

This is the document marked ES01 referred to in the affidavit of 1/27 sworn at ESQ-1 in Tasmania, this 21 OCT 2011, before me.



[Signature]
JUSTICE OF THE PEACE

ENVIRONMENT PROTECTION NOTICE NO. 7688/2
Justice of the Peace - 2159

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

Issued to: **TASMANIAN WATER AND SEWERAGE CORPORATION (NORTHERN REGION) PTY LIMITED trading as BEN LOMOND WATER**
ACN 133 655 062
36 - 42 CHARLES ST
LAUNCESTON TAS 7250

Environmentally Relevant Activity: **The operation of treatment and irrigation of municipal wastewater (ACTIVITY TYPE: Wastewater Treatment Works) LEGANA WASTEWATER TREATMENT PLANT, GRIFFITHS LANE LEGANA TAS 7277**

GROUNDS

I, Alexander Schaap, Director, Environment Protection Authority, being satisfied in accordance with section 44(1)(a), (c) and (d) of the *Environmental Management and Pollution Control Act 1994* (the EMPCA) and in relation to the above-mentioned environmentally relevant activity that:-
environmental harm is being or is likely to be caused; and
it is necessary to do so in order to give effect to a State Policy or an environment protection policy; and
it is desirable to vary the conditions of a permit (see table below),
hereby issue this environment protection notice to the above-mentioned person as the person responsible for the activity.

Permit No.	Date Granted	Granted By
3593	15 December 1988	Director of Environmental Control

PARTICULARS

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

- 1 The permit conditions need to be varied to ensure conformity with the Emission Limit Guidelines for Sewage Treatment Plants that Discharge Pollutants into Fresh and Marine Waters (DPIWE June 2001).
- 2 Because it is necessary to give effect to the *State Policy on Water Quality Management 1997*.
- 3 Some conditions need to be be varied or new conditions imposed to reflect current regulatory practice
- 4 To ensure that there are adequate safeguards against environmental harm or nuisance being caused by the activity

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5 Because the permit conditions need to be varied to reflect current or updated terminology and/or to clarify the meaning of the conditions.

6 The permit conditions need to be varied to reflect continuous improvement consistent with the objectives of EMPCA.

Further details of the particulars are contained in Schedule 4 of this notice.

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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

In accordance with s.44(3) of the EMPCA, the person responsible for the activity is required to comply with the conditions contained in Schedule 2 of this Notice. These conditions prevail over the terms of the permit to the extent of any inconsistency.

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 \$130.00).

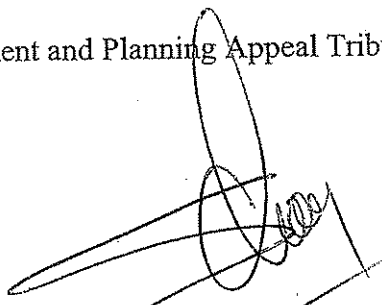
NOTICE TAKES EFFECT

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 the notice, within 14 days from the date on which the notice is served, by writing to:

The Chairperson
Resource Management and Planning Appeal Tribunal
GPO Box 2036
Hobart TAS 7001



Signed:

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date:

12 OCT 2011

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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 Biosolids Reuse means the document of this title first gazetted by the Director in June 2006 as amended by the Director from time to time.

Authorized Officer means an authorised officer under section 20 of EMPCA

average dry weather flow means the average of the daily flows sustained during dry-weather periods with limited infiltration.

Best Practice Environmental Management or 'BPEM' has the meaning described in Section 4 of EMPCA

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

cells/mL means the number of cells per 1 mL of the specified species of organism.

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 person authorised in writing by the Director to exercise a power or function on the Director's behalf.

DRP means Decommissioning and Rehabilitation Plan

Effluent means wastewater discharged from The Land.

EMP means the *Draft Legana WWTP - Effluent Reuse Scheme Development Proposal and Environmental Management Plan* prepared by Gutteridge Haskins & Davey Pty Ltd dated October 2001 or any subsequent EMP revisions approved by the Director.

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

Environmentally Hazardous Material means any substance or mixture of substances of a nature or held in quantities which present a reasonably foreseeable risk of causing serious or material environmental harm if released to the environment and includes fuels, oils and chemicals.

incident has the meaning described in Section 32 of the Environmental Management and Pollution Control Act 1994.

Minimum Construction Requirements For Water Bores In Australia means the document published under this title by the Commonwealth Land and Water Biodiversity Committee in 2003, or any subsequent updates of this document.

Noise Sensitive Premises means residences and residential zones (whether occupied or not), schools, hospitals, caravan parks and similar land uses involving the presence of individual people for extended periods, except in the course of their employment or for recreation.

Peak wet weather flow is the sum of the average dry weather flow plus rain dependant inflow and infiltration.

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.

Reporting Period 'means the financial year ending on 30 June of each calendar year'.

Sewage Sludge means concentrated solids separated from wastewater during the wastewater treatment process.

SPWQM means the *State Policy on Water Quality Management 1997*, as amended from time to time.

Stormwater means water traversing the surface of the land as a result of rainfall.

Tasmanian Biosolids Reuse Guidelines means the document of this title published by the Department of Primary Industries, Water and Environment in August 1999, and includes any subsequent versions of this document.

Tasmanian Noise Measurement Procedures Manual means the Noise Measurement Procedures Manual dated July 2004 issued by the Director of Environmental Management in accordance with regulation 25 of the *Environmental Management and Pollution Control (Miscellaneous Noise) Regulations 2004* and includes any subsequent versions of the document.

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 plan shown at Attachments 1 and 2

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

Wastewater means spent or used water (whether from industrial or domestic sources) containing a pollutant and includes stormwater which becomes mixed with wastewater.

Wastewater Reuse EMP means the document entitled *Draft Legana WWTP - Effluent Reuse Scheme Development Proposal and Environmental Management Plan* prepared by Gutteridge Haskins & Davey Pty Ltd dated October 2001 or any subsequent revisions approved by the Director.

Wastewater Reuse Scheme means the Legana Reuse Scheme as described in the *Draft Legana WWTP - Effluent Reuse Scheme Development Proposal and Environmental Management Plan* prepared by Gutteridge Haskins & Davey Pty Ltd dated October 2001.

WWTP means the wastewater treatment plant located off Griffiths Lane consisting of three treatment lagoons.

Schedule 2: Conditions**Maximum Quantities****Q1 Regulatory limits**

- 1 The activity must not exceed the following limits:
 - 1.1 540 kilolitres/day of design capacity to treat sewage or wastewater (average dry weather flow). (Annual fees are derived from this figure.)
 - 1.2 2,160 kL/day of maximum throughput (peak wet weather flow)

General**G1 Compliance with EMP and BPEM**

The Land must be developed and used, and the activity on The Land must be carried out and monitored, in accordance with the environmental management measures set down in the Environmental Management Plan ('EMP'), and in accordance with best practice environmental management, unless otherwise specified in these conditions or contrary to EMPCA.

G2 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.

G3 Incident response

If an incident causing or threatening environmental nuisance, serious environmental harm or material environmental harm from pollution occurs in the course of the activity, then the person responsible for the activity must immediately take all reasonable and practicable action to minimise any adverse environmental effects from the incident.

G4 No changes without approval

- 1 The following changes, if they may cause or increase the emission of a pollutant which may cause material or serious environmental harm or environmental nuisance, must only take place in relation to the activity if such changes have been approved in writing by the EPA Board following its assessment of an application for a permit under the *Land Use Planning and Approvals Act 1993*, or approved in writing by the Director:
 - 1.1 a change to a process used in the course of carrying out the activity; or
 - 1.2 the construction, installation, alteration or removal of any structure or equipment used in the course of carrying out the activity; or
 - 1.3 a change in the quantity or characteristics of materials used in the course of carrying out the activity.

G5 Change of ownership

If the person responsible for the activity is not the owner of The Land upon which the activity is carried out and the owner of The Land changes or is to change, then, as soon as reasonably practicable but no later than 30 days after becoming aware of the change, the person responsible must notify the Director in writing of the change of ownership.

G6 Complaints register

- 1 A public complaints register must be maintained and made available for inspection by an Authorized Officer upon request. 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 time at which the complaint was received;
 - 1.2 contact details for the complainant;
 - 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.

G7 Annual Environmental Review Template

Unless otherwise approved by the Director, a publicly available Annual Environmental Review must be submitted each year within 3 months of the end of the Reporting Period. The Annual Environmental Review must be prepared to the satisfaction of the Director, using the latest version of the Annual Environmental Review Template which is available on request from the Director.

G8 Additional annual reporting information for wastewater reuse schemes

- 1 Annual Environmental Reviews submitted in accordance with these conditions must include the following additional information:
 - 1.1 a list of all supplier-user agreements;
 - 1.2 the volume of treated wastewater discharged to the wastewater reuse scheme during each calendar month of the reporting period and the reuse rate as a proportion of total wastewater discharged from the WWTP;
 - 1.3 a summary of reuse activities including water and nutrient budgets;
 - 1.4 results of monitoring undertaken in accordance with the Wastewater Reuse EMP and an assessment of those results. This information should be presented in graphical form where possible and should include comparison with the results of previous reporting periods;
 - 1.5 discussion of any significant trends observable in the monitoring results over time, including comparison with previous monitoring periods, must be provided;
 - 1.6 verification that the wastewater is only being used in the manner and on crops described in the Wastewater Reuse EMP and how this has been verified; and
 - 1.7 details of any proposed variations to the operation of the reuse scheme from those described in the Wastewater Reuse EMP.
- 2 Where the Director is of the opinion that the Wastewater Reuse EMP needs updating to reflect the current practices and potential environmental impacts associated with the reuse scheme the Director may direct the person responsible to cause a new Wastewater Reuse EMP to be prepared and submitted for approval and the responsible person must comply with the direction or cease the discharge to the wastewater reuse scheme.

G9 Wastewater Reuse EMP review

- 1 A review of the Wastewater Reuse EMP and its operation must be undertaken, and an updated Wastewater Reuse EMP must be provided to the Director by 1 November 2011.

- 2 The updated Wastewater Reuse EMP must include a statement by the General Manager, Chief Executive Officer or equivalent for the activity acknowledging the contents of the updated Wastewater Reuse EMP. The updated Wastewater Reuse EMP must include, but not necessarily be limited to, the following information:
- 2.1 details of any variation to the operation of the reuse scheme from those described in the original Wastewater Reuse EMP; and
 - 2.2 a comparison of the environmental performance of the activity predicted in the original Wastewater Reuse EMP with the actual operation and performance of the reuse scheme taking into account monitoring and data analysis undertaken in accordance with the original Wastewater Reuse EMP; and
 - 2.3 a description of the circumstances where environmental performance is below the actual performance predicted in the original Wastewater Reuse EMP; and
 - 2.4 a strategy to improve the environmental performance to the level predicted in the original Wastewater Reuse EMP or propose alternative sustainable practices; and
 - 2.5 a description of the potential environmental impacts arising from the ongoing operation of the activity over the next 5 years, including a strategic consideration of potential changes to the activity during that period and consideration of opportunities to implement continuous improvement.

G10 Availability of the EMPs

All EMPs must be made publicly available.

G11 Availability of agreements

A copy of any relevant Trade Waste Agreement or effluent reuse Supplier-User Agreement must be provided to an Authorised Officer upon request.

Atmospheric**A1 Odorous gases**

Odorous gases arising from the activity must be managed so that they do not cause environmental nuisance beyond the boundary of The Land.

Decommissioning And Rehabilitation**DC1 Notification of cessation**

Within 30 days of becoming aware of any event or decision which is likely to give rise to the permanent cessation of the activity, the person responsible for the activity must notify the Director in writing of that event or decision. The notice must specify the date upon which the activity is expected to cease or has ceased.

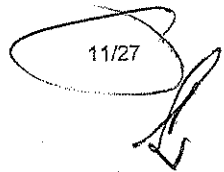
DC2 DRP requirements

Unless otherwise approved in writing by the Director, a draft Decommissioning and Rehabilitation Plan (DRP) for the activity must be submitted for approval to the Director within 30 days of the Director being notified of the planned cessation of the activity or by a date specified in writing by the Director. The DRP must be prepared in accordance with any guidelines provided by the Director.

DC3 Rehabilitation following cessation

- 1 Following permanent cessation of the activity, and unless otherwise approved in writing by the Director, The Land must be rehabilitated including:
 - 1.1 stabilisation of any land surfaces that may be subject to erosion;
 - 1.2 removal or mitigation of all environmental hazards or land contamination, that might pose an on-going risk of causing environmental harm; and

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- 1.3 decommissioning of any equipment that has not been sold.
- 2 Where a Decommissioning and Rehabilitation Plan (DRP) has been approved by the Director, rehabilitation must be carried out in accordance with that plan.

Effluent

EF1 Effluent discharge locations

- 1 Treated effluent from the activity must only be discharged at the following discharge points:
 - 1.1 Discharge to a wastewater reuse scheme: discharge to the Legana reuse scheme as defined in the Wastewater Reuse EMP at approximate grid reference GDA94 505010E, 5421340N as shown on Attachment 2.
 - 1.2 Discharge to water: discharge to an unnamed tributary of the Tamar River at approximate grid reference GDA94 505180E, 5421145N as shown on the plan at Attachment 2.
- 2 Treated effluent must not be discharged to the point referred to in clause 1.1 unless the effluent is managed in accordance with the Wastewater Reuse EMP.

EF2 Notification of discharge other than to a reuse scheme

The person responsible must notify the Director as soon as reasonably practicable after becoming aware of a discharge or the need for discharge of effluent other than to the wastewater reuse scheme.

EF3 Effluent quality limits for discharge to water (Discharge Point 1.2)


- 1 The pH of effluent discharged to water must be between 6.5 and 8.5.
- 2 The concentrations in effluent of substances or measures listed in Column 1 of the Table of Effluent Quality Limits below must not exceed the limits specified in Column 3 at the point at which effluent is discharged to water when measured in the units specified in Column 2.
- 3 **Table of Effluent Quality Limits**

Column 1	Column 2	Column 3
Substance or measure	Unit of measurement	Maximum limit
Biochemical Oxygen Demand	mg/L	50
Suspended Solids	mg/L	50
Ammonia Nitrogen	mg/L	30
Total Nitrogen	mg/L	40
Total Phosphorus	mg/L	10
Oil and Grease	mg/L	10
Thermotolerant Coliforms	cfu/100mL	1,000

EF4 Blue-green algae notification

Unless otherwise specified by the Director, if blue-green algae are present at a concentration of 11,500 cells/mL or greater in the effluent at the discharge point(s), the Director must be notified within 24 hours of the monitoring results being received.



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EF5 Effluent quality limits for discharge to a reuse scheme (Discharge Point 1.1)

- 1 The pH of the effluent discharged to the wastewater reuse scheme must be between 6.0 and 9.0.
- 2 The concentrations in effluent of substances or measures listed in Column 1 of the Table of Reuse Effluent Quality Limits below do not exceed the limits specified in Columns 3 and 4 when measured in the units in Column 2 at the point at which effluent is discharged to the wastewater reuse scheme. For the purpose of this condition median means the value at which the relevant parameter is exceeded by no more than 50 percent of all sample results over a 12 month period.

3 Table of Reuse Effluent Quality Limits

Column 1	Column 2	Column 3	Column 4
Parameter	Unit of measurement	Median limit	Maximum limit
Biochemical Oxygen Demand	mg/L	NA	50
Thermotolerant Coliforms	cfu/100mL	<1000	10,000

EF6 Stormwater

- 1 Polluted stormwater that will be discharged from The Land must be collected and treated prior to discharge to the extent necessary to prevent serious or material environmental harm, or environmental nuisance.
- 2 Notwithstanding the above, all stormwater that is discharged from The Land must not carry pollutants such as sediment, oil and grease in quantities or concentrations that are likely to degrade the visual quality of any receiving waters outside the Land.
- 3 All reasonable measures must be implemented to ensure that solids entrained in stormwater are retained on The Land. Such measures may include appropriately sized and maintained sediment settling ponds or detention basins, vegetated swales or other measures designed and operated in accordance with the principles of Water Sensitive Urban Design.
- 4 Stormwater discharged in accordance with this condition must not be directed to sewer without the approval of the operator of the sewerage system.

Hazardous Substances

H1 Storage and handling of hazardous materials

Unless otherwise approved in writing by the Director, environmentally hazardous material held on The Land, including chemicals, fuels and oils, must be located within impervious bunded areas or spill trays which are designed to contain at least 110% of the total volume of material.

H2 Spill kits

Spill kits appropriate for the types and volumes of materials handled on The Land must be kept in appropriate locations to assist with the containment of spilt environmentally hazardous materials.



Monitoring

M1 Monitoring requirements

- 1 Unless otherwise specified in writing by the Director, monitoring must be undertaken in accordance with the Table of Monitoring at Attachment 3, as follows:
 - 1.1 the items listed in Column 1 must be sampled or tested at the locations listed in Column 2 for the parameters listed in Column 3 at the frequencies listed in Column 5 using the techniques listed in Column 6; and
 - 1.2 resultant monitoring data must be reported to the Director in accordance with the requirements set out in Column 7 and in the units listed in Column 4.

M2 Dealing with samples obtained for monitoring

- 1 Any sample or measurement required to be obtained under these conditions must be obtained in accordance with the following:
 - 1.1 samples must be tested in a laboratory accredited by the National Association of Testing Authorities (NATA), or a laboratory approved in writing by the Director, for the specified test;
 - 1.2 measurements must be made and samples must be collected and analysed in accordance with relevant Australian Standards, NATA approved methods, the *American Public Health Association Standard Methods for the Analysis of Water and Waste Water* or other standard(s) approved in writing by the Director;
 - 1.3 noise measurements must be taken in accordance with the Tasmanian Noise Measurement Procedures Manual;
 - 1.4 results of measurements and analysis of samples and details of methods employed in taking measurements and samples must be retained for at least three years after the date of collection; and
 - 1.5 samples and measurements must be obtained and transported by a person with appropriate training and experience.

M3 Monitoring reporting and record keeping

- 1 Unless otherwise specified in writing by the Director, a Monthly Monitoring Report, in an electronic format approved by the Director, must be submitted to the Director within 21 days of completion of laboratory analyses of samples collected for the previous monthly period. As a minimum, the Monthly Monitoring Report must include the following information:
 - 1.1 the laboratories at which sample analyses were carried out;
 - 1.2 contact details for a person responsible for managing monitoring programs;
 - 1.3 the estimated or measured average daily flow to the wastewater treatment plant for the previous monthly period; and
 - 1.4 for each sampling location or site test location:
 - 1.4.1 a location name which allows the location to be clearly identifiable;
 - 1.4.2 the date and time at which each sample was taken or site test conducted;
 - 1.4.3 the indicators for which analyses or tests were carried out and the units in which the results are reported; and
 - 1.4.4 the results for all sample analyses and site tests.
- 2 A record of all monthly monitoring reports submitted to the Director must be maintained and copies of all laboratory analysis reports referenced to the relevant Monthly Monitoring Reports kept for a minimum period of three years.

M4 Flow monitoring equipment

- 1 Flow monitoring equipment must be calibrated as frequently as recommended by the manufacturer or at least once every 12 months, whichever is the more frequent.
- 2 The dates on which flow monitoring equipment has been calibrated must be recorded and records kept for a minimum of 3 years.

M5 Signage of monitoring points

With the exception of open water sampling, all monitoring points must be clearly marked to indicate the location and name of the monitoring point.

M6 Groundwater Monitoring Bore Planning and Construction

- 1 A groundwater monitoring bore plan must be submitted by the person responsible to the Director for approval by 30 June 2012, or by a date otherwise specified in writing by the Director.
- 2 The groundwater monitoring bore plan must be prepared by a suitably qualified person.
- 3 The groundwater monitoring bore plan must:
 - 3.1 describe the location and design of groundwater monitoring bores to be constructed or which have all ready been constructed to detect groundwater contamination caused by the activity;
 - 3.2 include a map of the Land on which the location of existing and proposed bores are marked;
 - 3.3 provide reasons as to why the location and design of proposed bores is appropriate for the purpose of detecting groundwater contamination caused by the activity;
 - 3.4 provide reasons as to why the location and design of existing bores are appropriate for the purpose of detecting groundwater contamination caused by the activity.
- 4 Where the groundwater monitoring bore plan requires the construction of bores, those bores must be constructed within 6 months of the date on which the Director approves the groundwater monitoring bore plan.
- 5 At the time of construction of any bore required by the groundwater monitoring bore plan, the following information must be recorded and compiled into a Bore Installation and Development Record:
 - 5.1 a description of the materials used for construction;
 - 5.2 initial field measurements of the groundwater for conductivity, total dissolved solids, pH and temperature;
 - 5.3 details of slot screens installed, and the depth to which they were installed;
 - 5.4 depth of gravel packing;
 - 5.5 depth of the bentonite cap;
 - 5.6 details of bore development during pumping (removal of drilling contamination);
 - 5.7 results of pump tests;
 - 5.8 aquifer levels; and
 - 5.9 a detailed geological log.
- 6 The Director must be notified of construction of the bores required by the groundwater monitoring bore plan within 1 month of their construction. The Bore Installation and Development Record for each newly constructed bore must be provided with the notification.

- 7 The groundwater bores required by this condition must be established by a suitably qualified person in accordance with the Minimum Construction Requirements for Water Bores in Australia.

Noise Control

N1 Noise emission limits

- 1 Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
 - 1.1 50 dB(A) between 0700 hours and 1800 hours (Day time); and
 - 1.2 45 dB(A) between 1800 hours and 2200 hours (Evening time); and
 - 1.3 40 dB(A) between 2200 hours and 0700 hours (Night time).
- 2 Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
- 3 The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified by the Director.
- 4 Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the *Tasmanian Noise Measurement Procedures Manual*.
- 5 All methods of measurement must be in accordance with the *Tasmanian Noise Measurement Procedures Manual*, issued by the Director.

Operations

OP1 Contingency Management Plan

- 1 Unless otherwise approved in writing by the Director, a Contingency Management Plan must be submitted by the person responsible to the Director by 30 June 2012. The plan must detail measures to prevent and mitigate environmental harm if an unplanned event occurs. Unplanned events that must be addressed by the plan include:
 - 1.1 incidents, accidents, power failures and malfunctions with the potential to cause the release of effluent that does not comply with these conditions;
 - 1.2 pipe ruptures leading to discharge of wastewater;
 - 1.3 development of blue green algae (cyanobacteria) concentrations that have the potential to cause environmental harm; and
 - 1.4 fire and flooding.
- 2 The Contingency Management Plan must include communication procedures for ensuring that downstream water users, the general public and relevant government agencies are informed of any unplanned event to the extent necessary to allow them to take precautions against adverse impacts upon the environment, human health and livestock health. The Contingency Management Plan must include contact details for all downstream water users that may be impacted by an unplanned event and must be kept up to date by the person responsible.
- 3 The person responsible must ensure that all personnel are aware of the Contingency Management Plan and their responsibilities in relation to unplanned events and have access at all times to the Contingency Management Plan.
- 4 The Contingency Management Plan must be implemented if an unplanned event occurs.

OP2 Operational Procedures Manual

- 1 An Operational Procedures Manual ('the Manual') must be developed within 12 months of the date on which these conditions take effect or by a date specified in writing by the Director. The Manual must provide detailed information relating to the activity and must detail operational procedures as required to ensure compliance with these conditions.
- 2 The person responsible must take all reasonable and practicable measures to ensure that personnel, including contractors, carry out their duties in accordance with the manual.

OP3 Inflow and Infiltration (I&I) Management Plan

- 1 Unless otherwise approved in writing by the Director, an Inflow & Infiltration Plan must be submitted for the Director's approval by 31 December 2011.
- 2 The I&I Management Plan must contain, but not be limited to, the following information:
 - 2.1 description of surveys or investigations previously undertaken to identify significant I&I points within the sewerage system;
 - 2.2 summary of the results of the surveys undertaken in accordance with (2.1) above including a description of the methods utilised, identification of sub-catchments with high I&I rates and a description of significant I&I sources within the catchment;
 - 2.3 an outline of further surveys to be undertaken within the sewerage system;
 - 2.4 strategy for the reduction of I&I into the sewerage system including:
 - 2.4.1 specific reduction targets;
 - 2.4.2 a table containing all of the major commitments made in the strategy;
 - 2.4.3 an implementation timetable for key aspects of the strategy; and
 - 2.4.4 a reporting schedule to regularly advise the Director of progress with implementation of the strategy.
- 3 The plan, as amended from time to time with the written agreement of the Director, must be implemented to the satisfaction of the Director.

OP4 Capacity Assessment of WWTP

- 1 The person responsible must submit a Plant Capacity Report on the Legana Wastewater Treatment Plant and Legana Reuse Scheme to the Director for approval by 31 December 2012, or a date otherwise specified by the Director.
- 2 For the purposes of this condition the Plant Capacity Report must include the following:
 - 2.1 An assessment of the current influent flows into the Legana plant, including average dry weather flow (ADWF) and peak wet weather flows (PWPF),
 - 2.2 Prediction of future volume and bacterial, organic and inorganic pollutant loading on the plant, taking into account population and industrial growth over 10 years, and a demonstration of the plants ability to process the loads.
 - 2.3 Either, confirmation of the plant's capacity to adequately treat current and future loadings or a strategy for the future management of the plant, taking into account the assessment in (2.2), which will ensure compliance with these conditions.
 - 2.4 An assessment of the capacity of the Legana Reuse Scheme in relation to predicted increases in effluent volume. Where changes in volume to the reuse scheme are significant, a revised Reuse Environmental Management Plan must also be incorporated.

- 3 Where changes in the volume and quality of discharge from the Legana WWTP are significant such that discharge to the environment is expected to occur, a discharge management plan must be submitted.

OP5 Site security

The WWTP must be fenced to prevent entry by unauthorised persons and these fences must be adequately maintained for this purpose.

OP6 Lagoon maintenance

- 1 Floating matter including grass, weeds and rubbish must not be allowed to accumulate on the surface of any ponds or lagoons.
- 2 All lagoon and pond embankments must be kept in good repair and free of woody vegetation and rubbish.

Waste Management

WM1 Controlled waste transport

Transport of controlled wastes to and from The Land must be undertaken only by persons authorised to do so under EMPCA or subordinate legislation.

WM2 Sewage Sludge Management Plan

- 1 A Sewage Sludge Management Plan must be submitted to the Director for approval by 31 December 2011.
- 2 The Sewage Sludge Management Plan must be prepared with reference to the Tasmanian Biosolids Reuse Guidelines and must include:
 - 2.1 a monitoring program to ensure the correct testing and classification of sewage sludge; and
 - 2.2 a proposal for the appropriate end use or disposal of sewage sludge.
- 3 The Sewage Sludge Management Plan must contain a description of any onsite containment facility for sewage sludge at the WWTP including measures to prevent environmental nuisance.
- 4 Unless otherwise approved in writing by the Director, sewage sludge must be managed in accordance with the Sewage Sludge Management Plan approved in writing by the Director.

Schedule 3: Information**Legal Obligations****LO1 EMPCA**

The activity must be conducted in accordance with the requirements of the *Environmental Management and Pollution Control Act 1994* and Regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.

LO2 Storage and handling of Dangerous Goods and Dangerous Substances

- 1 The storage, handling and transport of dangerous goods and dangerous substances must comply with the requirements of relevant State Acts any regulations thereunder, including:
 - 1.1 *Dangerous Goods (Road and Rail Transport) Act 2010*;
 - 1.2 *Dangerous Goods (Road and Rail Transport) Regulations 2010*;
 - 1.3 *Dangerous Substances (Safe Handling) Act 2005*;
 - 1.4 *Dangerous Substances (Safe Handling) Regulations 2009*;
 - 1.5 *Workplace Health and Safety Act 1995*; and
 - 1.6 *Workplace Health and Safety Regulations 1998*.

LO3 Notification of incidents under section 32 of EMPCA

- 1 A person responsible for an activity that is not a level 2 activity or a level 3 activity must notify the relevant Council, as soon as reasonably practicable but not later than 24 hours, after becoming aware of the release of a pollutant occurring as the result of any incident in relation to that activity, including an emergency, accident or malfunction, if this release causes or may cause an environmental nuisance.
- 2 A person responsible for an activity that is a level 2 activity or a level 3 activity must notify the Director, as soon as reasonably practicable but not later than 24 hours, after becoming aware of the release of a pollutant occurring as a result of any incident in relation to that activity, including an emergency, accident or malfunction, if this release causes or may cause an environmental nuisance.
- 3 A person responsible for an environmentally relevant activity must notify the Director, as soon as reasonably practicable but not later than 24 hours, after becoming aware of the release of a pollutant occurring as a result of any incident in relation to that activity, including an emergency, accident or malfunction, if this release causes or may cause serious or material environmental harm.
- 4 The Director can be notified by telephoning 1800 005 171 (a 24-hour emergency telephone number).
- 5 This notification can be faxed to the Director on 62 333 800, or delivered by hand.
- 6 Any notification given by a person in compliance with this section is not admissible in evidence against the person in proceedings for an offence or for the imposition of a penalty (other than proceedings in respect of the making of a false or misleading statement).
- 7 A person is required to notify the relevant Council or the Director of an incident despite the fact that to do so might incriminate the person or make the person liable to a penalty.
- 8 Any notification referred to in subsection (1), (2) or (3) must include details of the incident, its nature, the circumstances in which it occurred and any action that has been taken to deal with it.

9 For the purposes of subsections (1), (2) and (3):

- 9.1 a person is not required to notify the relevant Council of an incident if the person has reasonable grounds for believing that the incident has already come to the notice of the Council
- 9.2 a person is not required to notify the Director of an incident if the person has reasonable grounds for believing that the incident has already come to the notice of the Director;

LO4 Change of responsibility

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

Policy Requirements

PR1 Policy Objectives

- 1 Wastewater Treatment Plants (WWTP) in Tasmania must comply with the requirements for best practice environmental management (BPEM) and move toward implementing accepted modern technology (AMT) under the Environmental Management and Pollution Control Act 1994 (EMPCA) and the State Policy on Water Quality Management 1997 (SPWQM). The management of pollutant discharge from point sources is governed by the principles defined in clause 16.2 of SPWQM, namely:
 - 1.1 pollutant discharges must not prejudice water quality objectives (WQO) defined for the receiving waters; and
 - 1.2 pollutant discharges must be reduced to the maximum extent by Best Practice Environmental Management (BPEM) in accordance with the hierarchy of waste management.

PR2 Policy Framework

- 1 The policy framework and guidelines relevant to implementation of policy are as follows:
 - 1.1 State Policy on Water Quality Management 1997;
 - 1.2 Emission Limit Guidelines for Sewage Treatment Plants That Discharge Pollutants In To Fresh And Marine Waters, June 2001;
 - 1.3 Tasmanian Biosolids Reuse Guidelines, August 1999;
 - 1.4 Approved Management Method for Biosolids Reuse, June 2006; and
 - 1.5 Environmental Guidelines for the Use of Recycled Water in Tasmania, December 2002.

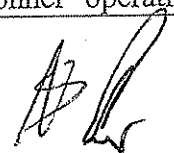
Schedule 4
Further Grounds

Condition in Schedule 2 (unless otherwise indicated)	Condition in Permit 3593	Grounds
Q1	Nil	Maximum quantities for Average Dry Weather Flow the same and for Peak Wet Weather Flow defined as 2,160 kL/day
-	G1	Removed because the condition refers to the repealed <i>Environment Protection Act 1973</i> and therefore is no longer relevant
G1-G3	Nil	Updates the wording and requirements for general conditions relating to the activity.
G4	G2	The requirement pertaining to operational changes formerly reflected the repealed <i>Environment Protection Act 1973</i> and is varied to reflect the terminology and requirements of EMPCA.
G5	Nil	Requirement to notify the Director of a change in ownership relating to the activity.
G6	Nil	New requirement specifying requirements for complaint monitoring in order to facilitate the assessment of any alleged incidents of nuisances and environmental harm under EMPCA and BPEM.
G7	Nil	New annual reporting requirements to enable the Director to effectively assess activity and compliance with permit requirements, EMPCA and BPEM/AMT.
G8	Nil	New annual reporting requirements for the wastewater reuse scheme to enable the Director to effectively assess compliance with requirements for discharge to a wastewater reuse scheme.
G9	Nil	A review of the DPEMP for the Wastewater Reuse Scheme should be undertaken at regular intervals to reflect BPEM.
G10	Nil	The EMP must be publically available.
G11	Nil	Any relevant agreements with clients (reuse and trade waste) are to be provided on request by the EPA.
A1	Nil	New requirements specifying the management of odour emissions as required by EMPCA.
DC1-3	Nil	New requirements specifying cessation and rehabilitation procedures to facilitate BPEM and ensure compliance with EMPCA.



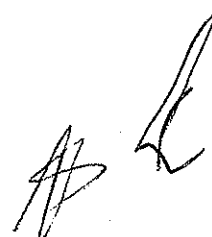
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Condition in Schedule 2 (unless otherwise indicated)	Condition in Permit 3593	Grounds
EF1-2	Nil	New requirement specifying the location of authorised discharge points to enable accurate monitoring of receiving waters as defined in section 45 SPWQM and effluent discharge to wastewater reuse schemes.
EF3	G1, W2	Replaces G1 and specifies the management of wastewater emissions as required by EMPCA
EF4	Nil	New requirement for reporting of elevated blue green algae levels in effluent to give effect to section 20.4 SPWQM
EF5	Nil	New requirement specifying limits for treated wastewater discharged to a wastewater re use scheme.
EF6	Nil	New requirements for stormwater to reflect BPEM as defined in EMPCA.
H1-H2	Nil	New requirements to ensure appropriate storage & management of hazardous materials and availability of spill kits in the event of spillage to mitigate against environmental harm, consistent with BPEM and EMPCA.
M1	W3	New requirement stipulating monitoring requirements in accordance with BPEM and EMPCA
M2	W1	Replacement requirement for sample testing to reflect updated wording and terminology of SPWQM and EMPCA
M3	W1	Existing requirement specifying sample information required updated to reflect the wording and terminology of BPEM and EMPCA.
M4	Nil	New requirement requiring calibration of flow monitoring equipment in accordance with BPEM and EMPCA
M5	Nil	New requirement requiring signposting and identification of monitoring points to ensure appropriate monitoring in accordance with section 45 of SPWQM.
M6	Nil	New requirements for protection of groundwater to reflect BPEM as defined in EMPCA.
N1	G3b	New requirement specifying the limits and management of noise emission limits as required by EMPCA
OP1	Nil	New condition to ensure contingency measures are in place to mitigate potential for an incident to occur that may cause environmental harm, consistent with EMPCA.
OP2	Nil	New requirements requiring operational procedures to be documented and that all personnel operating at the

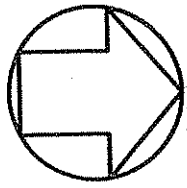


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Condition in Schedule 2 (unless otherwise indicated)	Condition in Permit 3593	Grounds
		activity are familiar with these procedures to ensure the activity is managed in a manner that does not cause environmental harm, consistent with EMPCA.
OP3	Nil	New condition to develop an inflow and infiltration management plan to reduce the hydraulic load on the WWTP if appropriate, in accordance with BPEM.
OP4	Nil	New condition requiring a capacity study on the WWTP
OP5	Nil	New requirement stipulating site security in accordance with BPEM as defined in EMPCA
OP6	Nil	New requirement stipulating lagoon maintenance is in accordance with BPEM as defined in EMPCA.
WM1	Nil	New requirement regarding controlled waste transport in accordance with EMPCA
WM2	Nil	New requirement for sewage sludge management plan in accordance with BPEM and EMPCA
LO1	Nil	Specifies the requirement to manage the activity is managed in accordance with relevant guidelines/BPEM and EMPCA
LO2	Nil	Specifies the requirements for the storage and handling of dangerous goods is performed with regards to relevant legislation
LO3	G3	Replaces G3 and specifies the reporting requirements of incidents under s.32 of EMPCA
LO4	Nil	Specifies the requirement to notify the Director if the person who is or was responsible for the activity ceases to be responsible for the activity, in accordance with s.45 of EMPCA.
PR1	Nil	Describes the policy objectives of WWTP management
PR2	Nil	Describes the framework in which the policy objectives are defined.

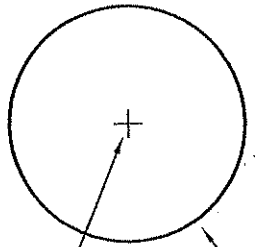


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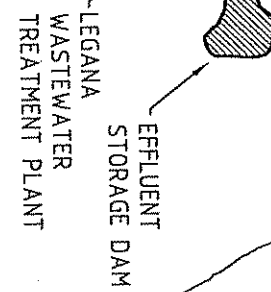
LOCALITY PLAN - LEGANA WASTEWATER TREATMENT PLANT

SCALE - 1:25,000



IRIGATION AREA - 50ha
400m LONG CENTRE
PIVOT IRRIGATOR

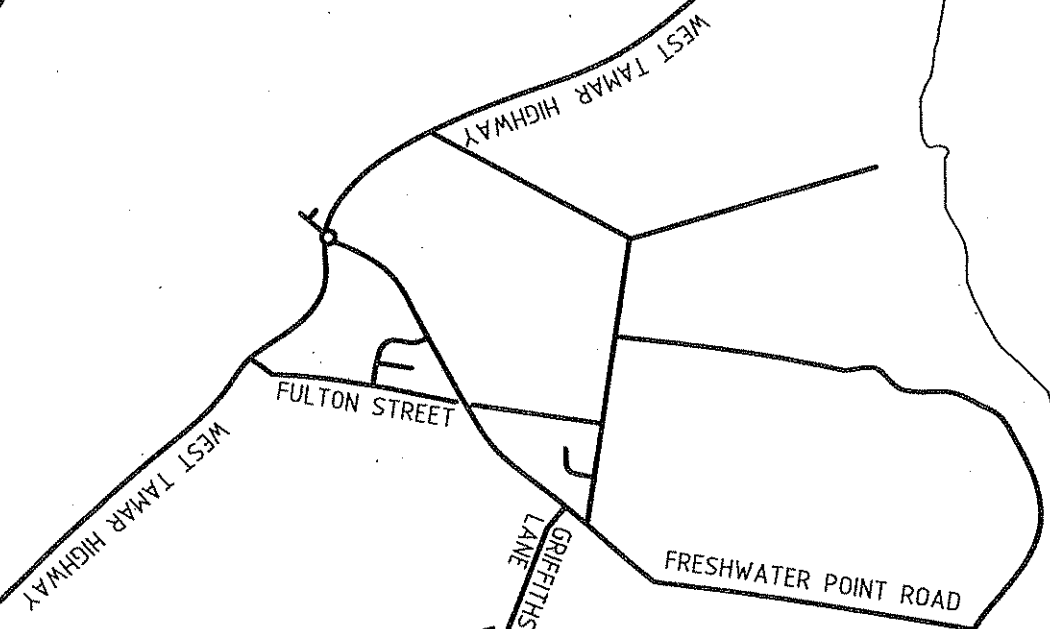
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LEGANA
WASTEWATER
TREATMENT PLANT

EFFLUENT
STORAGE DAM

TAMAR RIVER



WEST TAMAR HIGHWAY

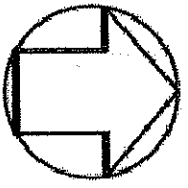
FULTON STREET

GRIFFITHS LANE

FRESHWATER POINT ROAD

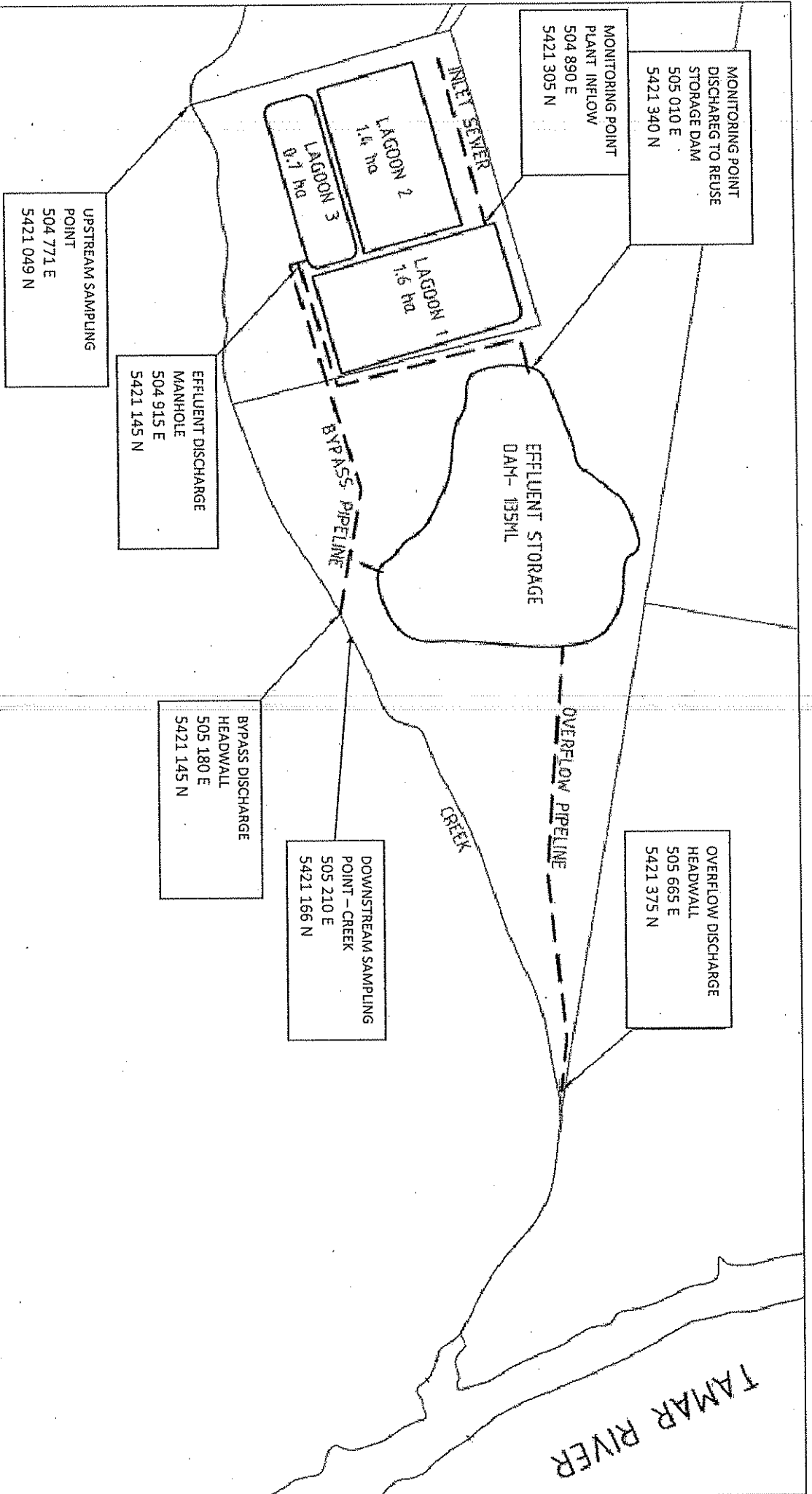
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LEGANA WASTEWATER TREATMENT PLANT – SITE PLAN

GRID REFERENCES APPROXIMATE ONLY - GRID IS GDA94



ATTACHMENT 3: TABLE OF MONITORING REQUIREMENTS LEGANA EPN 7688/2

Column 1: Item	Column 2: Locations	Column 3: Parameter	Column 4: Unit of Measure	Column 5: Sampling or testing Frequency	Column 6: Sampling or testing technique	Column 7: Reporting requirements
Influent wastewater flow to the activity	VMWTP Inlet at 504890E and 5421305N	Flow	kl/day	Continuous measurement	In-line	1. To be reported in the Monthly Monitoring Report as an average for the reporting period of daily flow. 2. To be reported in the Annual Environmental Review as monthly averages of daily flow 1. To be reported on the Monthly Monitoring Report as the instantaneous flows at the time treated effluent and ambient water quality monitoring samples were collected. In addition to minimum monthly monitoring reporting required by these conditions 2. As a summary including graphical presentation in the Annual Environmental Review/
	Reuse Dam Inlet at 505010E and 5421340N	Flow	kl/day	Continuous measurement	flow meter	
Treated effluent	Lagoon 3 outlet at 504915E and 542145N	pH	°C	Monthly	Field Test	1. Results to be reported in the Monthly Monitoring Report 2. A summary of results including graphical presentation to be provided in the Annual Environmental Review.
		Conductivity	mg/L	Annually		
		Dissolved Oxygen	mg/L			
		Biochemical Oxygen Demand	mg/L	Annually		
		Suspended Solids	mg/L			
		Ammonia-Nitrogen	mg/L	Annually		
		Nitrate-Nitrogen	mg/L			
		Total Nitrogen	mg/L	Annually		
		Oil and Grease	cfu/100ml			
		Total Phosphorus	cfu/100ml	Annually		
		Thermotolerant Coliforms	cells/ml			
		Enterococci	mg/L	Annually		
		Blue-green algae	mg/L			
		Alkalinity (as bicarbonate)	mg/L	Annually		
		Arsenic	mg/L			
		Barium	mg/L	Annually		
		Boron	mg/L			
		Cadmium	mg/L	Annually		
		Calcium	mg/L			
		Chloride	mg/L	Annually		
		Chromium (total)	mg/L			
		Chromium VI	mg/L	Annually		
		Cobalt	mg/L			
		Copper	mg/L	Annually		
		Lead	mg/L			
		Magnesium	mg/L	Annually		
		Manganese	mg/L			
		Mercury	mg/L	Annually		
		Molybdenum	mg/L			
		Nickel	mg/L	Annually		
		Potassium	mg/L			
		Selenium	mg/L	Annually		
		Silver	mg/L			
		Sodium	Mg/L	Annually		
		Sulphate	mg/L			
		Zinc	mg/L	Annually		

Groundwater	Groundwater monitoring bores at locations on the Land to be approved by the Director in accordance with these conditions	Conductivity		Annually	Field Test	
		mg/L	ds/m		Grab sample	1. Results to be provided in Annual Environmental Review
Sludge	Sludge Storage Lagoons	Biochemical Oxygen Demand	mg/L	Prior to sewage sludge being removed from the site or as otherwise required in accordance with the Sewage Sludge Management Plan approved by the Director.	Composite Grab	1. Results to be provided for approval of Sewage Sludge Management Plan 2. A summary of results to be provided in Annual Environmental Review, as relevant
		Total Dissolved Solids	mg/L			
		Total Nitrogen	mg/L			
		Total Phosphorus	mg/L			
		Thermotolerant Coliforms	cfu/100mL			
		Enterococci	cfu/100mL			
		Moisture	%			
		Temperature	°C			
		Conductivity	ds/m			
		Organic matter	%dry matter			
		Ammonia Nitrogen	mg/kg			
		Nitrate Nitrogen	mg/kg			
		Nitrite Nitrogen	mg/kg			
		Total Nitrogen	mg/kg			
		Total Phosphorus	mg/kg			
		Total Potassium	mg/kg			
		Total Arsenic	mg/kg			
		Total Cadmium	mg/kg			
		Total Chromium	mg/kg			
		Total Copper	mg/kg			
		Total Lead	mg/kg			
		Total Mercury	mg/kg			
		Total Nickel	mg/kg			
Total Selenium	mg/kg					
Total Zinc	mg/kg					
DDT	mg/kg					
DDE	mg/kg					
DDD	mg/kg					
Aldrin	mg/kg					
Chlordane	mg/kg					
Heptachlor	mg/kg					
Lindane	mg/kg					
HCB	mg/kg					
BHC	mg/kg					
PCB	mg/kg					
Ambient water quality	1. At upstream monitoring point 504771E and 5421049N 2. At downstream monitoring point 505210E and 5421166N	pH	°C	Within 24 hours of commencing discharge to tributary of Tamar River, then weekly for duration of discharge	Field test	1. Results to be reported in the Monthly Monitoring Report when discharge occurring 2. A summary of results including graphical presentation to be provided in the Annual Environmental Review.
		Temperature	mg/L			
		Dissolved Oxygen	mg/L			
		Biochemical Oxygen Demand	mg/L		Grab sample	
		Suspended Solids	mg/L			
		Ammonia Nitrogen	mg/L			
		Nitrate Nitrogen	mg/L			
		Nitrite Nitrogen	mg/L			
		Total Nitrogen	mg/L			
		Total Phosphorus	mg/L			
		Dissolved Reactive Phosphorus	mg/L			
		Oil and Grease	mg/L			
		Blue-green algae	Cells/mL			
		Thermotolerant Coliforms	cfu/100mL			
		enterococci	cfu/100mL			

For the purposes of the Table of Monitoring Requirements the following definitions apply:

- Continuous measurement means automatic ongoing measurement at all times.
- In-line means measurement taken from instrumentation installed within the conduit of flow
- On-line means measurements or analyses are carried out automatically and the results electronically recorded for remote viewing and analysis
- Field test means either *in situ* testing or analysis of samples immediately with appropriate instrumentation
- Grab sample means a discrete sample collected in a manner that ensures it is a representative sample

