



## ENVIRONMENT PROTECTION NOTICE No. 11347/1

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Issued under the *Environmental Management and Pollution Control Act 1994*

Issued to: **JENKINS HIRE PTY LTD**  
**ACN 050 205 671**  
**21 SALMON PONDS ROAD**  
**PLENTY TAS 7140**

Environmentally **The management of waste on Land (ACTIVITY TYPE: EPN only)**  
Relevant **REDLAND & BRIGHTSIDES, 21 SALMON PONDS ROAD**  
Activity: **PLENTY TAS 7140**

### GROUNDINGS

I, Joseph Tranter, Delegate for the Director, Environment Protection Authority, being satisfied in accordance with section 44(1)(e) of the *Environmental Management and Pollution Control Act 1994* (EMPCA) that in relation to the above-mentioned environmentally relevant activity that it is necessary to secure compliance with the general environmental duty hereby issue this environment protection notice to the above-mentioned person as the person responsible for the activity.

### PARTICULARS

The particulars of the grounds upon which this notice is issued are:

- 1 Jenkins Hire Pty Ltd (ACN 050 205 671) ("Jenkins") is responsible for the Activity.
- 2 The Activity involves the receipt and management of organic waste on The Land.
- 3 In carrying out the Activity, Jenkins must take such steps that are practicable to prevent or minimise environmental harm and environmental nuisance likely to be caused during the conduct of the Activity.
- 4 It is likely that the landspreading of organic wastes will adversely impact on neighbouring residents, in the form of the generation of nuisance odours, unless practical steps are taken to improve management practices.
- 5 The landspreading of organic waste on The Land in areas that slope towards the Plenty River presents a higher risk of nutrients entering the river during rain events and causing environmental harm. To reduce this risk it is desirable to exclude the landspreading of organic waste in areas that slope towards the Plenty River.
- 6 I am satisfied that it is necessary to secure compliance with the General Environmental Duty regarding the conduct of the Activity on The Land.

## DEFINITIONS

Unless the contrary appears, words and expressions used in this Notice have the meaning given to them in Schedule 1 of this Notice and in the EMPCA. If there is any inconsistency between a definition in the EMPCA and a definition in this Notice, the EMPCA prevails to the extent of the inconsistency.

## REQUIREMENTS

The person responsible for the activity must comply with the conditions as set out in Schedule 2 of this Notice.

## INFORMATION

Attention is drawn to **Schedule 3**, which contains important additional information.

## PENALTIES

If a person bound by an environment protection notice contravenes a requirement of the notice, that person is guilty of an offence and is liable on summary conviction to a penalty not exceeding 1000 penalty units in the case of a body corporate or 500 penalty units in any other case (at the time of issuance of this Notice one penalty unit is equal to \$181.00).

## NOTICE TAKES EFFECT

**This notice takes effect on the date on which it is served upon you.**

## APPEAL RIGHTS

You may appeal to the Appeal Tribunal against this notice, or against any requirement contained in this notice, within fourteen days from the date on which the notice is served. The Appeal Tribunal contact details are:

Registry  
Tasmanian Civil & Administrative Tribunal  
GPO Box 1311  
Hobart TAS 7001

Phone: 1800 657 500  
Email: resourceplanning@tascat.tas.gov.au

Signed: \_\_\_\_\_



DELEGATE FOR THE DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date: 13 April 2023

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***Attachments***

Attachment 1: Redlands & Brightsides excluding composting Activity (modified: 11/08/2022 10:00)..... 1 page

Attachment 2: Plenty Composting Facility (modified: 10/02/2022 15:42)..... 1 page

Attachment 3: Exclusion Zone (modified: 27/03/2023 15:31)..... 1 page



## Schedule 1: Definitions

**Activity** means any environmentally relevant activity (as defined in Section 3 of EMPCA) to which this document relates, and includes more than one such activity.

**Approved Management Method for the Reuse of Biosolids 2020** means the document or any updated version of this document approved by the Director

**Biomass** is a combination of residual wood fibres lost or discarded during normal pulp and paper manufacture, and microbiological solids from the treatment of pulp and paper waste water.

**Biosolids** means sewage sludge that has been extracted from a wastewater treatment plant and stabilised for beneficial reuse.

**Controlled Waste** has the meaning described in Section 3(1) of EMPCA.

**Director** means the Director, Environment Protection Authority holding office under Section 18 of EMPCA and includes a delegate or person authorised in writing by the Director to exercise a power or function on the Director's behalf.

**EMPCA** means the *Environmental Management and Pollution Control Act 1994*.

**Environmental Harm** and **Material Environmental Harm** and **Serious Environmental Harm** each have the meanings ascribed to them in Section 5 of EMPCA.

**Environmental Management Plan** means the document titled "Environmental Management Plan Jenkins Hire Pty Ltd - Landspreading of biosolids and Boyer Mill biomass at Brightsides Plenty" (EMP) dated November 2020, or any subsequent version approved in writing by the Director.

**Environmental Nuisance** and **Pollutant** each have the meanings ascribed to them in Section 3 of EMPCA.

**Person Responsible** is any person who is or was responsible for the environmentally relevant activity to which this document relates and includes the officers, employees, contractors, joint venture partners and agents of that person, and includes a body corporate.

**The Land** means the land on which the activity to which this document relates may be carried out, and includes: buildings and other structures permanently fixed to the land, any part of the land covered with water, and any water covering the land. The Land falls within the area defined by:

- 1 The farm identified as Redlands and Brightsides as shown in Attachment 1, but
- 2 excluding the portion of land as shown in Attachment 2 that is regulated by Permit No. 162/09 as varied by Environment Protection Notice No. 8894/1 and any subsequent variation.

**Waste** has the meaning ascribed to it in Section 3 of EMPCA.

## Schedule 2: Conditions

### General

#### **G1 Access to and awareness of conditions and associated documents**

A copy of these conditions and any associated documents referred to in these conditions must be held in a location that is known to and accessible to the person responsible for the activity. The person responsible for the activity must ensure that all persons who are responsible for undertaking work on The Land, including contractors and sub-contractors, are familiar with these conditions to the extent relevant to their work.

#### **G2 Complaints register**

- 1 A public complaints register must be maintained. The public complaints register must, as a minimum, record the following detail in relation to each complaint received in which it is alleged that environmental harm (including an environmental nuisance) has been caused by the activity:
  - 1.1 the date and time at which the complaint was received;
  - 1.2 contact details for the complainant (where provided);
  - 1.3 the subject matter of the complaint;
  - 1.4 any investigations undertaken with regard to the complaint; and
  - 1.5 the manner in which the complaint was resolved, including any mitigation measures implemented.
- 2 Complaint records must be maintained for a period of at least 3 years.

#### **G3 Receipt of waste**

- 1 Unless otherwise approved in writing by the Director,
  - 1.1 controlled waste must not be received on The Land;
  - 1.2 biomass must only be accepted on The Land in accordance with the Environmental Management Plan (EMP), or any subsequent EMP approved by the Director;
  - 1.3 biosolids must only be accepted on The Land:
    - 1.3.1 in accordance with the *Approved Management Method for the Reuse of Biosolids 2020 (Biosolids AMM)* and the EMP; and
    - 1.3.2 after the biosolids have been stabilised by composting for a minimum of 12 weeks, which includes a pasteurisation phase;
  - 1.4 general waste other than biosolids or biomass must not be received on The Land.

#### **G4 Environmental Management Plan**

- 1 Unless otherwise approved in writing by the Director, the Environmental Management Plan (EMP) must be implemented, and Activities on The Land must be conducted in accordance with the EMP.
  - 1.1 Should there be any inconsistencies between the requirements of the EMP and this Notice, the requirements of this Notice will prevail.
- 2 Within three (3) months of the date of issue of this document, or by a date otherwise specified in writing by the Director, a revised Environmental Management Plan (EMP) must be submitted to the Director for approval.
- 3 The revised EMP must be prepared in accordance with any reasonable guidelines provided by the Director.

- 4 The revised EMP must not be implemented until approved in writing by the Director. Once approved, the revised EMP, as amended from time to time with the written agreement of the Director, must be implemented by the person responsible, from the date of the Director's approval.

**G5 Exclusion Zone**

Waste approved by this notice must not be deposited in the exclusion zone on The Land shown in Attachment 3.

### Schedule 3: Information

#### Legal Obligations

##### **LO1 EMPCA**

The activity must be conducted in accordance with both the conditions in this document and the obligations of the *Environmental Management and Pollution Control Act 1994* (EMPCA) and subordinate regulations. The conditions of this document do not replicate legislated obligations; therefore, you should ensure you are aware of your obligations under EMPCA and subordinate regulations.

##### **LO2 Change of responsibility**

If the person responsible for the activity ceases to be responsible for the activity, they must notify the Director in accordance with Section 45 of the EMPCA.

#### Other Information

##### **OI1 Notification of incidents under section 32 of EMPCA**

Where a person is required by section 32 of EMPCA to notify the Director of the release of a pollutant, the Director can be notified by telephoning **1800 005 171** (a 24-hour emergency telephone number).

##### **OI2 Fees payable**

Under the provisions of the EMPCA and Regulations thereunder, the Director may require the person on whom this Notice is served to pay reasonable costs and expenses for the issuing of the Notice, making any amendments to the Notice and for ensuring compliance with the Notice.

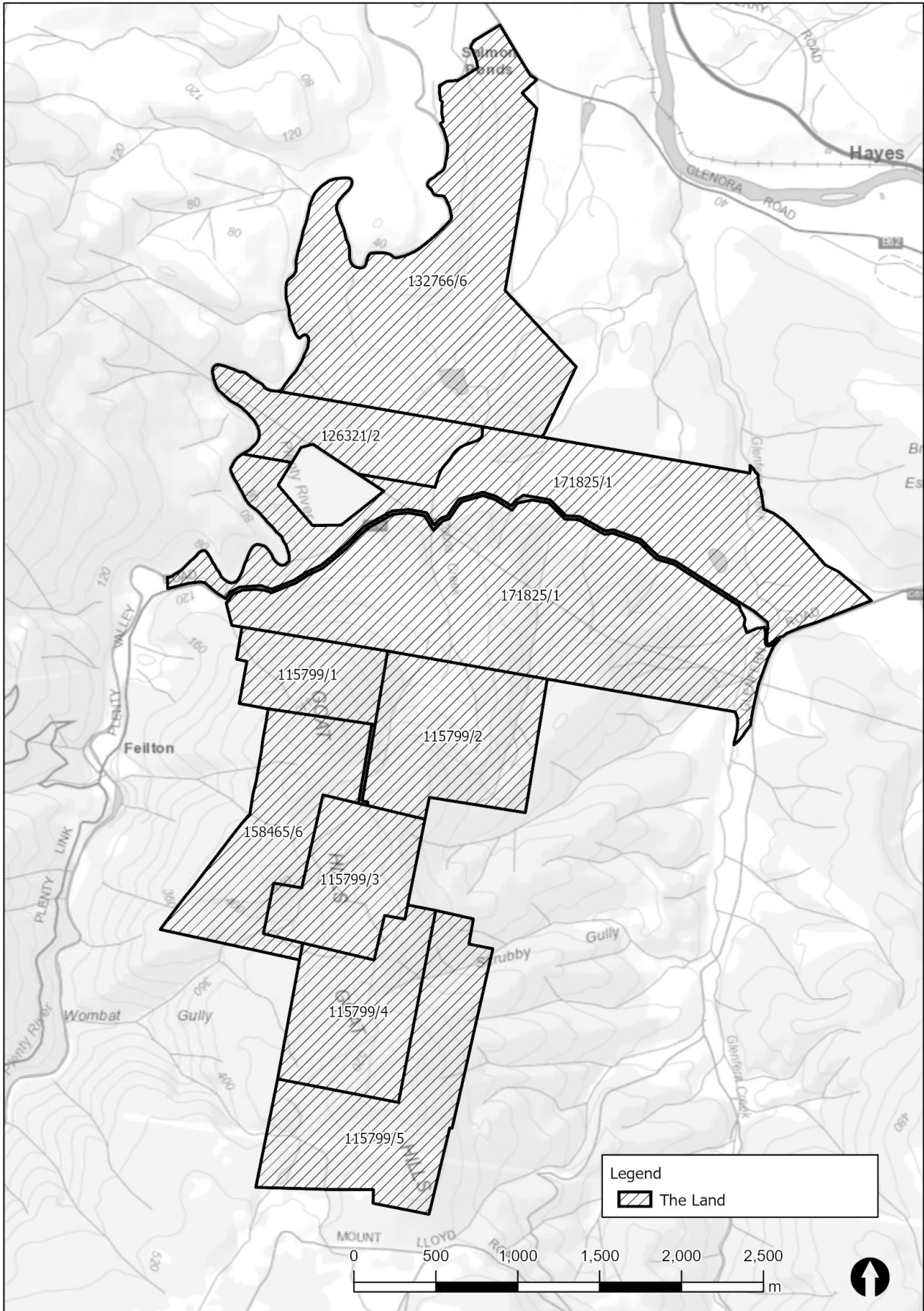
##### **OI3 Release of Relevant Information**

Under the provisions of Section 23AA of EMPCA relevant information relating to monitoring of environmental impacts required under these conditions may be subject to publishing or public release by the Director.

##### **OI4 Environmental Audit**

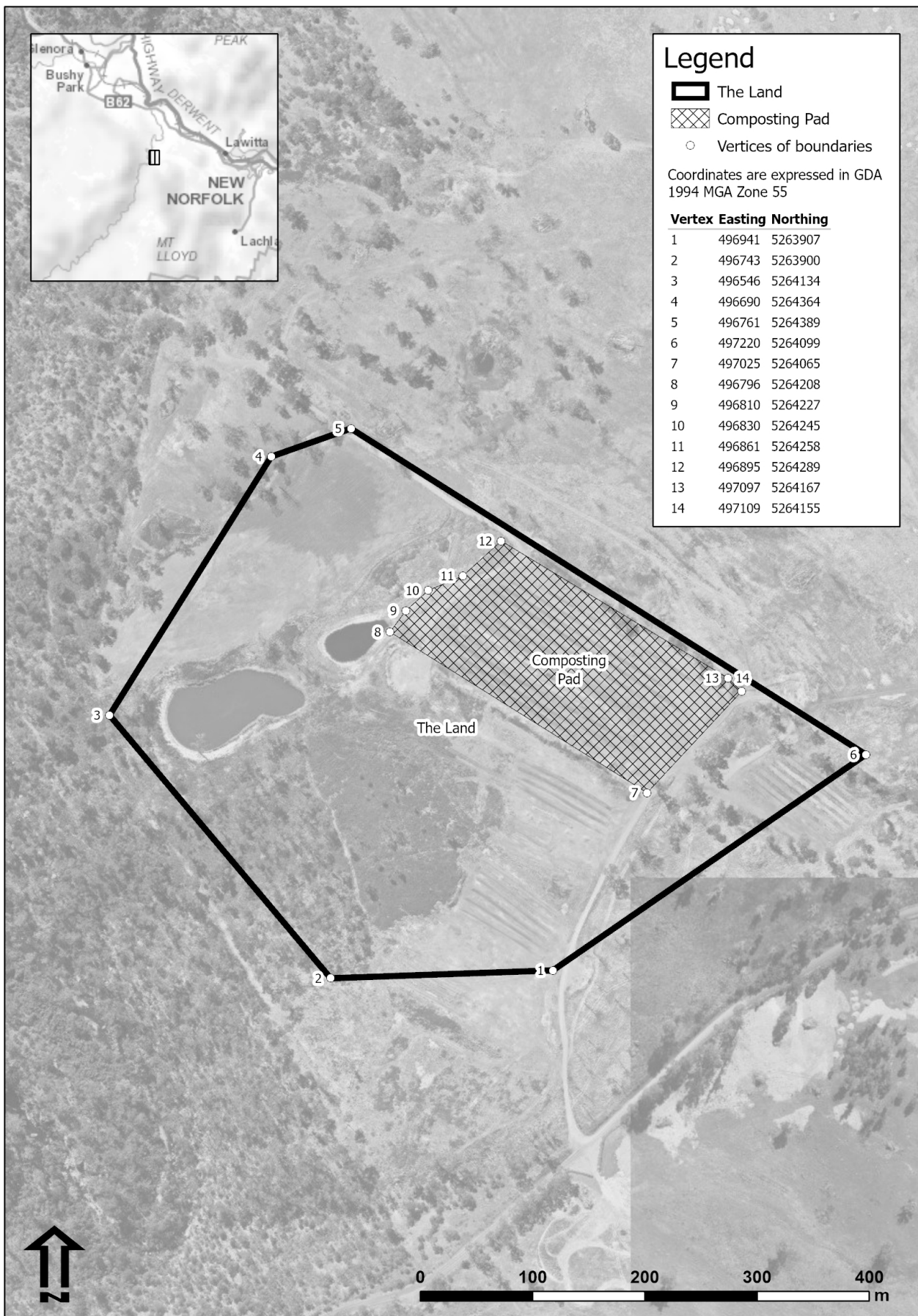
Under the provisions of Section 5B(e)(ii)&(iii) of EMPCA, an environmental audit may be conducted on any conditions imposed by this notice, or any other requirements of EMPCA.

# Attachment 1: Redlands & Brightsides excluding composting Activity





# Attachment 2: Plenty Composting Facility



# Attachment 3: Exclusion Zone

