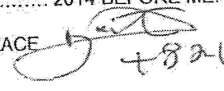


ESO-1

THIS IS THE DOCUMENT MARKED ESO-1 REFERRED TO IN THE AFFIDAVIT OF SWORN AT HOBART IN TASMANIA THIS 7th DAY OF October 2014 BEFORE ME:
JUSTICE OF THE PEACE
NUMBER 

Environment Protection Notice 8894/1 (r1)

1/17



ENVIRONMENT PROTECTION NOTICE No. 8894/1

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

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

Environmentally Relevant Activity: **The operation of composting site (ACTIVITY TYPE: Resource Recovery)**
BRIGHTSIDES, 47 PLENTY VALLEY RD
SALMON PONDS TAS 7140

GROUNDS

I, John Mollison, Delegate for the Director, Environment Protection Authority, being satisfied in accordance with section 44(1)(d) of the *Environmental Management and Pollution Control Act 1994* (the EMPCA) and in relation to the above-mentioned environmentally relevant activity that 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
162/09	01 December 2009	Derwent Valley Council

PARTICULARS

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

- 1 Jenkins Hire Pty Ltd owns and operates the composting operation located on the Land.
- 2 The regulatory limit of materials produced by the activity needs to be reduced to reflect a significant reduction in proposed future volumes of material to be produced.
- 3 The permit conditions need to be varied to reflect changes in the type of materials accepted for composting and the resultant change in operational practices.
- 4 The permit does not contain any condition involving operational procedures or contingency management. The risk of environmental harm from the activity is reduced by having documented plans and procedures in place for operating conditions likely to be experienced by the activity and by having contingency plans developed for unplanned events that may occur.
- 5 The permit does not include conditions relating to management of the range of putrescible materials permitted for composting. The risk of environmental harm from the activity (including including odour, contamination of ground and surface water and spread of disease organisms) is reduced by having conditions requiring management of the risks associated with the composting of these materials.


DELEGATE FOR THE DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date of Issue: **13 OCT 2014**



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:



DELEGATE FOR THE DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

13 OCT 2014

Date:



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DELEGATE FOR THE DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date of issue: 13 OCT 2014



Schedule 1: Definitions

Aboriginal Relic has the meaning described in section 2(3) of the *Aboriginal Relics Act 1975*.

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

Authorized Officer means an authorized officer under section 20 of EMPCA

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.

Classification And Management Of Contaminated Soil For Disposal means the document *Information Bulletin No. 105 Classification and Management of Contaminated Soil for Disposal* revised by the Environment Protection Authority in November 2012, and includes any subsequent versions of this document.

Construction means activities associated with the construction phase of the activity, including but not limited to, activities associated with the clearance of vegetation, site works to create a level site, rock breaking, installation of fences and other infrastructure whether on land or in water.

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

EMP means the Microbial Activity Pty Ltd Development Proposal and Environmental Management Plan prepared by Dr Alice Palmer dated 2009 and includes supplementary information presented in DPEMP Supplement - Compost production Brightsides, Plenty Valley Road, prepared by Dr Alice Palmer dated 12 October 2009, and includes any amendment to or substitution of these documents, including an EMP Operations, approved in writing 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.

Leachate means any liquid that is either released by or has percolated through waste.

Minimum Construction Requirements For Water Bores In Australia means the document published under this title by The National Uniform Drillers Licensing Committee, February 2012, or any subsequent updates of this document.

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 12 months ending on the 1st of December of each year.

Restricted Access Materials means an animal product, or meal made from an animal product, derived from a bird, mammal or fish.


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

Tasmanian Noise Measurement Procedures Manual means the Noise Measurement Procedures Manual referred to in regulation 4 of the *Environmental Management and Pollution Control (Miscellaneous Noise) Regulations 2014*.

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 Property ID 5829416, Title References 126321/2 and 126320/1.
- 2 Plan shown at Attachment 1.

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


DELEGATE FOR THE DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date of Issue: 13 OCT 2014



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

- 1 The activity must not exceed the following limits (annual fees are derived from these figures):
 - 1.1 9,900 tonnes per year of product produced compost or mushroom substrate.

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 responsibility

If the person responsible for the activity ceases or intends to cease to be responsible for the activity, he or she must notify the Director in writing of the full particulars of any person succeeding him or her as the person responsible for the activity.

G6 Change of ownership

If the owner of The Land upon which the activity is carried out changes or is to change, then, as soon as reasonably practicable but no later than 30 days after becoming aware of the change or intended change in the ownership of The Land, the person responsible must notify the Director in writing of the change or intended change of ownership.

G7 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 (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.

G8 Raw materials

- 1 Unless otherwise approved in writing by the Director, only the following materials may be brought onto The Land for composting:
 - 1.1 Clarifier sludge from Norske Skog Boyer;
 - 1.2 Macerated fish waste;
 - 1.3 Sludges derived from fish production and processing activities
 - 1.4 Biosolids classified as Class 1 and Class 2 as defined in the Tasmanian Biosolids Reuse Guidelines August 1999, as may be amended from time to time.
 - 1.5 Biosolids classified as Class 3, contaminant grade A or B as defined in the Tasmanian Biosolids Reuse Guidelines August 1999, as may be amended from time to time.
 - 1.6 Grape marc;
 - 1.7 Pine bark; and
 - 1.8 Greenwaste.
- 2 Notwithstanding the above, materials must not be brought onto the land if there is insufficient material present on the land to achieve the carbon:nitrogen ratio required by these conditions.

G9 Groundwater Monitoring Bore Planning and Construction

- 1 A groundwater monitoring bore plan must be submitted by the person responsible to the Director for approval within 6 months of the date on which these conditions take effect, 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.

Atmospheric

A1 Covering of vehicles

Vehicles carrying loads containing material which may blow or spill must be equipped with effective control measures to prevent the escape of the materials from the vehicles when they leave The Land or travel on public roads. Effective control measures may include tarpaulins and load dampening.

A2 Control of dust emissions

Dust emissions from The Land must be controlled to the extent necessary to prevent environmental nuisance beyond the boundary of The Land.

A3 Odorous gases

The person responsible must institute such odour management measures as are necessary to prevent odorous gases causing 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 Decommissioning and Rehabilitation Plan (DRP) for the activity must be submitted to the Director for approval 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
 - 1.3 decommissioning of any equipment that has not been removed.
- 2 Where a Decommissioning and Rehabilitation Plan (DRP) has been approved by the Director, decommissioning and rehabilitation must be carried out in accordance with that plan.

DC4 Temporary suspension of activity

- 1 Within 30 days of becoming aware of any event or decision which is likely to give rise to the temporary suspension 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 suspend or has suspended.
- 2 During temporary suspension of the activity:
 - 2.1 The Land must be managed and monitored by the person responsible for the activity to ensure that emissions from The Land do not cause serious environmental harm, material environmental harm or environmental nuisance; and
 - 2.2 If required by the Director a Care and Maintenance Plan for the activity must be submitted, by a date specified in writing by the Director, for approval. The person responsible must implement the approved Care and Maintenance Plan, as may be amended from time to time with written approval of the Director.
- 3 Unless otherwise approved in writing by the Director, if the activity on The Land has substantially ceased for 2 years or more, rehabilitation of The Land must be carried out in accordance with the requirements of these conditions as if the activity has permanently ceased.

Effluent**EF1 Perimeter drains**

- 1 Perimeter cut-off drains must be constructed at strategic locations on The Land to prevent surface run-off from entering the area used or disturbed in carrying out the activity. All reasonable measures must be implemented to ensure that sediment transported along these drains remains on The Land. Such measures may include provision of strategically located sediment fences, appropriately sized and maintained sediment settling ponds, vegetated swales, detention basins and other measures designed and operated in accordance with the principles of Water Sensitive Urban Design.
- 2 Drains must have sufficient capacity to contain run-off that could reasonably be expected to arise during a 1 in 20 year rainfall event. Maintenance activities must be undertaken regularly to ensure that this capacity does not diminish.

EF2 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.
- 4 Stormwater discharged in accordance with this condition must not be directed to sewer without the approval of the operator of the sewerage system.

EF3 Leachate Management

- 1 A leachate collection system must be installed and maintained to prevent leachate from polluting groundwater or surface waters.
- 2 Leachate on The Land must be managed such that:
 - 2.1 It does not cause an odour nuisance beyond the boundary of The Land; and
 - 2.2 Human contact with leachate is minimised.

EF4 Leachate Pond Management

- 1 Uncontaminated stormwater must be prevented as far as practicable from entering the leachate stream.
- 2 All contaminated stormwater must be directed to the leachate pond.
- 3 The leachate pond must be managed as far as practicable to minimise the requirement for transfer of leachate to the irrigation area during periods of soil water saturation or near saturation.
- 4 If required in writing by the Director, the levels of hydrogen sulphide and dissolved oxygen in the leachate dam must be measured weekly. If hydrogen sulphide is present or if levels of dissolved oxygen are below 6 ppm then the leachate dam must be aerated until hydrogen sulphide odour can no longer be detected at the pond edge.

EF5 Sludge Management

- 1 The leachate pond must be maintained by periodic desludging to maintain the design capacity of the pond to;

- 1.1 Allow settling of solid matter entrained in the water.
- 1.2 Prevent overflow and loss of leachate to the environment.
- 2 Sludge removed from the leachate pond must be tested to determine the level of contamination and disposed of to a facility approved to receive it, unless otherwise approved in writing by the Director.

EF6 Management of Areas Under Irrigation

- 1 Weekly visual assessments must be conducted on the areas under irrigation and any noticeable impacts such as damage to soil or plants or evidence of pooling or run-off must be recorded.
- 2 The Director must be notified of any observed or imminent discharges from the leachate pond or from areas under irrigation.

Hazardous Substances

H1 Inventory of hazardous materials

An inventory must be kept of all environmentally hazardous materials stored and handled on The Land. The inventory must specify the location of storage facilities and the maximum quantities of each environmentally hazardous material likely to be kept in storage and must include material safety data sheets for those environmentally hazardous materials.

H2 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.

Monitoring

M1 Dealing with samples obtained for monitoring

- 1 Any sample or measurement required to be obtained under these conditions must be taken and processed in accordance with the following:
 - 1.1 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;
 - 1.2 measurement equipment must be maintained and operated in accordance with the manufacturer's specifications;
 - 1.3 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;
 - 1.4 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 noise measurements must be undertaken in accordance with the Tasmanian Noise Measurement Procedures Manual.

M2 Monitoring of leachate pond and groundwater bores

- 1 Groundwater monitoring bores installed in accordance with these conditions must be sampled 6 monthly and analysed for nutrients, metals, pH and conductivity.
- 2 If required in writing by the Director the leachate pond must be sampled and analysed for nutrients, metals, pH and conductivity and the results must be provided to the Director within 7 days of receipt by the person responsible.

M3 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.

M4 Monitoring, Reporting and Record Keeping

- 1 Unless otherwise specified by the Director, an Annual Monitoring Report, must be submitted to the Director each year within three months of the end of the Reporting Period. As a minimum, the Annual 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 for each sampling location or site test location;
 - 1.3.1 a location name which allows the location to be clearly identifiable;
 - 1.3.2 the date and time at which each sample was taken or site test conducted;
 - 1.3.3 the indicators for which analyses or tests were carried out and the units in which the results are reported; and
 - 1.3.4 the results for all sample analyses and site tests.
- 2 A record of all monitoring reports submitted to the Director must be maintained and copies of all laboratory analysis reports kept for a minimum period of three years and referenced to the relevant Annual Monitoring Reports.

Noise Control**N1 Control of noise emissions**

Where human sleep disturbance may be caused by the noise from the activity or transport movements resulting from the activity, such noise emissions must be controlled to the extent necessary to prevent environmental nuisance, this may include restricting operating hours.

Operations**OP1 Staffing**

- 1 A site manager must be in attendance at all times when the site is open and must have the responsibility for the control of the daily operations of composting and monitoring.
- 2 The site manager must have the responsibility to accept or to reject each load of waste inputs to the site.
- 3 The site manager must make all reasonable efforts to ensure that there is no public access to the site.
- 4 Access to the site must be through a security gate that must be locked when the site is unattended.

OP2 Composting

Unless otherwise approved in writing by the Director, composting at the site must be confined to the area designated as the compost pad as identified in Attachment 1.

OP3 Feedstock

- 1 The mixture of feedstock that is being composted must be managed to ensure that the following parameters are maintained within the windrows during the thermophilic stage of the composting operation:
 - 1.1 Moisture content between 45-65%.

- 1.2 Oxygen content between 12-14% for 99% of the time and never less than 5% oxygen content.
- 1.3 Carbon:Nitrogen ratio >15.
- 1.4 Temperatures of at least 55°C must be achieved for three consecutive days for the whole composting mass. Temperatures within the windrows must not exceed 65°C.
- 2 If required in writing by the Director, moisture content, oxygen content and temperature of windrows must be monitored and logged as specified by the Director.
- 3 All monitoring data collected in accordance with this condition, along with the protocols involved in conducting monitoring, must be made available to an authorized officer upon request.

OP4 Management of Windrows

- 1 All putrescible material delivered to the site must be incorporated into the windrows on the day of arrival.
- 2 Partially composted putrescible materials must not be left lying between windrows, but must be regularly returned into the windrows.
- 3 Inter-windrow spaces must be managed in a manner to prevent the feeding or breeding of vermin.
- 4 Machinery capable of turning and mixing the compost must be kept on site at all times. A person capable of operating the machinery must be available for an adequate period time to turn and mix compost on a daily basis.
- 5 Compost materials must be mixed and managed to minimise the potential for environmental harm or nuisance arising from the windrows.

OP5 Site Hygiene Measures

- 1 Materials that may contain fish pathogens (organisms capable of causing diseases in fish) must not be discharged or released from the Land.
- 2 While on site all fish waste must be handled, stored and processed in a manner that prevents vermin gaining access to the material at any time, and in a manner that prevents the release or dissemination of fish pathogens.
- 3 Wash down facilities for vehicles delivering fish waste must be provided and maintained by the person responsible.
 - 3.1 The facility must have suitable means to capture all wash down water and any spills and contain this liquid so that it does not cause environmental nuisance. Wash down water may be stored in the leachate pond for use in the composting windrows or directly injected into the windrows. Wash-down waters that are discharged from the Land must be disinfected prior to discharge from the Land.
- 4 The premises and equipment, including transport equipment and vehicles, must be maintained and cleaned as necessary to prevent the accumulation of putrescible materials that may give rise to odour or provide breeding sites for flies.
- 5 Ruminant animals must be excluded at all times from access to any materials that may be contaminated with restricted access materials. This includes, but is not limited to, windrows, uncomposted materials, leachate and leachate pond.
- 6 Ruminant animals must be excluded from grazing on areas under irrigation for a period of 21 days following irrigation from the leachate pond.

OP6 Condition of the composting pad

- 1 Within six months of the issue of this Notice, and following an investigation by a suitably qualified person, the person responsible must submit to the Director a report on the condition of the composting pad.
- 2 The report must contain:
 - 2.1 Details of the condition of the pad, including:
 - 2.1.1 Areas of exposed bedrock;
 - 2.1.2 Areas of inadequate coverage or failure of the seal; and
 - 2.1.3 A map of the the depth of cover across the pad;
 - 2.2 a program of works to repair any failures identified by the above investigation; and
 - 2.3 a timetable of works to be undertaken to restore the integrity of the pad.
- 3 All program of works must be completed within 6 months of the acceptance of the report by the Director.
- 4 Composting or storage of putrescible material must not be undertaken on areas of the pad with known exposed bedrock, inadequate coverage or failure of the seal.

Waste Management**WM1 Solid Waste**

- 1 All solid wastes arising from the activity and requiring disposal must be transported to a facility that is approved to receive it.
- 2 Material derived from fish that has been accepted on the land, but that will not be processed by the activity must be disposed of only in the following ways:
 - 2.1 removal to a secondary processing facility which has all necessary approvals for such processing; or
 - 2.2 removal to another site for beneficial reuse, provided that this is in accordance with a management plan approved in writing by the Director and provided that the destination site has all necessary approvals for such reuse; or
 - 2.3 removal to a waste depot (landfill) which has all necessary approvals for disposal of such waste.

WM2 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.

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, Explosives and dangerous substances

1 The storage, handling and transport of dangerous goods, explosives and dangerous substances must comply with the requirements of relevant State Acts and any regulations thereunder, including:

1.1 *Work Health and Safety Act 2012* and subordinate regulations;

1.2 *Explosives Act 2012* and subordinate regulations; and

1.3 *Dangerous Goods (Road and Rail Transport) Act 2010* and subordinate regulations.

LO3 Aboriginal relics requirements

1 The *Aboriginal Relics Act 1975*, provides legislative protection to Aboriginal heritage sites in Tasmania regardless of site type, condition, size or land tenure. Section 14(1) of the Act states that; Except as otherwise provided in this Act, no person shall, otherwise than in accordance with the terms of a permit granted by the Minister on the recommendation of the Director of National Parks and Wildlife:

1.1 destroy, damage, deface, conceal or otherwise interfere with a relic;

1.2 make a copy or replica of a carving or engraving that is a relic by rubbing, tracing, casting or other means that involve direct contact with the carving or engraving;

1.3 remove a relic from the place where it is found or abandoned;

1.4 sell or offer or expose for sale, exchange, or otherwise dispose of a relic or any other object that so nearly resembles a relic as to be likely to deceive or be capable of being mistaken for a relic;

1.5 take a relic, or permit a relic to be taken, out of this State; or

1.6 cause an excavation to be made or any other work to be carried out on Crown land for the purpose of searching for a relic.

2 If a relic is suspected and/or identified during works then works must cease immediately and the Tasmanian Aboriginal Land and Sea Council and the Aboriginal Heritage Tasmania be contacted for advice before work can continue. In the event that damage to an Aboriginal heritage site is unavoidable a permit under section 14 of the *Aboriginal Relics Act 1975* must be applied for. The Minister may refuse an application for a permit, where the characteristics of the relics are considered to warrant their preservation.

3 Anyone finding an Aboriginal relic is required under section 10 of the Act to report that finding as soon as practicable to the Director of National Parks and Wildlife or an authorized officer under the *Aboriginal Relics Act 1975*. It is sufficient to report the finding of a relic to Aboriginal Heritage Tasmania to fulfil the requirements of section 10 of the Act.

Attachment 1. The Land

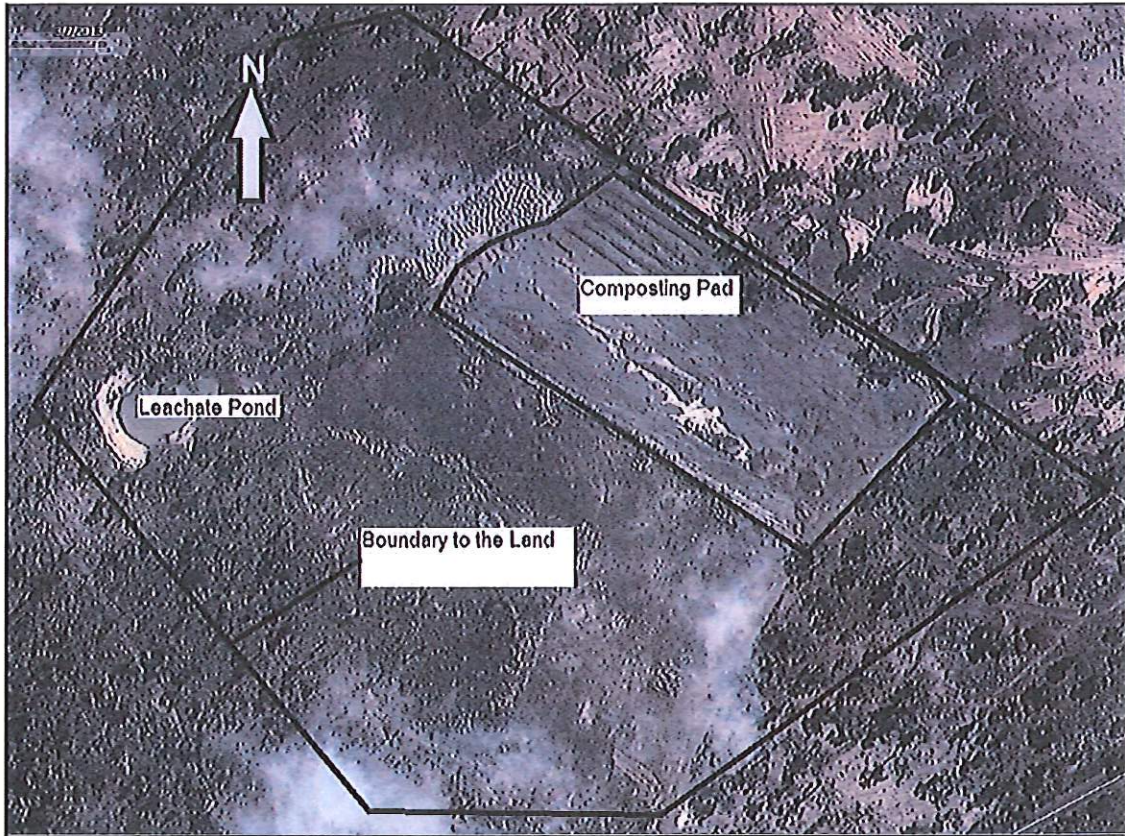
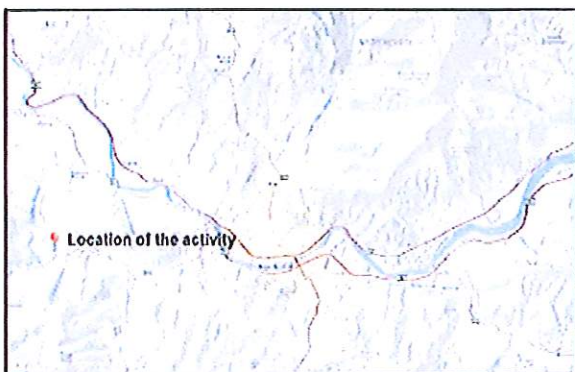


Image Courtesy of Google Earth

Location of the Activity



Delegate for  DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date of Issue: 13 OCT 2014

