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Our Ref: A199291|050042

22 May 2012

Mr Michael Robinson
National Manager
Australian Marshalling Services Pty Ltd
"Kings Garden Estate"
Level 1, 99 Coventry Street
SOUTH MELBOURNE VIC 3205

Dear Mr Robinson

**ENVIRONMENT PROTECTION NOTICE 8636/1
AUSTRALIAN MARSHALLING SERVICES PTY LTD - MASSEY GREENE WOODCHIP MILL &
EXPORT LOG YARD**

Please find attached Environment Protection Notice (EPN) No. **8636/1**, issued to Australian Marshalling Services Pty Ltd, in accordance with sections 44(1)(c), (d) & (e) of the *Environmental Management and Pollution Control Act 1994*, to vary the conditions attached to the permit (former Licence to Operate Scheduled premises No. **5952**) for the company's woodchip mill and export log yard, located at Massey Greene Drive, Burnie.

This Notice has been issued to vary the permit conditions for the activity. A draft copy of this Notice was forwarded to David Martin on 23 April 2012, seeking comment within 21 days. Thank you for your comments and assistance.

Please note that all of the conditions attached to the permit for the woodchip and export log yard have effectively been replaced by the conditions set out in Schedule 2 of EPN 8636/1. I also draw your attention to Schedule 3 of the Notice, which contains important additional information.

This Notice takes effect on the date on which it is served upon you. The company may appeal to the Appeal Tribunal against this Notice, or against any requirement contained in this Notice, within fourteen days of that date, by writing to:

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

Please note that the company is legally required to comply with the requirements of the Environment Protection Notice.

Should you have any queries concerning this matter, please do not hesitate to contact Anthony Cook on 6233 6693.

Yours sincerely,


Alex Schaap
DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Encl. Environment Protection Notice 8636/1



ENVIRONMENT PROTECTION NOTICE No. 8636/1

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

Issued to: **AUSTRALIAN MARSHALLING SERVICES PTY LTD**
ACN 075 432 254
"KINGS GARDEN ESTATE", LEVEL 1 99 CONVENTRY ST
SOUTH MELBOURNE VIC 3205

Environmentally Relevant Activity: **The operation of a woodchip mill and export log yard (ACTIVITY TYPE: Woodchip Mills)**
MASSEY GREENE CHIP MILL, MASSY-GREENE DRV & REEVE ST
BURNIE TAS 7320

GROUNDS

I, Alexander Schaap, Director, Environment Protection Authority, being satisfied in accordance with section 44(1)(c), (d) and (e) of the *Environmental Management and Pollution Control Act 1994* (the EMPCA) and in relation to the above-mentioned environmentally relevant activity that:-
 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); and
 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.

Permit No.	Date Granted	Granted By
5952	10 September 1993	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 reflect current or updated terminology and/or to clarify the meaning of the conditions.
- 2 The permit conditions need to be varied and additional conditions imposed to reflect continuous improvement consistent with the objectives of the EMPCA.
- 3 The person responsible for the activity has changed.
- 4 The permit conditions need to be varied and additional conditions imposed to ensure that there are adequate safeguards against environmental harm or nuisance being caused by the activity.
- 5 Certain environmental aspects of the activity or activities on The Land are subject to the requirements of an environmental protection policy.

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

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

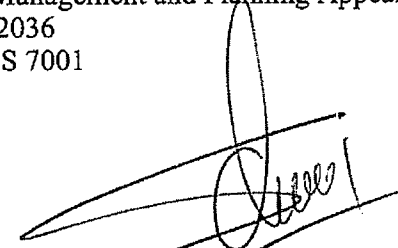
This Notice takes effect on the date on which it is served upon you.

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:

22 MAY 2012

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Attachments

Attachment 1: The Land (modified: 05/12/2011 11:50)..... 1 page
Attachment 2: Monitoring Points and Dispersion Paddock Location (modified: 05/12/2011
15:00)..... 1 page
Attachment 3: Woodchip Mill, Export Log Yard & Burnie Truck Route Locations (modified:
11/01/2012 11:16)..... 1 page



Schedule 1: Definitions

Activity means any environmentally relevant activity (as defined in Section 3 of the 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

Control Location (Noise) means a location chosen to represent the general ambient sound without contribution from noise sources at the activity.

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.

Dispersion Paddock means that part of The Land, as delineated in **Attachment 2** of this Notice, which is used to treat, by dispersion, stormwater from the Export Log Yard area of The Land.

DRP means Decommissioning and Rehabilitation Plan

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, waste and chemicals.

Export Log Yard means that part of The Land, as delineated in **Attachment 3** of this Notice, utilised by Australian Marshalling Services for the receipt, storage and dispatch of logs via the Burnie Port.

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.

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.

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 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 The plan at **Attachment 1: The Land**; and
- 2 Property ID 2216104.

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



Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits

- 1 The activity must not exceed the following limits:
 - 1.1 650,000 tonnes/year of woodchips produced. (Annual fees are derived from this figure.)

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 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.

G3 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.

G4 Annual Environmental Review

- 1 Unless otherwise specified in writing by the Director, a publicly available Annual Environmental Review for the activity must be submitted to the Director each year within three months of the end of the reporting period. Without limitation, each Annual Environmental Review must include the following information:
 - 1.1 a statement by the General Manager, Chief Executive Officer or equivalent for the activity acknowledging the contents of the Annual Environmental Review;
 - 1.2 subject to the *Personal Information Protection Act 2004*, a list of all complaints received from the public during the reporting period concerning actual or potential environmental harm caused by the activity and a description of any actions taken as a result of those complaints;
 - 1.3 details of environment-related procedural or process changes that have been implemented during the reporting period;



- 1.4 a summary of the amounts (tonnes or litres) of both solid and liquid wastes produced and treatment methods implemented during the reporting period. Initiatives or programs planned to avoid, minimise, re-use, or recycle such wastes over the next reporting period should be detailed;
- 1.5 details of all non-trivial environmental incidents and/or incidents of non compliance with permit or environment protection notice conditions that occurred during the reporting period, and any mitigative or preventative actions that have resulted from such incidents;
- 1.6 a summary of the monitoring data and record keeping required by these conditions. This information should be presented in graphical form where possible, including comparison with the results of at least the preceding reporting period. Special causes and system changes that have impacted on the parameters monitored must be noted. Explanation of significant deviations between actual results and any predictions made in previous reports must be provided;
- 1.7 identification of breaches of limits specified in these conditions and significant variations from predicted results contained in any relevant DPEMP or EMP, an explanation of why each identified breach of specified limits or variation from predictions occurred and details of the actions taken in response to each identified breach of limits or variance from predictions;
- 1.8 a list of any issues, not discussed elsewhere in the report, that must be addressed to improve compliance with these conditions, and the actions that are proposed to address any such issues;
- 1.9 a summary of fulfilment of environmental commitments made for the reporting period. This summary must include indication of results of the actions implemented and explanation of any failures to achieve such commitments;
- 1.10 a summary of any community consultation and communication undertaken during the reporting period; and
- 1.11 strategic consideration of potential changes to the activity during the next 12 months that may have potential environmental impacts.

G5 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 (except where the complainant requests anonymity);
 - 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.



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.

Effluent Disposal

E1 Effluent emissions

- 1 The concentration in the effluent discharged from The Land of the parameters listed in Column 1, of the table below, must not exceed the limits in Column 3 when measured in the units in Column 2; and
- 2 The pH of effluent discharged from The Land must be between 6.5 and 8.5.

Column 1	Column 2	Column 3
Parameter	Units	Emission limit
Biochemical Oxygen Demand (BOD ₅)	mg/L	40
Total Suspended Solids (TSS)	mg/L	60
Oil & Grease	mg/L	10
Enterococci	cfu per 100mL	200

E2 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.



E3 Export Log Yard runoff

All contaminated and potentially contaminated stormwater from the export log yard area of The Land must be collected and directed via stormwater culverts to the concrete sumps, as shown at **Attachment 2** of this Notice. Stormwater from these sumps must be effectively distributed over the Dispersion Paddock towards Romaine Creek in such a way as to limit soil erosion to an absolute minimum and to ensure preservation of the quality of the natural surface and groundwater resources in the vicinity.

E4 Dispersion Paddock maintenance

The person responsible must manage the Dispersion Paddock, as delineated in **Attachment 2** of this Notice, in such a way as to ensure the maintenance of its sustainability to effectively treat all stormwater distributed over its working area.

E5 Dispersion Paddock assessment

- 1 A comprehensive assessment of the ability of the Dispersion Paddock to sustainably treat stormwater from the export log yard to a standard to conform with the requirements of Condition E1 of this Notice must be undertaken by an appropriately qualified expert. The assessment must be based on all available information and its findings must be reported to the Director within 12 months of the issue of this Notice and must be repeated every 2 years thereafter, unless otherwise approved by the Director.
- 2 In addition to surface water quality aspects of the assessment, the Dispersion Paddock Assessment must include, but not necessarily be limited to, the following:
 - 2.1 a determination of the nature and extent of any erosion; and
 - 2.2 recommendations required to ensure the effectiveness and sustainability of this treatment approach.

Hazardous Substances**H1 Storage and handling of hazardous materials**

- 1 Unless otherwise approved in writing by the Director, all environmentally hazardous materials, including all chemicals, fuels, and oils, held on The Land in volumes exceeding 250 litres must be stored and handled in accordance with the following:
 - 1.1 Any storage facility must be contained within a spill collection bund with a net capacity of whichever is the greater of the following:
 - 1.1.1 at least 110% of the combined volume of any interconnected vessels within that bund; or
 - 1.1.2 at least 110% of the volume of the largest storage vessel; or
 - 1.1.3 at least 25% of the total volume of all vessels stored in that spill collection bund; or
 - 1.1.4 the capacity of the largest tank plus the output of any firewater system over a twenty minute period.
 - 1.2 All activities that involve a significant risk of spillages, including the loading and unloading of bulk materials, must take place in a bunded containment area or on a transport vehicle loading apron.
 - 1.3 Bunded containment areas and transport vehicle loading aprons must:
 - 1.3.1 be made of materials that are impervious to any environmentally hazardous material stored within the bund;
 - 1.3.2 be graded or drained to a sump to allow recovery of liquids;
 - 1.3.3 be chemically resistant to the chemicals stored or transferred;

- 1.3.4 be designed and managed such that any leakage or spillage is contained within the bunded area (including where such leakage emanates vertically higher than the bund wall);
- 1.3.5 be designed and managed such that the transfer of materials is adequately controlled by valves, pumps and meters and other equipment wherever practical. The equipment must be adequately protected (for example, with bollards) and contained in an area designed to permit recovery of any released chemicals;
- 1.3.6 be designed such that chemicals which may react dangerously if they come into contact have measures in place to prevent mixing; and
- 1.3.7 be managed such that the capacity of the bund is maintained at all times (for example, by regular inspections and removal of obstructions).

H2 Hazardous materials (< 250 litres)

Unless otherwise approved in writing by the Director, each environmentally hazardous material, including chemicals, fuels and oils, held on The Land in discrete volumes not exceeding 250 litres, but not including discrete volumes of 25 litres or less, must, as far as practical and to the reasonable satisfaction of the Director, be located within bunded areas or spill trays which are designed to contain at least 110% of the volume of the largest container.

H3 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 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.

M2 Romaine Creek water quality

A representative grab sample of water from Romaine Creek (as shown in Attachment 2 of this Notice) must be collected both upstream and downstream of the Dispersion Paddock at the frequency specified in Column 3 of the table below, and analysed for the parameters specified in Column 1 and reported, annually to the Director, in the units specified in Column 2.

Column 1	Column 2	Column 3
Parameters	Units	Frequency
Biological Oxygen Demand (BOD ₅)	mg/L	4 times per year, during or shortly after rainfall events
Total Suspended Solids (TSS)	mg/L	4 times per year, during or shortly after rainfall events
Conductivity	µS/cm	4 times per year, during or shortly after rainfall events
pH	pH units	4 times per year, during or shortly after rainfall events

M3 Wetland water monitoring

- 1 A representative grab sample from the nominated wetland monitoring point, as shown at Attachment 2 of this Notice, must be collected at the frequency specified in Column 3, of the table below, and must be analysed for the parameters specified in Column 1 and reported, annually to the Director, in the units specified in Column 2.
- 2 In the event that very high stormwater flows necessitate bypass of the wetland via the wetland feed overflow, a representative grab sample of the Wetlands Bypass Flow must be taken on the first day that bypass flow occurs from the wetland system outflow monitoring facility, and analysed for the parameters specified in Column 1, of the table below, and reported, annually to the Director, in the units specified in Column 2.

Column 1	Column 2	Column 3
Parameter	Unit	Frequency
Biochemical Oxygen Demand (BOD ₅)	mg/L	Three monthly
Total Suspended Solids (TSS)	mg/L	Three monthly
Oil & Grease	mg/L	Three monthly
Conductivity	uS/m	Three monthly
pH	pH units	Three monthly
Flow	L/min	Three monthly

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 2200 hours; and

- 1.2 45 dB(A) between 2200 hours and 0700 hours.
- 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 in writing 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*.

N2 Operating hours

Unless otherwise approved in writing by the Director, the operation of the woodchipper and other ancillary woodchipping equipment must not be undertaken outside the hours of 0700 hours and 2200 hours.

N3 Noise survey requirements

- 1 Unless otherwise approved by the Director, a noise survey must be carried out:
 - 1.1 within 12 months from the date on which these conditions take effect during:
 - 1.1.1 a daytime woodchipping operation; and
 - 1.1.2 a night time export log ship loading event.
 - 1.2 within six (6) months from the date of any notification under these conditions of a change to the activity which is likely to substantially alter the character or increase the volume of the noise emitted from The Land; and
 - 1.3 at such other times as may reasonably be required by the Director.

N4 Noise survey methodology and reporting requirements

- 1 Prior to undertaking a noise survey as required by these conditions, a proposed noise survey methodology must be submitted to the Director for approval.
- 2 Without limitation, the survey methodology must address the following:
 - 2.1 measurements must be carried out at day, evening and night times (where applicable) at each location; and
 - 2.2 measurement locations, and the number thereof, must be specified, with one location established as a control location (noise).
- 3 Measurements and data recorded during the survey must include:
 - 3.1 subjective descriptions of the sound at each location.
 - 3.2 details of meteorological conditions relevant to the propagation of noise.
 - 3.3 the equivalent continuous (L_{eq}) and L_1 , L_{10} , L_{50} , L_{90} and L_{99} A-weighted sound pressure levels measured over a period of 10 minutes or an alternative time interval specified by the Director;
 - 3.4 one-third octave spectra over suitably representative periods of not less than 1 minute; and
 - 3.5 narrow-band spectra over suitably representative periods of not less than 1 minute.
- 4 A noise survey report must be forwarded to the Director within 30 days from the date on which the noise survey is completed
- 5 The noise survey report must include the following:
 - 5.1 the results and interpretation of the measurements required by these conditions;

- 5.2 a map of the area surrounding the activity with the boundary of The Land, measurement locations, and noise sensitive premises clearly marked on the map;
- 5.3 any other information that will assist with interpreting the results and whether the activity is in compliance with these conditions and EMPCA; and
- 5.4 recommendations of appropriate mitigation measures to manage any noise problems identified by the noise survey.

N5 Log drops

When loading or unloading to/from a vehicle and/or stockpile, all reasonable and practicable care must be taken to avoid the dropping of logs from height by placing them either onto the ground or directly onto log decks or log trucks.

N6 Vehicle movement

Unless otherwise approved in writing by the Director, all vehicles carrying logs or woodchips to the Burnie Port area or returning to the mill site empty from the Burnie Port area, must depart and enter the premises via the Burnie Truck Route (Massey Greene Drive), as delineated in Attachment 3 of this Notice.

Rehabilitation**R1 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.

R2 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 operations or by a date specified in writing by the Director. The DRP must be prepared in accordance with any guidelines provided by the Director.

R3 Implementation of the DRP

Following permanent cessation of the activity, rehabilitation of The Land must be carried out in accordance with the most recent Decommissioning and Rehabilitation Plan (DRP) approved by the Director.

R4 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, the person responsible must prepare and implement a Care and Maintenance Plan to the satisfaction 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.



Waste Management

WM1 Waste management hierarchy

- 1 Wastes must be managed in accordance with the following hierarchy of waste management:
 - 1.1 waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;
 - 1.2 waste must be re-used or recycled to the maximum extent that is practicable; and
 - 1.3 waste that cannot be re-used or recycled must be disposed of at a waste depot site or treatment facility that has been approved in writing by the relevant planning authority or the Director to receive such waste, or otherwise in a manner approved in writing by the Director.

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 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;

LO3 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.*

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.



Schedule 4: Further Particulars of the Grounds

Condition in Schedule 2 (unless otherwise stated)	Condition in Permit 5952 (where EPN relates to a Permit)	Particulars
Q1	<u>Limit on Materials Used, Produced or Processed in Respect of Schedule 1 Part 16</u>	Condition varied to: (i) reflect the terminology of the EMPCA; and (ii) clarify that limits apply to materials produced.
G1	G5	Condition varied to ensure all persons responsible for the activity have access to, and are familiar with, the relevant documents associated with activities at the site and thereby promote compliance with the conditions.
G2	G3(b)	Condition varied to ensure all practical steps are taken to protect the environment following an environmental incident.
G3	G2	Condition varied to: (i) reflect current regulatory practices and terminology of the EMPCA; and (ii) ensure there are no changes in the activity that may lead to the release of a pollutant without approval.
G4	Nil	It is desirable to add a new condition to ensure the timely provision of notification to the Director of a change in ownership of The Land, as the Director may have statutory duties in respect of The Land.
G5	Nil	It is desirable to add a new condition requiring annual environmental reporting of the activity to ensure the activity is maintaining compliance with the general environmental duty.
A1	A1	Condition varied to: (i) reflect current regulatory practices and terminology of the EMPCA; and (ii) ensure that there are adequate safeguards to prevent environmental nuisance occurring.
A2	A2	Condition varied to: (i) reflect current regulatory practices and terminology of the EMPCA; and (ii) ensure that there are adequate safeguards to prevent environmental nuisance occurring.
E1	Nil	It is desirable to add a new condition to ensure compliance with discharge limits for water discharged to the environment to prevent environmental nuisance or environmental harm occurring as a result of that discharge.
E2	E1	Condition varied to ensure the treatment of stormwater before discharge from The Land to prevent environmental nuisance or environmental harm occurring.
E3	Nil	It is desirable to add a new condition to ensure the effective dispersion of stormwater from the log yard area across the Dispersion Paddock to reduce the risk of environmental nuisance or environmental harm to Romaine Creek.

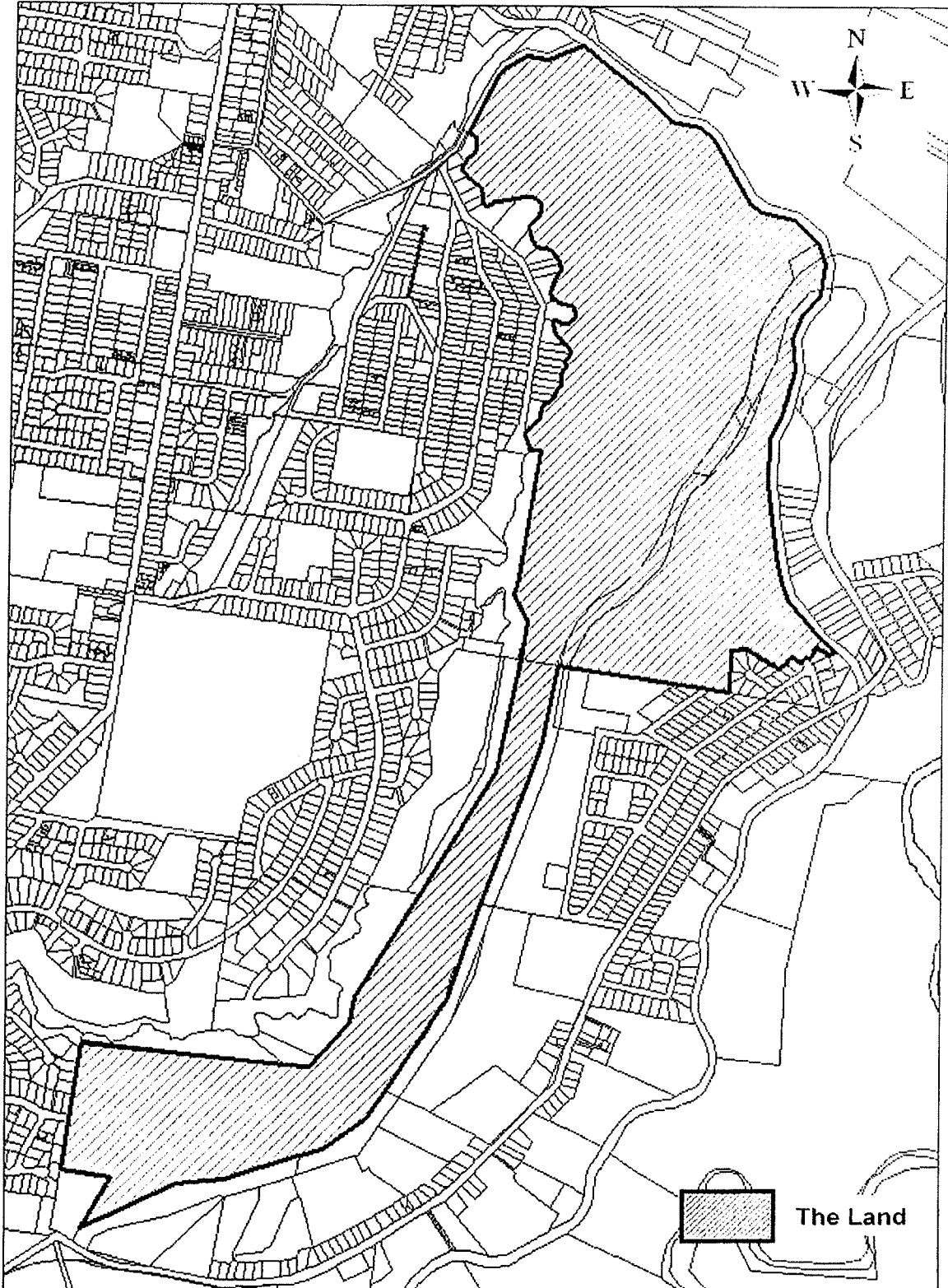
E4	Nil	It is desirable to add a new condition to ensure the management of the Dispersion Paddock stormwater treatment area to ensure its sustainable treatment capacity to prevent environmental nuisance or environmental harm occurring.
E5	Nil	It is desirable to add a new condition requiring a comprehensive assessment of the Dispersion Paddock to monitor the continued effectiveness and sustainability of this treatment approach.
H1	Nil	It is desirable to add a new condition to specify reasonable and practicable measures to mitigate the risk of environmental harm associated with the storage and handling of environmentally hazardous substances in volumes exceeding 250 litres.
H2	Nil	It is desirable to add a new condition to specify reasonable and practicable measures to mitigate the risk of environmental harm associated with the storage and handling of environmentally hazardous substances in volumes not exceeding 250 litres.
H3	Nil	It is desirable to add a new condition to specify reasonable and practicable measures to mitigate the risk of environmental harm associated with the storage and handling of environmentally hazardous substances.
M1	Nil	It is desirable to add a new condition to ensure that any samples or measurements taken in accordance with these conditions are carried out using appropriate methods and procedures.
M2	Nil	It is desirable to add a new condition to specify monitoring, parameters to be monitored, and frequency of monitoring, of Romaine Creek, and the frequency of reporting of monitoring results to the Director.
M3	Nil	It is desirable to add a new condition to specify monitoring, parameters to be monitored, and frequency of monitoring, of the wetland system, and the frequency of reporting of monitoring results to the Director.
N1	N1	Condition varied to: (i) reflect the terminology of the EMPCA; (ii) set maximum sound pressure levels; (iii) provide consistency in noise measurement; and (iv) ensure that measurements are made in accordance with the <i>Tasmanian Noise Measurement Procedures Manual</i> .
N2	N2	Condition varied to: (i) reflect current terminology; and (ii) specify permitted operating hours for the woodchipper and associated woodchipping equipment.
N3	Nil	It is desirable to add a new condition specifying the requirement for a noise survey to be carried out and to specify the timeframe for that noise survey to be carried out, to enable the Director to assess whether the activity is not causing environmental nuisance.
N4	Nil	It is desirable to add a new condition to: (i) ensure the submission of a proposed noise survey methodology prior to undertaking any noise survey required by these conditions; and (ii) specify the timely submission of noise survey reporting, and the information to be included in that reporting.



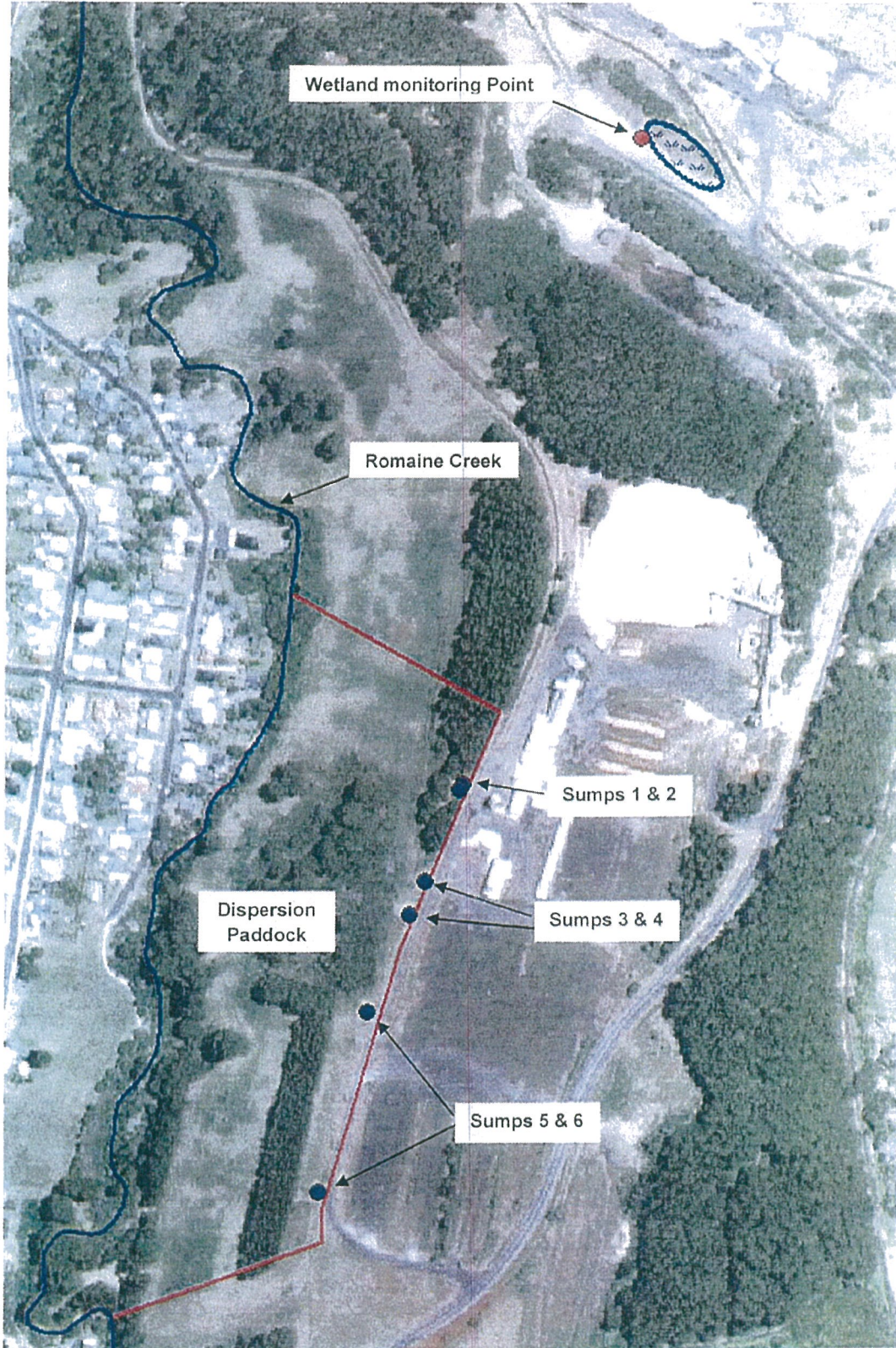
N5	Nil	It is desirable to add a new condition to give effect to the <i>Environment Protection Policy (Noise) 2009</i> in order to further the objectives of the EMPCA in relation to the acoustic environment.
N6	N3	Condition varied to ensure that vehicles carrying logs or woodchips utilise the Burnie Truck Route to reduce the risk of environmental nuisance occurring.
R1	Nil	It is desirable to add a new condition to ensure the timely provision of notification to the Director of cessation of operations on The Land.
R2	Nil	It is desirable to add a new condition to ensure the timely provision of a draft DRP to the Director following notification of cessation of the activity.
R3	Nil	It is desirable to add a new condition requiring rehabilitation of The Land in accordance with an approved DRP to mitigate environmental impacts on the environment.
R4	Nil	It is desirable to add a new condition to ensure: (i) the timely notification to the Director of a temporary suspension of operations; and (ii) The Land is managed and monitored during any period of temporary suspension of operations to prevent environmental harm or environmental nuisance occurring.
WM1	S1, S2	Conditions varied and combined to: (i) reflect the terminology of the EMPCA; and (ii) prescribe improved principles for the management of solid wastes.
WM2	S3	Condition varied to ensure controlled wastes are transported and disposed of by a licensed Waste Transport business.
Schedule 1: Definitions	D1	Condition varied to provide a more definitive description of The Land.
LO1	G1	Condition varied to reflect the terminology and requirements of the EMPCA.
LO2	G3(a) & (c)	Condition varied to: (i) clarify meaning of the condition; (ii) reflect current terminology; (iii) reflect current regulatory practice; and (iv) reflect the requirements of the EMPCA.
	G4, E2, M1 & M2	Conditions no longer applicable.

Attachment 1: The Land

Property ID No. 2216104

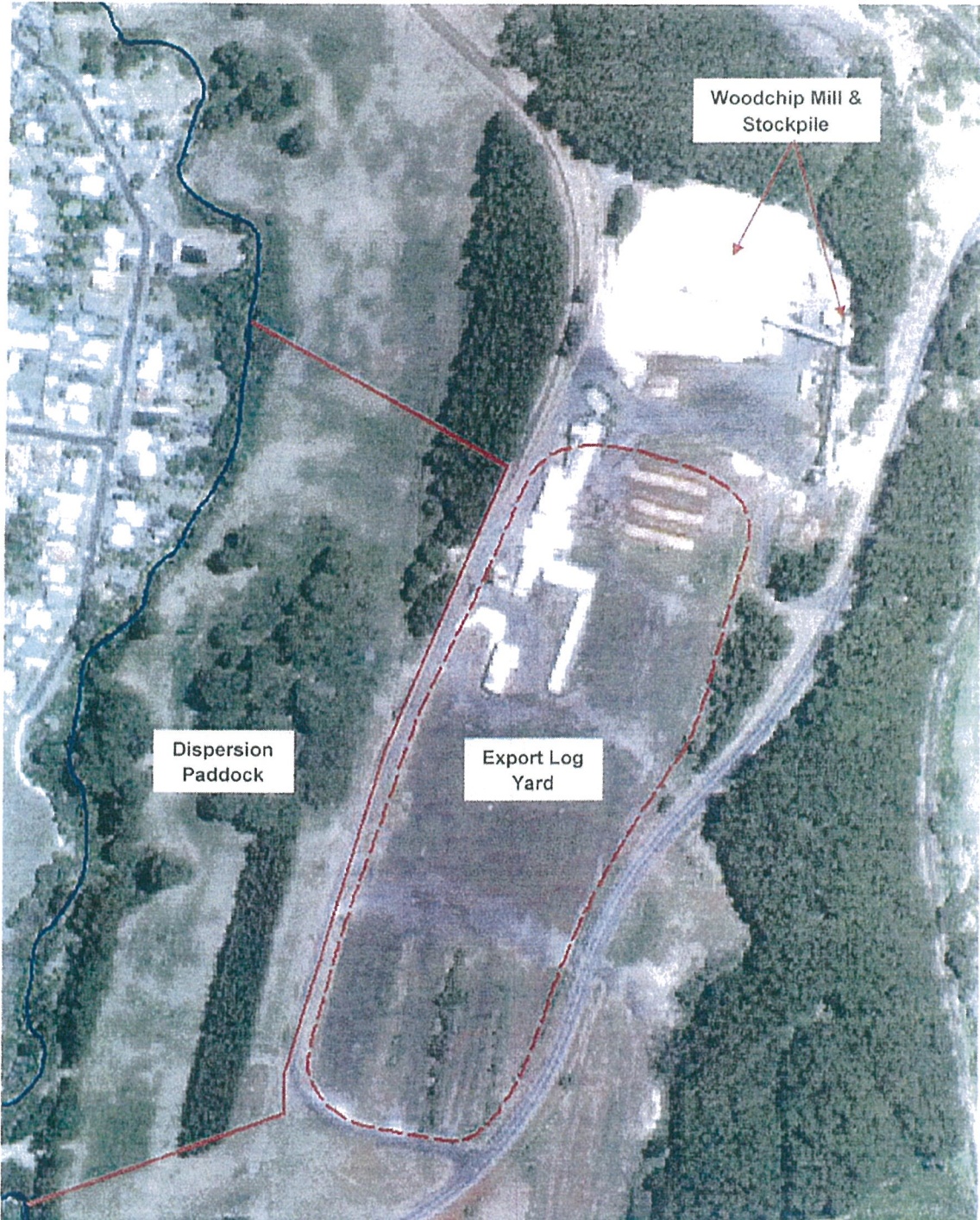


Attachment 2: Wetland Monitoring Point and Dispersion Paddock Location



A handwritten signature in black ink, consisting of stylized, overlapping loops and lines.

Attachment 3: Woodchip Mill & Export Log Yard Locations



A handwritten signature in black ink, consisting of stylized initials.