHOWN
<small>This Drawing must not be used for Construction unless signed as Approved</small>	

Client	<b>ALMONDCO</b>
Project	<b>EAST FACTORY GRIFFITH</b>
Title	<b>BUILDING - GENERAL LAYOUT</b>
Original Size	
A3	Drawing No: <b>31-23239-G003</b>
Rev:	<b>B</b>



Your reference : DA186/2010:KCM  
Our reference : FIL07/5896-04;DOC10/34778  
Contact : Jason Price 02 6969 0700

The General Manager  
Griffith City Council  
PO Box 485  
GRIFFITH NSW 2680



Attention: Kelly McNicol

Dear Mr Brooks

**Re Development Application 186/2010 – Proposed Almond Processing Facility**

I refer to your letter dated 27 July 2010 to the Department of Environment, Climate Change and Water (DECCW) about the development application received by Council for the proposed almond processing facility at Lot 6 DP 1131122 Crawford Road, Hanwood.

This letter provides a consolidated response from DECCW incorporating relevant considerations under the *National Parks and Wildlife Act 1974*, *Threatened Species Conservation Act 1995*, *Environmental Planning and Assessment Act 1979* and the *Protection of the Environment Operations Act 1997*. We submit the following comments for your information.

**Pollution Control and Environmental Management**

DECCW has responsibilities for pollution control and environmental management under the *Protection of the Environment Operations Act 1997*. Following a review of the information provided and consultation with Almondco Australia Ltd, it has been determined that we are able to issue General Terms of Approval (GTA's) for the proposed development. The GTA's are provided in Attachment 'A' and relate to the specific development as proposed in the documents and information that has been provided by Council.

Attachment 'B' provides the mandatory conditions that apply to all Environment Protection Licences. Should Council grant development consent for this proposal, we recommend that these conditions be incorporated into the consent.

The Department of Environment and Climate Change is now known as the Department of Environment, Climate Change and Water



In the event that the development is modified either by the applicant prior to the granting of the consent, or as a result of conditions imposed by Council, we request that further consultation occur about the proposed changes prior to the consent being issued. This will enable us to determine whether our GTA's are required to be modified as a result of any proposed alterations.

Should consent be granted it will also be necessary for the applicant to contact DECCW to apply for, and be issued with, an Environment Protection Licence prior to the commencement of any construction works.

In assessing the proposal we have identified noise emissions from heavy vehicles transporting raw material in, and processed material out of the facility as an issue that Council should consider in its overall assessment of the proposal.

We are concerned that the heavy vehicle noise, particularly at night, has the potential to impact the premises identified as 'residence 1' in the Environmental Impact Statement (EIS). The Traffic Noise Impact Assessment prepared as part of the EIS indicated this premises was not considered as it was not on the proposed traffic route.

DECCW's guideline for traffic noise 'Environmental criteria for road noise traffic noise' indicates an assessment should "identify every potentially affected receiver along the affected section of the road and assign an environmental noise level criterion to each one" and that "maximum noise levels during each hour of the night-time period should be assessed and reported to give an indication of the likelihood of awakening reactions".

Without a full assessment of traffic noise impacts we are unable to determine if the relevant criteria for road traffic noise will be exceeded at this residence.

We would expect that 'residence 1' (approximately 500 metres west of the entrance in a rural setting) is likely to be impacted by the potential 54 intermittent truck movements in the night time period over the harvest season with the potential for sleep disturbance due to rapid noise increases through braking and acceleration along Crawford Road.

This noise impact will result from activities occurring outside the premises regulated by the Environment Protection Licence. Consequently, as Council will be responsible for managing this activity, Council should consider requiring the applicant to revise the Traffic Noise Impact Assessment to include a comparison of the  $L_{Aeq(9hour)}$  noise levels and the maximum noise level impacts on the residents in Crawford Road before considering the matter.

### **Flora and Fauna Issues**

We have no objection to the proposed development in relation to impacts to flora, fauna, or threatened species at this stage. We acknowledge the proposed development site is highly disturbed and has previously been used for intensive agricultural purposes over many years.

### **Aboriginal Cultural Heritage**

We have no objection to the proposed development in relation to Aboriginal cultural heritage. We believe the assessment provided by the proponent is adequate and we note no potential Aboriginal sites or objects have been found in the development area.

However, it is in the interest of proponents to ensure that all reasonable precautions are taken to prevent the occurrence of damage to Aboriginal objects.

Consequently, the proponent should be made aware that if any Aboriginal objects are encountered during works, activities in that area should cease immediately and DECCW be contacted by telephoning 131 555 for further advice.

If you have any enquiries about this matter please contact Jason Price by telephoning 02 6969 0700.

Yours sincerely

 17/9/2010

**DARREN WALLETT**  
Head, Griffith Unit  
Environment Protection and Regulation



# General Terms of Approval



Notice No: 1118816

## ATTACHMENT A

### ADMINISTRATIVE CONDITIONS

#### *Information supplied to the EPA*

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 number 186/2010 submitted to Griffith City Council on 19 July 2010; and
- the environmental impact statement relating to the development titled Almond Processing Facility, Hanwood Volumes I and II and dated February 2010.

#### *Fit and Proper Person*

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.

#### *Scheduled Activity*

Agricultural processing.

#### *Fee Based Activity*

General agricultural processing – more than 30,000 tonnes but not more than 100,000 tonnes.

### DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND

#### *Location of monitoring/discharge points and areas*

Type of monitoring point	Type of discharge point	Description of location
Air quality monitoring	Discharge to air	To be approved by EPA

### LIMIT CONDITIONS

#### *Pollution of waters*

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.

# General Terms of Approval



**Environment,  
Climate Change  
& Water**

Notice No: 1118816

## **Concentration limits**

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

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

## **Air quality monitoring**

Pollutant	Units of measure	100% concentration limit
Sulfuryl fluoride	Parts per million	3.0

## **Waste**

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.

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.

## **Noise limits**

Noise from the premises must not exceed:

an  $L_{AEQ}$  (15 minute) noise emission criterion of 37 dB(A) during the day (7.00am to 6.00pm); and

an  $L_{AEQ}$  (15 minute) noise emission criterion of 35 dB(A) during the evening (6.00pm to 10.00pm) and at night (10.00pm to 7.00am)

Noise from the premises is to be measured at the nearest residential premise to determine compliance with this condition.

In the first operating year of the facility between February and April the noise emissions for day, evening and night time must be measured by an independent party in accordance with the NSW Industrial Noise Policy to determine compliance with the noise limits. A noise report must be prepared and submitted to the EPA within 30 days of the measurements.

Where additional plant is introduced or upgrades of the facility occur, additional independent noise monitoring will be required to determine compliance with the noise limits.

The noise emission limits identified apply for prevailing meteorological conditions (winds up to 3m/s), except under conditions of temperature inversions.

## **Hours of construction**

All construction work at the premises must only be conducted between 7 am to 6 pm Monday to Friday and 8 am to 1 pm Saturdays. No construction is to be undertaken on Sundays and public holidays.

The hours of construction may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.



# General Terms of Approval



Environment,  
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& Water

Notice No: 1118816

## ***Pond permeability***

All waste water treatment, storage and tailwater ponds must have a minimum pond base and wall permeability of  $1 \times 10^{-9}$  meters per second or be artificially lined with an impermeable high density polyethylene liner.

## **OPERATING CONDITIONS**

### ***Potentially offensive odour***

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.

### ***Dust***

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

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

### ***Traffic noise management plan***

Prior to activities commencing on site the proponent must develop and implement a Traffic Noise Management Plan (TNMP) to ensure that licence noise limits are not exceeded. The TNMP must focus on front end loader and heavy vehicles movements around the site, particularly in the night time period, and must be approved by the EPA. The TNMP must include, but need not be limited to:

- Speed limits
- Loading protocol;
- Vehicle maintenance and any noise dampening controls employed;
- Idling protocol (including breakdown periods or bank up of trucks);
- Driver induction/training;

## **MONITORING AND RECORDING CONDITIONS**

### ***Requirement to monitor concentration of pollutants discharged***

Not applicable

### ***Requirement to monitor volume or mass***

Not applicable

### ***Reporting conditions***

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.

# General Terms of Approval



Notice No: 1118816

## ATTACHMENT B – MANDATORY CONDITIONS FOR ALL EPA LICENCES

### ADMINISTRATIVE CONDITIONS

#### Other activities

Not applicable

### OPERATING CONDITIONS

#### 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.

#### 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

#### 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.



# General Terms of Approval



Environment,  
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& Water

Notice No: 1118816

## Telephone complaints line

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

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

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

## REPORTING CONDITIONS

### Annual Return documents

#### *What documents must an Annual Return contain?*

- The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
  - a 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.

#### *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.

#### *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').



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## ***Notification where actual load can not be calculated***

(Licences with assessable pollutants)

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

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

## ***Licensee must retain copy of Annual Return***

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

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

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

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

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

## ***Notification of environmental harm***

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

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

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

## ***Written report***

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

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

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

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

- The request may require a report which includes any or all of the following information:
  - the cause, time and duration of the event;



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the type, volume and concentration of every pollutant discharged as a result of the event;

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

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;

action taken by the licensee in relation to the event, including any follow-up contact with any complainants;

(details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;

(any other relevant matters.

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

## GENERAL CONDITIONS

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

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

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

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

**Part A - Administrative or General Conditions**

This Part includes general background controls and minor administrative matters or procedures that ensure the development is clearly identified and specified.

(1) Approved Plans

The Development must be implemented substantially in accordance with Development Application No. 186/2010 received by Council on 19 July 2010 and the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of this consent.

Drawing No. or Document	Date Received by Council	Prepared or Drawn By
Environmental Impact Statement – Volume 1 – Main Report	19 July 2010	GHD
Environmental Impact Statement – Volume 2 – Appendices	19 July 2010	GHD
DWG: A002 – Architectural Concept and Elevations	19 July 2010	GHD
DWG: A003 – Architectural Concepts and Elevations	19 July 2010	GHD
DWG: C001 – Concept Drainage & Earthworks Design	19 July 2010	GHD
DWG: G002 – Site Layout	19 July 2010	GHD
DWG: G003 – Building – General Layout	19 July 2010	GHD

(2) Scope of Consent

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate for building and engineering works. These Certificates can be issued either by Council or an appropriately qualified 'Accredited Certifier'. A separate application, complete with detailed plans and specifications, shall be submitted to Council for these Construction Certificates.

(3) Lapsing of Consent

This Consent is valid for a period of five years from the date of consent. It will lapse if the approved use of any land or construction work has not commenced prior to that date. No further extensions will be granted.



- (4) Development consent relates to the construction and use of an almond processing facility with the capacity to process 30,000 tonnes but no more than 100,000 tonnes of almonds per year including a car park, driveways, weighbridge and hardstand areas for shell and hull stockpiles on Lot 6 DP 1131122 Crawford Road, Hanwood.
- (5) As required by the *Protection of the Environment Operations Act 1997*, an Environmental Protection License is to be obtained in association with the approved development **prior to the commencement of works**. 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.

## **Part B - Building Matters**

This part relates to applications for buildings of all types.

- (1) Compliances, Certificates and Statements

Where indicated, the following Codes, Standards, Treatments and Certificates shall apply to, or are required for, the development.

Details – Code, Certificate or Statement	Required
<b>Building Code of Australia</b>	All building work must comply with and be carried out in accordance with the requirements of the Building Code of Australia.
<b>Construction Certificate (Building)</b>	Site works are not to commence until such time as Council has received a construction certificate for the proposed works. Council or an Accredited Certifier may issue construction certificates.

- (2) Builder's Debris

During the construction period, all builder's debris and litter shall be adequately contained within the property. The builder is to remove all builder's debris and litter on a weekly basis, and at the completion of all work.

### **Part C - Prior to the lodgement of the Construction Certificate application**

If the development involves construction work (for example a building, road or stormwater drainage system for a subdivision), you will need a Construction Certificate issued either by Council or an Accredited Certifier before work can commence on your project. Before a Construction Certificate can be issued, you will have to satisfy the following conditions.

(1) Storage Management Plan

The applicant shall submit to Council a management plan for the storing of chemicals and fuels and a Construction Emergency / Incident Management plan to prevent and manage spills and environmental incidents on the premises. These documents are to be submitted and approved by Council **prior to the lodgement of the Construction Certificate application.**

(2) Bunding

All work and storage areas, including above-ground diesel tanks, where spillages are likely to occur shall be bunded. The size of the area to be bunded shall be calculated as being equal to 10% of the total volume of containers stored, or 110% of the largest container stored, whichever is the greater. All bunded areas shall be graded to a blind sump so as to facilitate emptying and cleaning. Bunding details are to be submitted and approved by Council **prior to the lodgement of the Construction Certificate Application.**

(3) Landscape Plan

A minimum landscaped buffer of 10 metres width shall be provided along all boundaries of the property. A landscaped plan for the buffer and surrounding perimeter areas and all landscaped areas shown on the approved plans shall be prepared by a suitably qualified person. Three (3) copies are to be submitted to and approved by Council **prior to the lodgement of a Construction Certificate application.**

Wherever possible, endemic native species are to be used

This detailed plan should be drawn to scale (minimum 1:200) and include the location of tree and shrub species, height and spread at maturity and elevation of landscaped areas. Planting and establishment procedures must be clearly outlined and include the establishment of watering systems.

(4) Floor levels are subject to Council's Flood Plain Management Policy. The floor levels for new buildings associated with the proposed development are to not be less than 410mm above the existing surrounding ground level. In the event that this level is unachievable, documentary evidence, including a detailed design is to be submitted to Council and approved **prior to the lodgement of a Construction Certificate application.**

(5) **Prior to the lodgement of a Construction Certificate application** written approval from Murrumbidgee Irrigation shall be submitted to Council for the proposed drainage system and raw water supply.



- (6) A qualified Civil Engineer with experience in Hydraulic Analysis shall design and certify the Onsite Detention System, which shall be maintained for the life of the project. The consultant must sign off all drawings and calculations and provide details of Professional Indemnity insurance.

Design and details to be submitted to Council for approval **prior to the lodgement of a Construction Certificate application.**

- (7) Stormwater design for the proposed development shall be implemented as per the stormwater management measures outlined in the approved plans.

Design drawings of the stormwater system (including consideration to freeboard levels for finished floor levels) together with hydraulic calculations complying with Council's *Engineering Guidelines - Subdivisions and Development Standards 2008* must be submitted to Council and approved **prior to the lodgement of the Construction Certificate application.**

- (8) Control measures are to be utilised to prevent soil erosion and silt entering the drainage systems. **Prior to the lodgement of a Construction Certificate application** details of the proposed measures utilising the principles outlined in, *Soils and Construction – Managing Urban Stormwater by Landcom (Blue Book,)* are to be submitted for Council approval and implemented before, during and after development works.

- (9) **Prior to the lodgement of a Construction Certificate application for Civil Works** detailed design plans shall be submitted to Council for approval for the concrete centre median to be constructed on the private road located on Lot 7 DP 1131122 at its intersection with Crawford Road. The design plans shall be in accordance with *Council's Engineering Guidelines - Subdivisions and Development Standards 2008*. Turning path diagrams for the largest sized vehicle likely to utilise the intersection are to be included on the plans to ensure the median can cater for all vehicles travelling through the intersection.

- (10) A Construction Certificate for Civil Works is to be submitted to Council and approved for the construction of the driveways, concrete median along the private road located on Lot 7 DP 1131122 and associated roadworks, carparking areas, vehicular manoeuvring areas and onsite stormwater design works. Detailed engineering design drawings for these works are to comply with *Council's Engineering Guidelines – Subdivisions and Development Standards December 2008*. All costs for these works shall be borne by the applicant and shall be submitted to Council for approval **prior to the lodgement of a Construction Certificate for Civil Works application.**

- (11) The applicant is required to pay for all inspections carried out by Council's Engineers for construction of the stormwater design, driveways, roadworks, sewer works, car parking and manoeuvring areas. Payment must be paid for four (4) inspections as per Council's current Revenue Policy **prior to the lodgement of a Construction Certificate application.** Any adjustments to the total amount must be paid in full **prior to the lodgement of the Occupation Certificate application.**

(12) On-Site Sewage Management

**Prior to the lodgement of the Construction Certificate application**, an application shall be made to install an on-site sewage management system. Information regarding the system is to be submitted to Council.

(13) Structural Design

Structural design details certified by a practicing structural engineer are to be submitted **prior to the lodgement of the Construction Certificate application**.

(14) Soil Report

A soil classification report prepared by a suitably qualified person is to be submitted **prior to the lodgement of the Construction Certificate application**.

(15) Specification

A general building specification is to be submitted **prior to the lodgement of the Construction Certificate application**. The specification is to indicate that all works associated with construction of the proposed structures will be carried out in accordance with volume 1 of the Building Code of Australia and the relevant Australian Standards.

(16) Construction Plans

Detailed construction plans and documentation are to be submitted to Council **prior to the lodgement of a Construction Certificate application**. Plans and documentation are required to demonstrate full compliance with Volume 1 of the Building Code of Australia.

(17) Large Isolated Building

**Prior to the lodgement of a Construction Certificate application** plans are required demonstrating compliance with the provisions for Large Isolated Buildings in regards to open space and vehicular access as per Part C2.3 and C2.4 of the Building Code of Australia Volume 1.

(18) Fire Hydrants

As part of the construction of the proposed structure/s it is required by Part E1.3 of the Building Code of Australia Volume 1 to provide fire hydrants for the use of the NSW Fire Brigade. As a reticulated water supply source is not available, a static water supply will be required. Details of compliance with AS 2419 and written confirmation from NSW Fire Brigade that the proposed design achieves their performance requirements is to be submitted **prior to the lodgement of a Construction Certificate application**.

(19) Section 94A Environmental Planning and Assessment Act 1979 - Development Contributions Plan 2010  
In accordance with Section 94A of the Environmental Planning and



Assessment Act 1979 and Council's Development Contribution Plan 2010, this development requires a payment of a contribution towards the cost of or the recoupment of the cost of the provision, extension or augmentation of public amenities, public services and infrastructure that will, or are likely to be, or that have been provided and are required to adequately serve the community. Copies of relevant plans may be viewed or purchased from Council's Customer Services Unit during normal business hours.

Total payment shall be **\$208,450** (1% of the proposed cost of carrying out the development).

The contribution is to be paid **prior to the lodgement of the Construction Certificate application** unless other arrangements acceptable to Council are made.

Payment is to be in the form of cash or bank cheque. Where bonding is accepted a bank guarantee is required.

#### **Part D - Prior to Commencement of Work**

There are a number of matters that need to be completed before your project can physically commence. These are set out in the following conditions.

- (1) A traffic control plan is to be submitted to Council satisfying the provisions of Australian Standard 1742.3, for acceptance **prior to the commencement of work**. Strict compliance to the traffic control plan is to be maintained throughout the duration of the construction work.

- (2) Appointment of Principal Certifying Authority

Site works are not to commence until the person having the benefit of the development consent has appointed a Principal Certifying Authority (PCA) (Note: this can be Council or an Accredited Certifier) and has notified Council of the appointment. Should the applicant elect to nominate Council as the PCA it will be necessary to complete Form 7 and pay the required inspection fees.

An Accredited Certifier who has been appointed as a Principal Certifying Authority (PCA) must not be replaced, except with the approval of the relevant accreditation body. A replacement PCA must ensure that notice of his or her appointment, together with the relevant Accreditation Body's approval of the appointment, is given to Council within 2 days of the appointment.

- (3) Notification of Commencement

A copy of Notification of PCA/Commencement of Work; and Occupation Certificate **must be completed and submitted to Council when the project is ready to proceed**.

- (4) Builders Details

**Prior to any works commencing on the site**, written advice is required for Council records as to the following matters:

- a) builder's details (name, address and licence number);
- b) owner/builder permit.

(5) Toilet Facilities

Adequate toilet facilities are to be provided on the site throughout the demolition/construction phase of the development. Such toilet facilities are to be provided, at the ratio of one (1) toilet for every twenty (20) persons (or part thereof) employed/working on the site. Each toilet provided must be a standard flushing toilet and must be connected to a public sewer, or an accredited sewage management facility approved by council. If connection to either a public sewer or an accredited sewage management facility is not practicable, it shall be connected to some other sewage management facility approved by council. Toilet facilities must be provided and functioning **prior to the commencement of work.**

In this clause:

**accredited sewage management facility** means a sewage management facility to which Division 4A of Part 3 of the Local Government (Approvals) Regulation 1993 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 95B of the Regulation.

**approved by the council** means the subject of an approval in force under Division 1 of Part 3 of the Local Government (Approvals) Regulation 1993.

**public sewer** has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

**sewage management facility** has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

(6) Unauthorised Entry to the Site

**Prior to commencement of works**, a sign must be erected in a prominent position stating that unauthorised entry to the site is not permitted. The sign must also name the builder or other person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours. The sign is to be removed when the building works have been completed.

(7) Waste Containment Area

A secure waste containment area or skip bin is to be provided on site **prior to the commencement of works.**

### **Part E - During Construction**

The development will need to meet certain standards. The following conditions set out matters that need to be completed during the construction or implementation process.

(1) The following works shall be inspected by Council Officers or a Council Nominee during normal office hours:

- (i) Placing of pipes in trenches prior to back filling;

- (ii) Completion of formwork, string lines for the concrete median to be constructed along the private road located on Lot 7 DP 1131122, prior to pouring of concrete;
- (iii) Completion of car parking areas, driveway and all vehicular manoeuvring areas;

All requests for inspection are to be made to Council's Development Engineer.

Apart from these inspections various tests are to be conducted in conjunction with the works. Test guidelines and type of tests required are identified in *Council's Engineering Guidelines - Subdivisions and Development Standards 2008*.

- (2) Construction management during the construction phase of the development shall be implemented as per the approved Environmental Impact Statement and Traffic Impact Assessment. This is to ensure that suitable provision is available on site for all vehicles associated with the construction of the development to alleviate any need to park within, load/unload from the surrounding public road network. Appropriate signage and fencing is to be installed and maintained to effect this requirement.
- (3) The applicant is to be responsible for all amplification, extension and adequate provision for connection to services at their own expense. The work is to be in accordance with Council's *Engineering Guidelines - Subdivisions and Development Standards December 2008* and relevant authorities' specifications.
- (4) Effective dust/noise/erosion control measures are to be maintained during construction to maintain public safety/amenity.
- (5) If any damage is occasioned to Council property, the cost of repairs will be recoverable. It is therefore requested that any damage which is obvious before construction be immediately notified to Council to avoid later conflict.
- (6) Work Cover Authority  
The developer is required to comply with any and all requirements of the NSW Work Cover Authority.

#### **Part F - Prior to the lodgement of the Occupation Certificate application**

**Prior to commencement of use of the development or occupation of a building,** Council must be contacted, an inspection carried out and permit to occupy issued. This is to confirm that all works have been completed and the development is suitable for use for its designed purpose.

- (1) Hull and shell stockpiles shall be banded to prevent soil loss and sediment entering the stormwater system **prior to the lodgement of the Occupation Certificate application.**



- (2) Works As Executed plans for approved drainage works as specified in Council's *Engineering Guidelines - Subdivisions and Development Standards 2008* are to be submitted to Council upon completion of the development and **prior to the lodgement of an Occupation Certificate application.**
- (3) The onsite detention, associated floodways and flow paths are to be protected by a Section 88E covenant in favour of Griffith City Council. The Instrument is to be submitted to Council for approval, **prior to the lodgement of an Occupation Certificate application.**

Reason: Storage volumes and drainage system to be maintained to ensure long-term operation of the system.

- (4) **Prior to the lodgement of an Occupation Certificate application** a right of carriageway in accordance with Section 88B of the Conveyancing Act shall be created over Lot 7 DP 1131122 in favour of Lot 6 DP 1131122. Matters to be addressed in the instrument should include the width and location of the right of carriageway. This is for the purpose of identifying and protecting the right of carriageway.
- (5) **Prior to the lodgement of an Occupation Certificate application** the gravel shoulders at the intersection of the private road located on Lot 7 DP 1131122 and Crawford Road are to be repaired. This is to include compacted road building gravel being installed in the shoulders to be built up to road level. As a minimum, guideposts are to be installed along the road tapers at the intersection of the private road and Crawford Road to delineate the edge of bitumen sealing. Council will accept (subject to approval) alternative method(s) of infrastructure to be installed along the road tapers at the intersection of the private road and Crawford Road.
- (6) **Prior to the lodgement of an Occupation Certificate application for Civil Works** a concrete centre median is to be constructed on the private road located on Lot 7 DP 1131122 at its intersection with Crawford Road. The median is to be constructed in accordance with the RTA's *Road Design Guide* and Council's *Engineering Guidelines - Subdivisions and Development Standards 2008*.
- (7) The width and location of the proposed accessways to the development are to be constructed in accordance with the approved plans. Accessway and associated infrastructure are to be installed in accordance with Council's *Engineering Guidelines - Subdivisions and Development Standards 2008* and **prior to the lodgement of an Occupation Certificate application.**
- (8) Parking bays, line marking and directional lines must be implemented substantially in accordance with the approved plans and Australian Standard 2890.1:2004. Parking bays, line marking and directional lines are to be maintained by the owner of the site for the lifetime of the development and are to be installed **prior to the lodgement of an Occupation Certificate application.**
- (9) **Prior to the lodgement of an Occupation Certificate application** all car parking and vehicular manoeuvring areas east of the proposed structures (warehouse, brown skill packing area, hulling and shelling and precleaner) shall be sealed to Council's satisfaction. All remaining onsite vehicular manoeuvring areas shall be constructed of a minimum 200mm thick

compacted road building gravel.

All road pavement construction for sealed and gravel areas shall be in accordance with Council's *Engineering Guidelines - Subdivisions and Development Standards December 2008*.

- (10) Provision of thirty-six (36) off-street parking spaces each of dimensions 2.6 metres x 5.5 metres, including one (1) carparking space of dimensions 3.5 metres x 5.5 metres for disabled persons in accordance with Council's Parking Code shall be provided to serve the proposed development **prior to the lodgement of the Occupation Certificate application**. Parking bays are to be clearly identified by pavement markings. Spaces adjacent to walls or other obstructions which may affect door openings or vehicle manoeuvring are to be widened by an additional 300 mm on the side of the obstruction(s).

In respect of parking for disabled persons, approval does not guarantee compliance with the Disability Discrimination Act and the developer should investigate their liability under the Act. The applicant's attention is drawn to the Australian Standard AS 1428 Parts 1, 2, 3 and 4 in respect of acceptable standards of design and requirements.

- (11) Water-Cooling Systems

If the site uses a water-cooling system, then the system shall be registered with Council's Environmental Health Officer **prior to the lodgement of an Occupation Certificate application**. The system must be installed, operated and maintained in accordance with the *Public Health Act 1991*, *Public Health (Microbial Control) Regulation 2000*, and Griffith City Council's Legionella Management Plan.

- (12) **Prior to lodgement of the Occupation Certificate application** the applicant shall have Council's approval to operate the onsite-sewage management system. This approval can only be issued after Council is satisfied the installation has been completed in accordance with the approved system design and Griffith City Council's On-Site Sewage Management Plan.

- (13) **Prior to lodgement of the Occupation Certificate application** the applicant shall erect perimeter fencing with shade cloth around all boundaries of the site.

- (14) **Prior to the lodgement of an Occupation Certificate application** it will be necessary to provide the following certification. Certification shall be prepared by the designer/installer.

**Fire Safety Certificate**

- A certificate or statement to the effect that the listed essential fire safety services contained within the Fire Safety Schedule have been implemented in accordance with the relevant Australian Standard.

Additional certification to the above may be requested where required to determine compliance with the BCA.

(15) Fire Hazard Properties

The fire hazard properties of any material or assembly installed in the building must comply with—

- (i) for floor materials, floor coverings, wall and ceiling lining materials, Specification C1.10a; and
- (ii) for other materials, Specification C1.10 of the Building Code of Australia

Manufacturers or installers certification that this has been achieved is to be submitted to Council **prior to the lodgement of an Occupation Certificate application.**

(16) Inspections and Certificates - Final

On completion of these conditions, the applicant shall contact Council's Customer Service Officers to arrange an inspection to be carried out and the development finalised, and appropriate Compliance or Occupation Certificate issued.

**Part H - On-Going Requirements**

This part includes conditions or requirements that will need to be satisfied at all times.

- (1) No sales of processed goods are to be made to the general public direct from the subject premises, without the prior approval of Council.

(2) Light Pollution

Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land or distract traffic on nearby roads.

(3) Hours of Operation

The hours of operation are limited to the hours set out in the table below

Days	Time Period
<b>Mondays to Fridays</b>	6:00 am to 7:00 pm
<b>Saturdays</b>	6:00 am to 7:00 pm
<b>Sundays and Holidays</b>	No operations permitted.
<b>Peak Harvesting Period (Approximately 100 days / year)</b>	24 hours a day, seven days a week.

Any alteration to these hours will require a modification to this consent or a separate development application.

(4) Hazardous Goods

All hazardous or toxic materials shall be stored, used, or disposed of in a manner which does not harm the environment in accordance with sections 115 and 116 of the Protection of the Environment Operations Act 1997. The storage and handling of flammable and combustible liquids for use on the site shall be in accordance with Australian Standard AS1940-2004 *The Storage and Handling of Flammable and Combustible Liquids* and the facility's Storage Management Plan.



(5) Burning of Waste or Refuse

No waste or refuse shall be burned on site. All building waste, excavated material, broken concrete or the like, shall be removed from the site and disposed of at an approved waste management depot.

(6) All vehicles are required to enter and leave the site in a forward direction to ensure traffic/pedestrian safety.

(7) All vehicular loading and unloading is to be carried out within the site to prevent interference with the use of the public road by vehicles and pedestrians.

(8) All plant and equipment must be sterilised using appropriate methods prior to entering the subject site to ensure no foreign disease, soil or organic matter including seeds are transported into or out of the site.

(9) Clearing and Mulching of Vegetation

No vegetation shall be burned on the site. All vegetation that must be cleared to allow the development shall be chipped and/or mulched and removed from the site for disposal at an approved waste recycling or management depot.

### **Part I - Inspections, Certificates and Other Approvals**

The following inspections must be carried out, certificates issued or supplied, or additional consents gained at the times or stages shown.

(1) Inspections During Construction

Should Council be engaged as the Principal Certifying Authority, the following inspections are required to be carried out by Council's officers.

- (a) At the commencement of work
- (b) Piers, pads or post holes prior to the placement of concrete;
- (c) Footing trenches, with reinforcement steel in position, before concrete is poured;
- (d) Concrete slabs, with reinforcement steel in position before concrete is poured;
- (e) Internal/external drains (including **sanitary plumbing** and stackwork) **prior to covering**;  
Note: Drainage lines and stackwork are required to be under water test during the inspection;
- (f) Floor framework – (**including** bearers, joists and ant capping);
- (g) Wall and roof framework - including damp-proofing, water plumbing “rough-in” and floor, wall and roof construction prior to fixing any linings;
- (h) Waterproofing of wet areas;
- (i) Roof water drainage before backfilling;
- (j) Structural steelwork;
- (k) Completion of work before the building is occupied or used;

**Should adequate notice not be given for cancellation of an inspection, or if works have not progressed to a stage where an inspection can be completed, a default penalty shall be imposed upon the applicant by Council.**

Twenty four (24) hours notice is to be given to Council's Customer Service by telephoning (02) 6962 8100 to arrange for an inspection to be carried out.

**Part J – Department of Environment, Climate Change & Water (DECCW) –  
General Terms of Approval**

This part includes conditions inherent in the **General Terms of Approval** relating to an Environmental Protection Licence, provided by the Department of Environment, Climate Change and Water (DECCW) to Council on 20 September 2010.

**(1) Administrative Conditions**

**a) Information supplied to the EPA**

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 number 186/2010 submitted to Griffith City Council on 19 July 2010; and
- The environmental impact statement relating to the development titled Almond Processing Facility, Hanwood Volumes I and II and dated February 2010.

**b) Fit and Proper Person**

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 section 83 of that Act.

**c) Scheduled Activity**

- Agricultural Processing

**d) Fee Based Activity**

- General agricultural processing – more than 30,000 tonnes but not more than 100,000 tonnes.

**(2) Discharges to Air and Water and Applications to Land**

**a) Location of monitoring/discharge points and areas**

Type of monitoring point	Type of discharge point	Description of location
Air quality monitoring	Discharge to air	To be approved by EPA

(3) **Limit Conditions**

a) Pollution of waters

Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation to 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.

b) Concentration limits

For each discharge point or utilisation area specified in the table/s below, the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table. To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.

- Air quality monitoring

Pollutant	Units of measure	100% concentration limit
Sulfuryl flouride	Parts per million	3.0

c) Waste

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.

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.

d) Noise Limits

Noise from the premises must not exceed:

- an  $L_{AEQ(15\text{ minute})}$  noise emission criterion of 37 dB(A) during the day (7.00am to 6.00pm); and
- an  $L_{AEQ(15\text{ minute})}$  noise emission criterion of 35 dB(A) during the evening (6.00pm to 10.00pm) and at night (10.00pm to 7.00am)

Noise from the premises is to be measured at the nearest residential premise to determine compliance with this condition.

In the first operating year of the facility between February and April the noise emissions for day, evening and night time must be measured by an independent party in accordance with the NSW Industrial Noise Policy to determine compliance with the noise limits. A noise report must be prepared and submitted to the EPA within 30 days of the measurements.

Where additional plant is introduced or upgrades of the facility occur, additional independent noise monitoring will be required to determine compliance with the noise limits.

The noise emission limits identified apply for prevailing meteorological conditions (winds up to 3m/s), except under conditions of temperature inversions.



e) Hours of Construction

All construction work at the premises must only be conducted between 7 am to 6 pm Monday to Friday and 8 am to 1 pm Saturdays. No construction is to be undertaken on Sundays and public holidays.

The hours of construction may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

f) Pond Permeability

All waste water treatment, storage and tailwater ponds must have a minimum pond base and wall permeability of  $1 \times 10^{-9}$  meters per second or be artificially lined with an impermeable high density polyethylene liner.

(4) **Operating Conditions**

a) Potentially offensive odour

No condition of the relevant licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

b) Dust

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

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

c) Traffic Noise Management Plan

Prior to activities commencing on site the proponent must develop and implement a Traffic Noise Management Plan (TNMP) to ensure that licence noise limits are not exceeded. The TNMP must focus on front end loader and heavy vehicles movements around the site, particularly in the night time period, and must be approved by the EPA. The TNMP must include, but not be limited to:

- Speed limits
- Loading protocol
- Vehicle maintenance and any noise dampening controls employed
- Idling protocol (including breakdown periods or bank up to trucks)
- Driver induction/training

d) 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.

e) 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.

(5) **Monitoring and Recoding Conditions**

a) Reporting Conditions

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.

b) 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 four (4) years after the complaint was made.

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

c) 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 three (3) months after this relevant licence takes effect.

(6) **Reporting Conditions**

Annual Returns Documents

a) Documents which must be contained in an Annual Return

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.

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.

b) 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.

c) 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').

d) Notification where actual load can not be calculated  
(Licences with assessable pollutants)

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

The notification must specify:

- the assessable pollutants for which the actual load could not be calculated; and



- the relevant circumstances that were beyond the control of the licensee.

e) Licensee must retain a copy of the Annual Return

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

f) 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:

- the licence holder; or
- 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.

g) 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 seven (7) days of the date on which the incident occurred.

h) Written Report

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

- where the relevant licence applies to premises, an event has occurred at the premises; or
- where the relevant 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 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:

- the cause, time and duration of the event;
- the type, volume and concentration of every pollutant discharged as a result of the event;

- 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
- 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;
- action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- 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.

(7) **General Conditions**

A copy of the relevant 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.