

EPA Standard Conditions and Definitions

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Introduction

When imposing environmental requirements upon Level 2 and other environmentally relevant activities, the EPA uses Standard Conditions (SCs) where appropriate to help ensure effective, efficient and consistent regulation that gives the best prospect of acceptable environmental outcomes.

Over time, the number of SCs available for use in Permits Conditions Environmental (Permits), Environment Protection Notices (EPNs) and other instruments has become large and comprehensive. This sets up a need for systematic management and administration to ensure SCs and associated Standard Grounds (SGs) are fit-for-purpose and meet contemporary quality standards. This work is critical to the EPA's ability to operate as a modern regulator.

Standard Conditions are updated from time to time and this document presents the conditions at the time it was published.

This compendium includes some of the standard conditions used by the EPA in drafting Permits and EPNs. The conditions included here are considered applicable to a wide range of environmental Activities and considered appropriate for Level 1 Activities as defined in EMPCA.

These conditions are the current versions as of the date of this document. Some premises may have similar conditions which do not match this version. Premises are required to comply with the conditions of the Permit or EPN issued and not the version included herein.

When using these conditions, a Council will need to replace any references to the Director, the EPA and the EPA Board with the appropriate authority.

Councils using these conditions or modified versions thereof are advised to seek their own legal advice prior to applying these conditions.

Function of the EPA Standard Conditions Working Group

The function of the Standard Conditions Working Group is to ensure all Standard Conditions and any associated Standard Grounds and Definitions available for use in Permits, EPNs and other legal instruments used by the EPA meet contemporary quality standards as outlined in the *AELERT Guide to Drafting Quality Conditions* (www.aelert.net) and other relevant, recent guidance on condition drafting.

Standard Conditions and Proforma Conditions

This document details some of the conditions available in the EPA's regulatory database (NELMS). The alphanumeric code at the start of each condition reflects its reference in NELMS this does not need to be included in a legal instrument.

Where a condition name includes (PF) this indicates it is a pro-forma condition and the details in brackets [] need to be updated to reflect the conditions for the specific premises and/or activity. Some pro-forma conditions allow for the variation and/or removal of sub-clauses.

Many of the conditions in this document include Standard Grounds and/or Notes for the use of the condition these should be considered when drafting a Permit or EPN.

Register of Permit Conditions and EPNs issued by the EPA

All currently active EPNs and Permit can be accessed via the LISTmap. See our [Site Information](#) page for further details on how to access this information.

Procedural Considerations

Conditions and Requirements

All requirements/conditions imposed must be auditable, in other words regulated entities must be able to understand the condition and the Regulatory Authority must be able to prove whether or not the condition is being complied with.

Within the EPA it is recommended to use standard conditions wherever possible to populate a Permit or EPN.

When updating Permit conditions with a type (d) EPN it is necessary to consider any Director or Council Officer variations made to the Permit being varied (for example amendments made under section 44(5)). It should be considered whether amendments should be carried forward into the new consolidated EPN.

Additionally, any conditions that have been imposed or amended by RMPAT must also be addressed.

When drafting conditions, the EPA uses non-gender specific language and follows Tasmania Government Policy in relation to dual naming where applicable.

Non-Standard Conditions

Non-standard conditions should be drafted in keeping with the principles outlined in the [Guide to Drafting Quality Conditions](#), consult with experienced regulators to help ensure that the conditions deliver desired outcomes and are enforceable. If an appeal is likely, seeking legal advice should be considered.

As appropriate, consult with entity upon whom the proposed EPN will be served.

EPN Types

Discuss with Manager the need for changes to, or introduction of, requirements and type of EPN that will give rise to these requirements. Examples of each EPN type available under EMPCA s.44 are given below.

EPN type	Grounds
Type (a)	Is environmental harm or nuisance being, or likely to be, caused?
Type (b)	Has environmental harm or environmental nuisance occurred and is remediation required?
Type (c)	Is an EPN necessary to give effect to a State Policy or an Environment Protection Policy?
Type (d)	Is it desirable to vary the conditions of a permit? (i.e. the activity must have an existing permit)
Type (e)	Is an EPN necessary to secure compliance with the general environmental duty (see section 23A)?

Grounds

EMPCA section 44(3) requires an EPN to include the grounds on which it is issued. For a type (d) EPN clearly articulate the reason for variations being made to the permit, including why conditions are:

- removed from original permit;
- added to the original permit;
- changed in some way from the original permit.

If definitions are changed, added or removed, this is considered a variation to the conditions in which the defined phrase appears.

Grounds should be drafted in a sequence that mostly reflects the sequence of conditions (i.e. overarching particulars first, then condition-specific conditions).

For non-type (d) EPNs in which conditions are not being varied, the grounds are prepared in line with a who, what, when and where format. Refer to previous successfully issued non-type (d) EPNs and colleagues for guidance if in doubt.

Informal Consultation on the Draft EPN

There may be occasions when only formal consultation with the client on the draft EPN will be undertaken after the draft EPN has been issued. However, wherever possible informal consultation should occur throughout the entire drafting process to ensure that the EPN is fit-for-purpose, that natural justice is delivered and that the officer can assess the likelihood that the final EPN will be appealed. Consultation may be undertaken face-to-face, via email, phone call or in a more formal meeting environment. Record this conversation process in detail, in the records management system, along with any actions taken to resolve issues.

Substantive issues raised must be brought to the attention of the Manager. This may happen throughout the process as issues are raised and resolved.

Formal Consultation on the Draft EPN

At the conclusion of the drafting process, the client is to be given the opportunity to formally comment on the draft EPN, unless there are exceptional time constraints, such as when issuing an EPN under EMPCA s.44(1)(a) or (b) or EMPCA s.44(2)(a) or (b) to effect immediate clean up or cessation of harm. However, even in these circumstances, steps must be taken to ensure principles of natural justice are followed.

Revocation of older Notices

Consider whether revocation of older notices is needed.

Note: if the EPN being revoked was issued to a different company to that which will receive the new EPN, the company originally issued the EPN needs to be advised.

The Revocation Certificate is commonly served concurrently with the new EPN. There may be rare circumstances in which the Director or Council Officer elects to withhold the revocation certificate until after the appeal period for the new EPN. In this case the EPN cover letter should be modified to state that the new EPN applies to the extent of any inconsistency and that a revocation certificate will be issued in due course.

Notification to Representors

A 'reasonable effort' must be made to contact people who made a representation under section 57(5) of *Land Use and Planning Approval Act 1993* during the assessment that resulted in a permit that is now being varied. A reasonable effort would involve using the address on the original representation. If this failed, officers should check the phone book. Regulatory Officers should make a file note of this process in order to demonstrate that a reasonable effort was made to contact the representors.

Registered Office and Principle Place of Business

To identify the registered office and principal place of business an ASIC search is conducted. Alternatively, for Council or Government entities, an extract from their website identifying the "principal place of business".

Use of conditions

It is not necessary to apply several or all of the conditions to manage a particular environmental impact. For example, if standard condition A5 is applied it may no longer be necessary to include condition A4, however A3 may be needed to reduce potential for impacts on the wider community.

Council to advise Director

It is a requirement of section 44(4) of the EMPCA for Councils to advise the Director, EPA as soon as practicable and within 7 days of the issue, amendment or revocation of an EPN.

STANDARD CONDITIONS

Maximum Quantities

The EPA database (NELMS) includes a condition in all Permits and EPNs specifying the maximum quantity permitted for the Activity. The scale of the Activity determines the annual fees applicable for the Activity as well as alters the environmental risk of the Activity. When setting maximum quantities for Activities it is necessary to consider the limits specified in EMPCA Schedule 2.

General

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.

Ground: It is necessary to add a condition to require these conditions and associated documents to be accessible and persons working on The Land to be made aware of conditions as may be relevant to their work, to minimise environmental harm and/or nuisance.

Note: Standard condition that should be included in ALL permits/EPNs

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.

Ground: The permit does not include a condition requiring the person responsible to take action to minimise environmental harm if an incident occurs.

Note: Standard condition that should be included in ALL permits. Legal reporting requirements and contact details should be included in the Information Schedule.

G4: Proposed change to activity

1. The person responsible must notify the Director in writing prior to implementing any change to the activity authorised by this document that may cause or increase the emission of a pollutant or which may result in environmental harm or environmental nuisance (even temporarily). A change includes, but is not limited to, any of the following:
 - 1.1. an increase in the discharge of a pollutant, or the location of its discharge.
 - 1.2. the construction, installation, alteration or removal of any structure or equipment used in the course of carrying out the activity.
 - 1.3. any clearance of native vegetation or earthworks.
 - 1.4. a change in the quantity or characteristics of materials used in carrying out the activity.
2. The notification must be in an approved form and include the following:
 - 2.1. details of the proposed change;
 - 2.2. an assessment of the environmental impacts that may result from the change;
 - 2.3. any relevant approvals held by the person responsible; and
 - 2.4. any advice from the relevant planning authority to the effect that approval is not required.
3. The person responsible must provide additional information as requested by an Authorized Officer.

4. The proposed change must not be implemented until the Director has confirmed in writing that they are satisfied that no other approval or variation of this document is required.
 - 4.1. For the avoidance of doubt, a notification of a proposed change under this provision is not required if the proposed change is part of a referral to the EPA Board for assessment under sections 24, 25 or 27 of EMPCA.

Ground: Conditions are needed to bring the permit into accordance with the development and planning requirements under the EMPCA and the *Land Use and Planning Approvals Act 1993*.

Note: Standard condition that should be included in ALL permits.

G5: Change of responsibility

If the person responsible for the activity intends to cease to be responsible for the activity, that person must notify the Director in writing of the full particulars of any person who will become the person responsible for the activity, before such cessation.

Ground: It is desirable to add a condition requiring notification to the Director prior to the change in responsible person for the activity so that the Director is aware of changes to the person responsible for environmental management of the activity.

Note: This condition is for all permits and type (d) EPNs. For non d EPNs use LO5 in Legal Obligations.

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.

Ground: A condition requiring notification of a change of ownership of The Land is needed because this Notice may affect title to land and the new owner's interests may be affected by pollutants emitted or disturbed by the activity.

Note: Standard condition that should be included in any permit/EPN.

G8 (PF): Notification prior to commissioning

At least 14 days prior to the commencement of commissioning of [insert equipment or plan], the person responsible for the activity must notify the Director of the date on which commissioning is expected to commence.

Ground: No text defined.

Note: Probably appropriate for most new large activities where there are significant pieces of equipment or facilities that will go through a commissioning phase during which they may not be fully compliant with emission limits. To be used where any other requirements or conditions are tied to the date of commissioning e.g. plan to be submitted within [x] days of commissioning.

G9: Notification prior to commencement

The Director must be notified in writing of the commencement of operations at least 14 days before that occurs.

Ground: No text defined.

Note: To be used where any other requirements or conditions are tied to the date of operations commencing - e.g. plan to be submitted within [x] days of operations commencing or where it is of value for us to know when operations commence - for an initial site inspection, etc. Probably relevant for most medium to large operations. May be an alternative to G8.

Note however, this condition does not work very well if the activity is already operating.

G11: Complaints register

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

Ground: It is necessary to add a condition requiring a public complaints register to be maintained so that the Director can appraise the frequency and characteristics of complaints which may indicate nuisance, should any complaints be received.

Note: Appropriate for all medium - large or contentious small activities

G30: Quarry Code of Practice

Unless otherwise required by these conditions or required in writing by the Director, the activity (or activities) undertaken on The Land must comply with the Acceptable Standards provisions of the *Quarry Code of Practice*.

Ground: It is necessary to [add/varied] a condition to ensure the activity is carried out in accordance with best practice environmental management for quarry operations. Operating in accordance with the Acceptable Standards provisions of the *Quarry Code of Practice* is considered to be best practice environmental management.

Note: A definition to define the cubic metre equivalent in tonnes is required to be added by selecting in Q1 the quantity and cubic metres per year. For example, 12,500 cubic metres per year is considered to be equivalent to 20,000 tonnes per year. NOTE: the tonnage equivalent will vary depending on the loose bulk density of the material extracted/processed.

G31 (PF): [XXX Management Plan]

1. Unless otherwise approved by the Director in writing, [at least xx months prior to the commencement of construction activities] OR [Within xx months of the date of issue of this [relevant instrument e.g., licence, notice, permit, etc.], a [xxx] management plan must be submitted to the Director for approval. [The plan is to have the aim of ... INSERT THE AIM OF THE PLAN.] This requirement will be deemed to be satisfied only when the Director indicates in writing that the submitted document adequately addresses the requirements of this condition.
2. [The plan must be consistent with Section XXX of the EIS of other relevant document.
3. The plan must be prepared in accordance with any reasonable guidelines provided by the Director.
4. Without limitation, the plan must include details of the following:
 - 4.1. [Insert list of requirements];
 - 4.2. a table containing all of the major commitments made in the plan;
 - 4.3. an implementation timetable for key aspects of the plan; and
 - 4.4. a reporting program to regularly advise the Director of the results of the plan.
5. Once approved the person responsible must act in accordance with the approved plan.
6. The person responsible may apply to the Director to vary or substitute the [xx] plan. Any variation or substitution of the plan approved by the Director, by notice in writing, replaces the earlier approval with affect from the date specified in the notice.

Ground: It is desirable to add a condition to require the development, submission and implementation of a [issue] Management Plan to ensure best practice environmental management is applied to [issue].

Note: This standard proforma condition provides a model that should be followed for all conditions that require preparation and submission of a management plan.

Standard condition G5I must also be used when this condition is included in a legal instrument.

G36 (PF): [XXX Management Plan]

1. Unless otherwise specified in these conditions, the activity must be undertaken in accordance with the approved [XXX Management Plan] [date] [author].
2. The person responsible may apply to the Director to vary or substitute the [xx] plan. Any variation or substitution of the plan approved by the Director, by notice in writing, replaces the earlier approval with affect from the date specified in the notice.

Ground: No text defined.

Note: To be used in the case of there being an existing approved management plan which the activity must operate in accordance with.

G39: Land spreading of paunch management plan

1. Unless otherwise approved by the Director in writing, [at least xx months prior to the commencement of construction activities] OR [Within xx months of the date of issue of this [relevant instrument e.g., licence, notice, permit, etc.], a land spreading of paunch contents management plan must be submitted to the Director for approval. This requirement will be deemed to be satisfied only when the Director indicates in writing that the submitted document adequately addresses the requirements of this condition.
2. Without limitation, the plan must include details of the following:
 - 2.1. details and map of the receiving property, including proximity of nearby watercourses, residences and roads;
 - 2.2. a signed agreement with the property owner;
 - 2.3. approximate volume of paunch contents and screenings (per day and annually);
 - 2.4. methods of collection and treatment;
 - 2.5. transport details;
 - 2.6. method of application, including spreading rates;
 - 2.7. explanation of the record keeping system;
 - 2.8. animal health protection measures, including stock withholding periods; and
 - 2.9. other matters as set out in the Paunch Contents Land Spreading Management Guidelines (Tasmania).
3. Once approved the person responsible must act in accordance with the approved plan.
4. The person responsible may apply to the Director to vary or substitute the land spreading of paunch contents plan. Any variation or substitution of the plan approved by the Director, by notice in writing, replaces the earlier approval with affect from the date specified in the notice.

Ground: No text defined.

Note: Standard condition G5I must also be used when this condition is included in a legal instrument.

G5I: Amendment of required plans and reports

1. The plans and reports required by these conditions must be amended to address any matter required by the Director, as advised by notice in writing.
2. Amended plans and reports must be resubmitted within the timeframe that the Director specifies.

Ground: To allow the Director to resolve any deficiencies associated with plans and reports submitted pursuant to these conditions.

Note: To be used in all legal instruments that require the submission of management plans and/or reports. This condition must be supported by one or more conditions that require submission of a management plan or a report. Standard pro forma condition G3I provides a model for drafting management plan conditions.

Atmospheric

A2: Stack testing facilities

1. The following stack testing facilities must be available at all nominated exhaust points when undertaking stack testing required by these conditions:
 - 1.1. sampling positions must be in accordance with Australian Standard AS 4323.1 (*Stationary source emissions - selection of sampling positions*), or as approved in writing by the Director;
 - 1.2. safe sampling platforms must be located to allow access to the sampling positions and safe access to these sampling platforms must be provided; and
 - 1.3. all necessary services required for the test method prescribed must be provided.

Ground: No text defined.

Note: Use at any facility with a stack and emission limits that MAY require testing either regularly or if there is a problem. Note that the condition requires that the definitions section of the permit/ EPN contains "nominated exhaust points means [insert list]".

A3: 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 or load dampening.

Ground: It is necessary to [add a condition or/and vary condition[s]] to ensure effective management measures for loads that may blow or spill, to prevent environmental nuisance.

Note: Use for activities where product or wastes leaving the land may blow or spill e.g. gravel, sand, sawdust, woodchips, compost, biosolids, etc.

A4: Dust emissions from traffic areas

Dust emissions from areas of The Land used by vehicles must be limited or controlled by dampening or by other effective measures.

Ground: It is necessary to [add a condition or/and vary condition[s]] to ensure effective management measures to control dust emissions from The Land to prevent environmental nuisance.

Note: Use where dust emissions from roads (but not stockpiles etc) may be an issue and watering is usually a sufficient mitigation measure.

A5: 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.

Ground: It is necessary to [add a condition or/and vary condition(s)] to ensure effective management measures to control dust emissions from The Land to prevent environmental nuisance.

Note: Use where dust from multiple sources may be an issue. Usually applied to extractive industries, but may also be relevant where stockpiles of raw materials or unsealed roads may give rise to dust.

A6: Control of dust emissions from plant

- I. Dust produced by the operation of all crushing and/or screening plant must be controlled by the use of one or more of the following methods to the extent necessary to prevent environmental nuisance:
 - I.1. the installation of fixed water sprays at all crushers and/or screening plant and at all necessary points where processed material changes direction due to belt transfer;
 - I.2. the installation of dust extraction equipment at all crushers and/or screening plant and at all necessary points where processed material changes direction due to belt transfer;
 - I.3. the enclosure of the crushing and/or screening plant and the treatment of atmospheric emissions by dust extraction equipment; or
 - I.4. any other method that has been approved in writing by the Director.

Ground: It is necessary to [add a condition or/and vary condition[s]] to ensure effective management measures to control dust emissions from The Land to prevent environmental nuisance.

Note: For use at quarries, etc with crushing and screening plant.

A7: Control of dust emissions during construction

- I. Construction activities must be managed using such measures as are necessary to prevent dust emissions causing environmental nuisance. Such measures may include but are not limited to:
 - I.1. using a dust suppression method such as watering dust generating surfaces; and
 - I.2. ceasing construction activities in windy weather when dust may be blown in the direction of residences.

Ground: It is necessary to [add a condition or/and vary condition[s]] to ensure effective management measures to control dust emissions from The Land to prevent environmental nuisance.

Note: Use where dust from construction sites may be an issue.

in the Air EPP other than in exceptional circumstances. The air specialist must be consulted where this condition is used.

A11: Control of fugitive emissions - Sawdust

The sawdust collection and/or sawdust storage system must be designed and maintained so that fugitive dust emissions are controlled to the extent necessary to prevent environmental nuisance.

Ground: The permit does not contain a condition in relation to the adequate management of sawdust generated by the activity. It is necessary to add a condition to require implementation of effective controls to control fugitive sawdust emissions from The Land to prevent environmental nuisance.

Note: Use to control fugitive sawdust emissions from an existing small-scale operation in close proximity to sensitive uses.

A13: Wood waste moisture content

The wood waste feedstock used to fuel the wood-fired boiler must have a moisture content not exceeding 20%.

Ground: No text defined.

Note: Use for all sawmills using wood wastes as boiler fuel to limit the use of green wood wastes and subsequent smoke emissions associated with the burning of green wastes.

A14: Boiler fuel restrictions

Unless otherwise approved in writing by the Director, preservative treated timber and other contaminated materials must not be burnt in the wood fired boiler.

Ground: No text defined.

Note: Use for all sawmills using wood wastes as boiler fuel.

A15: Restrictions for burning on-site

Unless otherwise approved in writing by the Director, burning of sawdust, wood chips and other wood wastes must not be undertaken on The Land except in a boiler approved for this purpose.

Ground: The permit does not contain a condition in relation to prohibiting the open burning of wood waste. It is necessary to add a condition to prohibit opening burning of wood waste to control atmospheric emissions from the activity.

Note: Use for all sawmills - in support of the Division's Policy to prohibit burning at a Level 2 Wood processing activity where appropriate pollution control equipment is not applied.

A16: Odour management

The person responsible must institute such odour management measures as are necessary to prevent odours causing environmental nuisance beyond the boundary of The Land.

Ground: It is desirable to add a condition requiring odour management. Odour management consideration is part of best practice environmental management.

Note: This condition is generally applicable where there is potential for nuisance odours. Other conditions may be appropriate to require specific measures to mitigate or to capture and treat odours.

A17 (PF): Stack testing frequency

1. Stack tests must be carried out within [insert timeframe] of the completion of commissioning of [insert name of relevant equipment] and [insert frequency] thereafter unless otherwise approved by the Director.
2. [alternative clause 1 where non-compliance is considered unlikely: If requested in writing by the Director, a stack test must be carried out to determine compliance with the above emission limits.]
3. Stack tests must occur when the machinery is operating under full load and normal operating conditions and the results must be provided to the Director within 60 days of the commencement of testing.

Ground: It is necessary to [add a condition or/and vary condition[s]] to require stack testing to ensure accurate measurements of stack emissions.

Note: Where an EPN establishes stack emission limits, stack tests are required to determine compliance with those limits. Use with standard condition A2.

A18: Emission limit exceedances

In the event that an emission limit is exceeded, unless the event is required to be reported to the Director in compliance with section 32 of EMPCA, the Director must be notified of the exceedance within 48 hours of the results becoming available, together with the reason for the exceedance.

Ground: The permit[s] do/does not have specific and measurable limits for [atmospheric emissions from the activity's boiler; effluent quality for water being discharged from The Land; or noise emissions from the activity]. [A] Condition[s] is/are needed to control emissions from the activity and to impose limits upon those emissions to reflect current State Policies or Environment Protection Policies.

Note: No text defined.

A20: Visible smoke emissions

1. Visible smoke must not be emitted:
 - 1.1. for a period of more than 20 minutes during the 8-hour period immediately after lighting the boiler from cold, being the period during which the boiler is brought to normal operation; or
 - 1.2. unless subparagraph 1.1 applies, for a period of more than 10 minutes in any subsequent period of 8 hours.
2. All practicable means must be employed to prevent the emission of smoke during the periods stated in this condition.

Ground: The permit[s] do/does not have specific and measurable limits for [atmospheric emissions from the activity's boiler; effluent quality for water being discharged from The Land; or noise emissions from the activity]. [A] Condition[s] is/are needed to control emissions from the activity and to impose limits upon those emissions to reflect current State Policies or Environment Protection Policies.

Note: This condition provides an alternative method for setting emission limits on visible smoke than that listed as a default AMT limit in schedule 1 of the Environment Protection Policy (Air Quality) 2004. The reason an alternative expression is considered necessary is that there is a lack of people qualified to carry out a Ringelmann analysis and the procedure is relatively complicated for use in determining compliance.

A22: Odour Management Plan

1. Unless otherwise approved in writing by the Director, an Odour Management Plan must be submitted to the Director for approval within six (6) months of the date on which these conditions take effect.
2. The Odour Management Plan must include:
 - 2.1. an inventory of all potential odour sources at the Activity;
 - 2.2. an overview of the odour collection and abatement equipment in operation at the Activity;
 - 2.3. details of any proposed actions to be implemented to mitigate anticipated odour issues associated with activities undertaken at the Activity;
 - 2.4. a proposal for a regular odour inspection method and frequency to ensure odour at the Activity is maintained at an acceptable level; and
 - 2.5. a procedure for recording and acting upon any increase in odour emissions.
3. The person responsible must implement the Odour Management Plan approved in writing by the Director.

Ground: It is desirable to add a condition requiring odour management. Odour management consideration is part of best practice environmental management.

Note: This condition is for specific situations where due to the proximity to sensitive receptors and the activity type specific requirements are necessary to ensure adequate awareness and management of odour emission points and management of relevant abatement equipment.

Standard condition G51 must also be used when this condition is included in a legal instrument.

Blasting

B1: Blasting times

Blasting on The Land must take place only between the hours of 1000 hours and 1600 hours Monday to Friday. Blasting must not take place on Saturdays, Sundays or public holidays unless prior written approval of the Director has been obtained.

Ground: No text defined.

Note: Standard condition for all quarry permits/EPNs irrespective of whether or not blasting is to be an ongoing operational activity, whether or not there is a record of complaint or whether or not there is a perceived requirement to observe or monitor.

B2: Blasting - noise and vibration limits

1. Blasting on The Land must be carried out in accordance with blasting best practice environmental management (BPEM) principles, and must be carried out such that, when measured at the curtilage of any residence (or other noise sensitive premises) in other occupation or ownership, airblast overpressure and ground vibration comply with the following:
 - 1.1. for 95% of blasts, airblast overpressure must not exceed 115dB (Lin Peak);
 - 1.2. airblast overpressure must not exceed 120dB (Lin Peak);
 - 1.3. for 95% of blasts ground vibration must not exceed 5mm/sec peak particle velocity; and
 - 1.4. ground vibration must not exceed 10mm/sec peak particle velocity.

2. All measurements of airblast overpressure and peak particle velocity must be carried out in accordance with the methods set down in *Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration*, Australian and New Zealand Environment Council, September 1990.

Ground: No text defined.

Note: Standard condition where blasting is carried out regularly. The Division now has the ability to measure compliance.

B4: No blasting without approval

Blasting must not be carried out on The Land without the prior written approval of the Director.

Ground: No text defined.

Note: Optional condition to be applied in situations where blasting is sporadic and there is a perceived need to observe and monitor.

B5: Notification of blasting

All residents within a 1 km radius of the activity must be notified on each occasion prior to blasting on The Land. This notification must be given at least 24 hours before such blasting is due to occur. In the event that the blast(s) cannot take place at the time specified, the responsible person must advise all those residents within 1 km of the activity of the revised time at which blasting will take place.

Ground: No text defined.

Note: No text defined.

B6: Blast monitoring

1. Unless otherwise approved in writing by the Director, blast monitoring must be undertaken for each blast that occurs on The Land.
2. Blast monitoring must be carried out at location(s) agreed in writing by the Director.
3. In the event that ground vibration and/or airblast overpressure caused by a blast exceeds a limit imposed by these conditions, the Director must be notified within seven days of the blast, or as soon as is reasonable and practicable.
4. Blast monitoring records must be maintained for a period of at least two years.

Ground: No text defined.

Note: No text defined.

B7: Ground vibration

Unless otherwise approved in writing by the Director, in the event that ground vibration caused by a blast exceeds 5 mm/sec peak particle velocity and/or air blast over pressure exceeds 115 dB(Lin Peak), the Director must be notified within 24 hours of the blast.

Ground: No text defined.

Note: No text defined.

Composting

When setting conditions for a composting facility it is important to include conditions restricting which waste streams may be processed.

CGI [PF]: Composting

1. Composting, the storage of putrescible materials, and any incorporation of liquid ingredients not carried out in a designated mixing pit:
 - 1.1. must be confined to the authorised composting pad identified in Attachment [X]; and

- 1.2. must not be undertaken on areas of the composting pad with exposed bedrock, inadequate coverage or where the hydraulic seal is compromised ('unusable areas').

Ground: It is desirable to clearly identify a composting pad and restrict leachate generating activities to the composting pad, while excluding areas of the composting pad where the quality is compromised.

Note: To be used in all composting sites.

CG2: Design of composting pad

1. The composting pad must have a minimum 2% drainage gradient, and direct all potentially contaminated runoff and leachate into a leachate management system.
2. The composting pad must be designed to provide a stable base allowing all-weather access by vehicles and machinery.
3. The sealing layer of the composting pad must be minimum of 300 mm thick compacted clay with a measured permeability of $K < 1 \times 10^{-9}$ m/s, or with minimum 95% Proctor compaction, or have equivalent performance.
4. The sealing layer must be covered with a suitable material for physical protection from composting activities, vehicle movements and removal (scraping) of compost mass during or after processing.
5. The composting pad must be located in a flood-free area above Q20 flood level.

Ground: It is desirable to specify the minimum design and functional requirements of a composting pad to allow the Director to evaluate whether a composting pad can perform the function of preventing the contamination of groundwater and surface water with leachate or contaminated storm water.

Note: To be used in all composting sites.

CG3: Design of mixing pit

1. The mixing pit must be fully bunded with an impervious liner, to prevent the escape of liquid waste.
2. The surface of the mixing pit must be able to withstand the scraping of machinery, used to incorporate liquids into composting feedstock of suitable moisture, to become spadable, for composting.

Ground: It is desirable to specify the functional requirements of a mixing pit to allow the Director to evaluate whether a mixing pit can perform its designed function without the contamination of groundwater and surface water with liquid waste.

Note: To be used in all composting sites with a mixing pit.

Construction

CN6: Construction Environmental Management Plan

1. At least 30 days prior to the commencement of construction activities, or by a date otherwise specified in writing by the Director, a Construction Environmental Management Plan ('Construction EMP') must be submitted to the Director for approval.
2. The Construction EMP must contain a detailed description of the proposed timing and sequence of the major construction activities and of the proposed management measures to be implemented to avoid or minimise the environmental impacts during the construction phase. The Construction EMP must include, but not necessarily be limited to, management measures in relation to the following:
 - 2.1. prevention of impacts upon surface water and waterways;
 - 2.2. erosion and sediment control;
 - 2.3. noise control;
 - 2.4. dust control;
 - 2.5. management of environmentally hazardous materials;
 - 2.6. cultural (Aboriginal and non-aboriginal) heritage considerations;
 - 2.7. flora and fauna management;
 - 2.8. weed, pest and disease management;

- 2.9. quality control arrangements including supervision by appropriately qualified and experienced persons, detailed construction specifications for key items of environmental management infrastructure, documented site procedures, quality control testing and the keeping of appropriate records; and
- 2.10. acid sulphate soil management (if identified in pre-construction testing).
3. Construction must not commence until the Construction EMP has been approved by the Director.
4. Unless otherwise specified in writing by the Director, construction activities must be carried out in accordance with an approved Construction EMP.

Ground: No text defined.

Note: To be inserted in most circumstances involving significant construction works with potential environmental impacts with the following EXCEPTIONS: where the footprint of the construction works is very small/short and/or it is a brownfields site with no sensitive uses within 300m and/or sufficient details have already been provided in the EIS.

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.

Ground: It is necessary to add a condition requiring notification of the likely permanent cessation of the activity so that the Director has sufficient time in which to ensure that appropriate measures are in place to minimise environmental harm arising from the permanent cessation of the activity.

Note: For use with ALL premises.

DC2 (PF): DRP requirements

Unless otherwise approved in writing by the Director, a 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 [the guidelines at Attachment X] or [any guidelines provided by the Director].

Ground: It is necessary to add a condition to require the submission to the Director, for approval, of a Decommissioning and Rehabilitation Plan so that appropriate measures to minimise environmental harm are available to be implemented in the event of the permanent cessation of the activity.

Note: ONLY for use with small-medium industrial activities, ALWAYS as a set with DC1 and DC3 and DC7. It is preferable to attach DRP guidelines to the Permit/EPN because this gives certainty to the proponent.

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.

3. The person responsible may apply to the Director to vary or substitute the DRP. Any variation or substitution of the plan approved by the Director, by notice in writing, replaces the earlier approval with affect from the date specified in the notice.

Ground: The permit contains no requirements for ensuring that when decommissioning is undertaken, it is done in a manner to minimise environmental harm.

Standard condition G51 must also be used when this condition is included in a legal instrument.

Note: ONLY for use with small-medium industrial activities, ALWAYS as a set with DC1 and DC2 and DC7.

DC4: Stockpiling of surface soil

Prior to commencement of extractive activities on any portion of The Land, surface soils must be removed in that portion of The Land to be disturbed by the conduct of the activity and stockpiled for later use in rehabilitation of The Land. Topsoil must be kept separate from other overburden and protected from erosion or other disturbance.

Ground: The permit does not have a condition that requires stockpiling of removed soil. Stockpiling of surface soils for rehabilitation purposes is considered current best practice environmental management.

Note: ONLY for use with small-medium extractive industries and small mines, ALWAYS as a set with DC1 and DC5, DC6 and DC7.

DC5 (PF): Progressive rehabilitation

Worked out or disused sections of The Land must be rehabilitated concurrently with extractive activities on other sections of The Land. Progressive rehabilitation must be carried out in accordance with the relevant provisions of the *Quarry Code of Practice*, unless otherwise approved in writing by the Director. The maximum disturbed area of land which may remain, at any time, without rehabilitation is [insert area, standard is one hectare].

Ground: The permit conditions need to be varied to better specify the approved maximum disturbed area of the activity.

Note: ONLY for use with small-medium extractive industries and small mines, ALWAYS as a set with DC1 and DC4, DC6 and DC7.

DC6: Rehabilitation on cessation

1. Unless otherwise approved in writing by the Director, rehabilitation upon permanent cessation of the activity must be undertaken in accordance with relevant provisions of the *Quarry Code of Practice* and in accordance with the following:
 - 1.1. rehabilitation earthworks must be substantially completed within 12 months of cessation of the activity; and
 - 1.2. rehabilitated areas must be monitored and maintained for a period of at least three years after rehabilitation works have been substantially completed, after which time the person responsible for the activity may apply in writing to the Director for a written statement that rehabilitation has been successfully completed.

Ground: It is desirable to add conditions ensuring that decommissioning and rehabilitation is undertaken, and is done in a timely, planned and approved manner to minimise environmental harm.

Note: ONLY for use with small-medium extractive industries and small mines, ALWAYS as a set with DC1 and DC4, DC5 and DC7.

DC7: 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 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.
3. If required by the Director, a Care and Maintenance Plan for the activity must be submitted to the Director for approval, by a date specified in writing by the Director. This requirement will be deemed to be satisfied only when the Director indicates in writing that the submitted document adequately addresses the requirements of this condition.
 - 3.1. The plan must be prepared in accordance with any reasonable guidelines provided by the Director.
 - 3.2. Once approved the person responsible must act in accordance with the approved Care and Maintenance Plan.
 - 3.3. The person responsible may apply to the Director to vary or substitute the Care and Maintenance Plan. Any variation or substitution of the plan approved by the Director, by notice in writing, replaces the earlier approval with affect from the date specified in the notice.
4. 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.

Ground: The permit does not contain conditions in relation to the adequate management of the activity and/or The Land should the activity temporarily suspend operations. It is necessary to add a condition requiring management of the activity during temporarily suspended operations.

Note: For use with all premises. Provides notification of a change of status and a date that clause 4 can be gauged against.

Standard condition G5I must also be used when this condition is included in a legal instrument.

DC12: Decommissioning and Rehabilitation Plan

1. At least 12 months prior to the planned cessation of waste deposition or by a date specified in writing by the Director a Decommissioning and Rehabilitation Plan for the activity must be prepared in accordance with the Acceptable Standards provisions of Section 5 of the *Landfill Sustainability Guide* and must specify, without limitation, the following:
 - 1.1. the closure date;
 - 1.2. redundant site structures and equipment to be removed;
 - 1.3. details relating to interim cover and final capping;
 - 1.4. details of signs to be erected to inform the public that the site has closed;
 - 1.5. perimeter fences to be installed or maintained and other security measures to be implemented to prevent unauthorised access to waste deposition areas on The Land;
 - 1.6. post-closure management procedures for the leachate collection and containment system;
 - 1.7. post-closure maintenance procedures for stormwater drains and landfill capping;
 - 1.8. intended final profile of The Land;
 - 1.9. revegetation plans;
 - 1.10. proposed post-closure groundwater and surface water monitoring program; and
 - 1.11. any other details requested in writing by the Director.

Ground: It is necessary to add a condition to require the submission to the Director, for approval, a Decommissioning and Rehabilitation Plan so that appropriate measures to minimise environmental harm are available to be implemented in the event of the permanent cessation of the activity.

Note: Standard condition G5I must also be used when this condition is included in a legal instrument.

DC13: Rehabilitation upon cessation

1. Unless otherwise approved in writing by the Director, following permanent cessation of the activity land disturbed or used in the carrying out of the activity must be rehabilitated in accordance with:

- 1.1. the measures set out in the Decommissioning and Rehabilitation Plan for The Land approved in writing by the Director; or
- 1.2. where an approved Decommissioning and Rehabilitation Plan is not available, the Acceptable Standards provisions of Section 5 of the Landfill Sustainability Guide.

Ground: It is necessary to add a condition to require the implementation of the Decommissioning and Rehabilitation Plan, approved by the Director, as that decommissioning and rehabilitation is undertaken in a manner that minimises environmental harm and/or nuisance.

Note: For use in Landfill permits and EPNs.

DC16: Decommissioning and Rehabilitation Plan

1. Unless otherwise approved in writing by the Director, a Decommissioning and Rehabilitation Plan (DRP) must be submitted to the Director within 30 days of any decision that is likely to give rise the permanent cessation of the activity.
2. The DRP must:
 - 2.1. set out detailed prescriptions for carrying out the rehabilitation works identified in the most recent Mine Closure Plan approved by the Director; and
 - 2.2. contain information as outlined with the document, 'Decommissioning and Rehabilitation Plan (DRP) - a guideline for the Tasmanian Mining Industry, version 1, May 2006 or any subsequent version of this document.
3. The DRP must be prepared in accordance with any reasonable guidelines provided by the Director.

Ground: It is desirable to add conditions ensuring that decommissioning and rehabilitation is undertaken, and is done in a timely, planned and approved manner to minimise environmental harm.

Note: Standard condition G5I must also be used when this condition is included in a legal instrument.

DC17 (PF): Additional Closure Requirements

1. Upon the permanent cessation of the activity the following must be undertaken to the satisfaction of the Director:
 - 1.1. all PAF material, including tailings and waste rock, arising from the activity must be:
 - 1.1.1. covered with a minimum 1 metre deep long-term water cover (taking into account seasonality, droughts, wave action, etc);
 - 1.1.2. disposed underground below the post-closure water table level; or
 - 1.1.3. encapsulated in accordance with a method approved in writing by the Director [such as that described in Section X of the DPMP]; and
 - 1.2. any residual AMD arising from the activity must be treated in accordance with the conditions contained herein until the person responsible demonstrates to the written satisfaction of the Director that such treatment is no longer required.

Ground: No text defined.

Note: Use for mining activities that involve excavation of sulphidic minerals. The text of the condition should be modified as appropriate to the site in question. The condition has several important definitions associated with it. Please ensure that the terminology used throughout the conditions is consistent with those definitions. Operational conditions are also likely to be required.

DC18: Post-Decommissioning and Rehabilitation Report

1. Following decommissioning and rehabilitation of the Land to a level consistent with the approved DRP, a Post-Decommissioning and Rehabilitation Report must be submitted to the Director for approval. This report must include:
 - 1.1. a description of decommissioning and rehabilitation works completed;
 - 1.2. any available monitoring data or other evidence which demonstrates that the land is in a stable and non-polluting state;

- 1.3. any supporting reports such as post-decommissioning environmental site assessments; and
- 1.4. details of any recommended ongoing management measures such as maintenance or monitoring.
- 1.5. The person responsible must implement all recommended ongoing management measures, unless otherwise approved by the Director.

Ground: It is desirable to add conditions ensuring that decommissioning and rehabilitation is undertaken, and is done in a timely, planned and approved manner to minimise environmental harm.

Note: No text defined.

Effluent

The EPA has a number of Standard Conditions which are applicable to Sewage Treatment Works or Wastewater Treatment Works. Councils are encouraged to contact the Wastewater Management Section of EPA Tasmania for advice when drafting notices relating to these activities.

EFI (PF): Effluent discharge locations

1. Effluent from the activity must only be discharged at the following discharge location(s):
 - 1.1. Discharge to water: discharge to [receiving water] at grid reference [GDA94 coordinate] as depicted on the plan at Attachment [no].
 - 1.2. Discharge to a wastewater reuse scheme: discharge to the [name] reuse scheme as defined in the Wastewater Reuse EMP at grid reference [GDA94 coordinate] as shown on Attachment [no].
2. Effluent must not be discharged to the point referred to in clause 1.2 unless the effluent is managed in accordance with the Wastewater Reuse EMP.

Ground: No text defined.

Note: Where no discharge to reuse is to occur part (b) and sub-clause 2 can be deleted. Must have a map attachment which clearly identifies the named discharge point(s).

EF5 (PF): Effluent quality limits for discharge to the [name discharge point]

1. Effluent discharged to the [name discharge point] must comply with the effluent quality limits set out in Table [Number], [Table Title], at the Effluent Quality monitoring location specified in Attachment [X].
2. 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, '90th percentile' means the value at which the relevant parameter is exceeded by no more than 10 percent of all sample results over a twelve month period.
3. Table of Effluent Quality Limits for discharge to the [insert location]

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Substance or measure	Unit of measurement	Minimum limit	Median limit	90th Percentile limit	Maximum limit
Biochemical Oxygen Demand	mg/L	-	10	15	30
Suspended Solids	mg/L	-	10	20	30
Ammonia Nitrogen	mg/L	-	1	3	5
Total Nitrogen	mg/L	-	5	10	15
Total Phosphorus	mg/L	-	1	2	5
Oil and Grease	mg/L	-	2	4	5
<i>E. coli</i>	MPN/100mL	-	200	500	750
pH	pH units	6.5	-	-	8.5

Ground: No text defined.

Note: To be used where the plant is operating in accordance with the *State Policy on Water Quality Management 1997* and stricter limits will not be required in future. Generally the limits set will be the Accepted Modern Technology limits or site specific limits that have been determined to not prejudice water quality objectives for the receiving waters.

EF8 (PF): Mass load limits

1. From [date], or a date otherwise specified in writing by the Director, the mass load of nitrogen and phosphorus discharged to water must not exceed:
 - 1.1. [number] kg per annum of total nitrogen; and
 - 1.2. [number] kg per annum of total phosphorus.

Ground: No text defined.

Note: To be used for all WWTPs. The aim of including this condition is to ensure that the annual mass loading of nutrients will remain within that expected at 100% discharge to water at AMT (or other sustainable limits determined in accordance with the *State Policy on Water Quality Management 1997*). The condition is a tool to force WWTPs to move toward AMT or reuse. The mass load limit [number] is to be set at mass loadings expected from this date i.e. based on achievements of the AMT or other sustainable limits. The [date] should be a date within a reasonable time period from submission of the Discharge Management Plan (i.e. 2 years later).

EF17: Signage of discharge location

Signage must be installed and maintained on land near to outfalls to discourage recreational activities within waters immediately around the outfall. Signage is to alert the public as to the proximity and nature of the discharge.

Ground: The permit does not contain a condition that requires signage on land near effluent outfalls. Signage giving notice of potential public health risks is considered best practice environmental management.

Note: To be used where the mixing zone from the outfall is proximate to areas of possible public use. Generally this would only apply to short outfalls accessible by land (not boat).

Effluent Disposal

E1: Solid matter in wastewater

1. Solid matter must be prevented by all reasonable means from entering the wastewater stream. Without limiting the generality of the term, reasonable means includes:
 - 1.1. effective screening at all points of wastewater ingress to the wastewater treatment system to prevent the entry of gross solids;
 - 1.2. implementation of comprehensive operating procedures, and the appropriate training and supervision of employees, contractors and sub-contractors; and
 - 1.3. good housekeeping including the provision of adequate containers to avoid loss to the floor and the control of spillage by sweeping, shovelling, impoundment, or the entrapment of wastes in tanks or vessels for further treatment before disposal.

Ground: No text defined.

Note: Typically used with food processing activities to minimise loss of solid wastes to sewer or treatment system.

E2: Perimeter drains or bunds

1. Perimeter cut-off drains, or bunds, 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, or bunds, 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, or bunds, 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.

Ground: Condition[s] is/are required to ensure that infrastructure to manage water traversing and discharged from The Land is installed and maintained in order to minimise release of sediment entrained in stormwater.

Note: General condition for all premises where clean surface water run-off should be kept out (especially landfills, also for extractive premises and construction sites where land disturbance causes an erosion risk if surface run-off enters the disturbed area).

E4: Retention of sediment

During construction activities all reasonable measures must be implemented to ensure that solids entrained in stormwater traversing the construction site are retained on The Land. Such measures may include provision of strategically located sediment fences, and appropriately sized and maintained sediment settling ponds.

Ground: No text defined.

Note: Sediment control condition that applies only during the construction stage. Use where significant land disturbance is likely during construction, but afterwards the site will be very stable.

E5: Maintenance of settling ponds

Sediment settling ponds must be periodically cleaned out to ensure that the pond design capacity is maintained. Sediment removed during this cleaning must be securely deposited such that sediment will not be transported off The Land by surface run-off.

Ground: Condition[s] is/are required to ensure that infrastructure to manage water traversing and discharged from The Land is installed and maintained in order to minimise release of sediment entrained in stormwater.

Note: Must be included if any condition requires settling ponds to be used to treat runoff, unless E8 is used instead.

E6: Discharges to sewer

Wastewater, including treated wastewater, can only be discharged to sewer with approval of the operator of the sewage system. This approval may be in the form of a trade waste agreement.

Ground: The permit does not contain a condition in relation to the discharge of wastewater to sewer. It is desirable to add a condition requiring approval from the operator of the sewage system to discharge to sewer.

Note: For activities that involve the discharge of wastewater to sewer.

E7: Firefighting wastewater

In the event of a fire, potentially contaminated wastewater arising from firefighting must be managed to prevent the unauthorised discharge of pollutants beyond the boundary of The Land.

Ground: It is necessary to [add a/vary permit] condition to require the management of potential contaminated wastewater arising from firefighting on The Land to prevent environmental harm.

Note: Use where firefighting effluent is likely to be contaminated with pollutants, especially landfills.

E8: Design and maintenance of settling ponds

1. Sediment settling ponds must be designed and maintained in accordance with the following requirements:

- 1.1. ponds must be designed to successfully mitigate reasonably foreseeable sediment loss which would result from a 1 in 20-year storm event;
- 1.2. discharge from ponds must occur via a stable spillway that is not subject to erosion;
- 1.3. all pond walls must be stable and treated with topsoil and vegetated or otherwise treated in such a manner as to prevent erosion; and
- 1.4. sediment settling ponds must be periodically cleaned out to ensure that the pond design capacity is maintained. Sediment removed during this cleaning must be securely deposited such that sediment will not be transported off The Land by surface run-off.

Ground: Condition[s] is/are required to ensure that infrastructure to manage water traversing and discharged from The Land is installed and maintained in order to minimise release of sediment entrained in stormwater.

Note: Alternative condition to E5 for use where there is a history of poor performance of sediment settling ponds (ie collapses and/or failure to undertake maintenance) hence a more auditable condition is required.

E9: Stormwater discharge

1. Stormwater must be prevented as far as practicable from mixing with deposited waste.
2. Polluted stormwater, not leachate, 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.
3. All stormwater that is discharged from The Land must not carry sediment or pollutants such as litter, oil and grease in quantities or concentrations that are likely to degrade the visual quality of any receiving waters outside The Land.

Ground: It is desirable to [add a/ vary] condition[s] requiring adequate management of stormwater to prevent environmental harm and/or nuisance being caused by stormwater leaving The Land.

Note: Must be used with landfills.

E10: Contamination of stormwater

1. Unless otherwise approved by the Director, stormwater contaminated by leachate must be:
 - 1.1. transferred to the leachate collection system, providing that the leachate dam has adequate capacity;
 - 1.2. transported for disposal at a facility approved to receive the contaminated stormwater; or
 - 1.3. irrigated over the landfill cells at an application rate that does not cause surface runoff and for a period not exceeding six (6) consecutive months. Records of irrigation must be maintained for a period of at least three (3) years.

Ground: It is desirable to [add a/ vary] condition[s] requiring adequate management of stormwater contaminated by leachate to prevent environmental harm and/or nuisance being caused by stormwater leaving The Land.

Note: Must be used with landfills.

E11: Leachate management

1. A leachate collection system must be installed to prevent leachate generated within landfilled waste 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.

Ground: No text defined.

Note: No text defined.

E12: Wastewater management

1. Unless otherwise approved in writing by the Director, the following wastewater streams generated by the activity must be directed for treatment through the wastewater treatment system:
 - 1.1. all process wastewater;
 - 1.2. all contaminated and potentially contaminated wastewater, such as wash down water; and
 - 1.3. any stormwater potentially contaminated.

Ground: It is necessary to [add/vary] a condition to require that any process wastewater or potentially contaminated wastewater and stormwater is directed to the wastewater treatment system to prevent environmental harm or nuisance.

Note: For use at sites with a wastewater treatment system. Use in conjunction with E14 to specify where treated wastewater can be discharged to.

E13: 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.

Ground: It is necessary to [add a/vary permit] condition to requiring adequate management of stormwater to prevent environmental harm and/or nuisance being caused by stormwater leaving The Land.

Note: General condition for all premises that do not have more detailed conditions relating to collection and treatment of surface waters arising from the activity. Can be used in conjunction with E2.

E14 (PF): Treated Wastewater Management

1. Unless otherwise approved in writing by the Director, any treated wastewater generated on The Land must be managed in the following manner:
 - 1.1. [reused within the activity; or]
 - 1.2. [stored in [the Holding Dam] prior to irrigation or discharge in accordance with the requirements of these conditions; or]
 - 1.3. [used for irrigation in accordance with the requirements of these conditions; or];
 - 1.4. [discharged to in accordance with requirements of these conditions; or]
 - 1.5. [disposed of at a facility approved to accept the treated wastewater.]

Ground: It is desirable to specify management options for wastewater generated by the activity.

Note: For use where a site stores and irrigates or discharges wastewater. To be used in conjunction with E12.

Flora and Fauna

FF2 (PF): Protection of [Threatened Plant Community Name]

1. The interface between the [existing quarry footprint and the DOB community, as identified in Attachment 3], must be delineated with a fence or similar method approved in writing by the Director within 30 days of the date on which these permit conditions take effect;
2. Unless otherwise approved in writing by the Director:
 - 2.1. there must be no disturbance of the vegetation beyond this fence; and

- 2.2. the activity must be conducted in a manner that does not cause degradation or disturbance (including sedimentation) to the [DOB community].

Ground: No text defined.

Note: To be used where a threatened native vegetation community as listed in the *Nature Conservation Act 2002* is present on The Land and the activity can be conducted in a manner that avoids removal or disturbance of this vegetation.

FF3 (PF): Protection of [species name]

Unless otherwise approved in writing by the Director, the activity must be conducted in a manner that does not cause degradation or disturbance (including sedimentation) to the areas identified in [eg the EMP, Appendix XXX of the EMP etc] as being inhabited by the species [name].

Ground: No text defined.

Note: To be used where a species of conservation significance is present (either listed in the *Tasmanian Threatened Species Protection Act 1995*, or EPBC Act) on The Land in discrete areas and the activity can be constructed in a manner that avoids damage to these areas.

FF4 (PF): [name of species of conservation significance] survey

1. At least 30 days prior to [eg disturbance of area X] or by a date specified in writing by the Director:
 - 1.1. a survey of the area to be disturbed for [species name] habitat must be conducted;
 - 1.2. the person(s) conducting the survey must be appropriately qualified in the identification of the species and its habitat;
 - 1.3. a report outlining the findings of the survey must be submitted to the Director; and
 - 1.4. if any [species name] will be adversely impacted by the activity, this must be brought to the attention of the Department which administers the *Threatened Species Protection Act 1995* prior to such impact occurring.
2. This requirement will be deemed to be satisfied only when the Director indicates in writing that the submitted document adequately addresses the requirements of this condition.

Ground: No text defined.

Note: To be used where a species of conservation significance (either listed in the *Tasmanian Threatened Species Protection Act 1995*, or EPBC Act) may potentially be present and a survey is required prior to commencement of operations. NB. a permit is required from the relevant Department for the 'taking' of a listed species.

FF5: Machinery washdown

Prior to entering The Land, machinery must be washed in accordance with the *Weed and Disease Planning and Hygiene Guidelines* (DPIPWE), or any subsequent revisions of that document.

Ground: It is necessary to [add/vary] a condition to ensure that machinery is washed down prior to entering The Land to reduce the likelihood of weeds and diseases being brought onto The Land.

Note: Used to reduce the likelihood of weeds and diseases being brought onto the site of an activity (especially extractive activities).

FF6: Eagle nest survey

1. The existing [south-eastern boundary of the quarry, as shown in Attachment 2], must be delineated with a fence, or similar method approved in writing by the Director, within 30 days of the date on which these permit conditions take effect. Vegetation beyond this boundary must not be disturbed until:
 - 1.1. a survey for nests of the [Wedge-tailed Eagle (*Aquila audax fleayi*) and White-bellied Sea Eagle (*Haliaeetus leucogaster*)] has been conducted, by an appropriately qualified person, to the satisfaction of the Director;

- 1.2. a report outlining the findings of the survey has been submitted to the Director; and
- 1.3. any eagle nests that are identified have been brought to the attention of the Department which administers the *Threatened Species Protection Act 1995*.

Ground: No text defined.

Note: No text defined.

Hazardous Substances

H1: Storage and handling of hazardous materials

1. Unless otherwise approved in writing by the Director, all environmentally hazardous materials, including chemicals, fuels, and oils, stored 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).

Ground: The permit does not contain conditions in relation to the dealing with environmentally hazardous substances. Environmentally hazardous substances are likely to be stored and handled on The Land and current best practice environmental management takes into account the storage and handling of environmentally hazardous substances.

Note: To be used with activities that store and handle significant quantities of hazardous materials (fuels, oils and toxic chemicals) to be used in conjunction with H2 (but NOT H3).

H2: Hazardous materials (< 250 litres)

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

2. Bunded containment areas and spill trays must be made of materials that are impervious to any environmentally hazardous materials stored within the bund or spill tray.

Ground: The permit does not contain conditions in relation to the dealing with environmentally hazardous substances. Environmentally hazardous substances are likely to be stored and handled on The Land and current best practice environmental management takes into account the storage and handling of environmentally hazardous substances.

Note: To be used in conjunction with H1 to cover hazardous materials held in volumes of less than 250L.

H4: 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.

Ground: The permit does not have a condition requiring the provision of spill kits. It is desirable to add a condition requiring provision, in suitable locations, of spill kits appropriate for the environmental hazardous substances held on The Land for use in any incident to minimise the emission of a pollutant into the environment.

Note: To be used for all activities where there is a reasonable risk of spillage of hazardous substances.

H6: 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 safety data sheets for those environmentally hazardous materials.

Ground: It is desirable to add a condition to the permit to require the establishment and maintenance of an inventory of environmentally hazardous substances so that the potential environmental harm arising from any escape of such substances into the environment can be properly assessed and/or responded to.

Note: To be used with activities that store and handle significant quantities of hazardous materials.

H11: Lead acid batteries

Used motor vehicle lead acid batteries may only be received at the landfill if stored in a facility that conforms to Australian Standard AS 3780-2008 *The Storage and Handling of Corrosive Substances*.

Ground: The permit does not contain conditions in relation to the dealing with environmentally hazardous substances. Environmentally hazardous substances are likely to be stored and handled on The Land and current best practice environmental management necessitates conditions to be [added/varied] for the storage and handling of environmentally hazardous substances.

Note: No text defined.

H12: Scrap tyres

1. Scrap tyres must be managed in accordance with the following:
 - 1.1. no more than 500 whole tyres may be stored on The Land unless otherwise approved in writing by the Director. Such storage may only occur as an interim measure while awaiting disposal or removal to another site;
 - 1.2. tyre stockpiles must contain no greater than 200 tyres per stockpile;
 - 1.3. tyre storage must be on a clean, hard stand area that has all weather access;
 - 1.4. no whole tyres except earthmoving tyres may be disposed in the landfill. Where cut tyres are disposed in the landfill the size of the pieces must not exceed 250 mm in any dimension; and
 - 1.5. earthmoving vehicle tyres must be individually buried and must be filled completely, to remove any voids, with an inert and non-degradable material such as soil or sand.

Ground: The permit does not contain conditions in relation to the dealing with environmentally hazardous substances. Environmentally hazardous substances are likely to be stored and handled on The Land and

current best practice environmental management necessitates conditions to be [added/varied] for the storage and handling of environmentally hazardous substances.

Note: No text defined.

H13: Waste oil

1. Waste oil may only be received on The Land in sealed containers placed in a dedicated receival area.
2. The receival area must be enclosed within an impervious bund and must have a roof to exclude rain.
3. Waste oil accumulated in the receival area must be regularly emptied into a waste oil storage tank to ensure adequate space is available for foreseeable oil deliveries.
4. The used oil storage tank must conform with the following requirements:
 - 4.1. the tank must be of sufficient volume to store at least the volumes of used oil that are likely to be received over 4 weeks;
 - 4.2. the tank must be enclosed within a roofed, impervious bund designed to contain not less than 110% of the volume of the storage tank; and
 - 4.3. the tank and bund must be secured against unauthorised access.
5. **Ground:** The permit does not contain conditions in relation to the dealing with environmentally hazardous substances. Environmentally hazardous substances are likely to be stored and handled on The Land and current best practice environmental management necessitates conditions to be [added/varied] for the storage and handling of environmentally hazardous substances.

Note: No text defined.

H15: Storage and handling of hazardous materials

1. Unless otherwise approved in writing by the Director, environmentally hazardous materials held on The Land must be:
 - 1.1. stored within impervious bunded areas, spill trays or other containment systems; and
 - 1.2. managed to prevent unauthorised discharge, emission or deposition of pollutants:
 - 1.2.1. to soils within the boundary of The Land in a manner that is likely to cause serious or material environmental harm;
 - 1.2.2. to groundwater;
 - 1.2.3. to waterways; or
 - 1.2.4. beyond the boundary of The Land.

Ground: The permit does not contain conditions in relation to dealing with environmentally hazardous substances. Environmentally hazardous substances are likely to be stored and handled on The Land and current best practice environmental management takes into account the storage and handling of environmentally hazardous substances.

Note: To be used for activities where only relatively small amounts of hazardous materials are likely to be held. DO NOT USE in conjunction with H1 or H2. Replaces H3 following an Appeal.

H16: Handling of hazardous materials - mobile

1. Where mobile containment of environmentally hazardous materials is utilised for the fuelling or servicing of mobile or fixed plant on The Land, all reasonable measures must be implemented to prevent unauthorised discharge, emission or deposition of pollutants:
 - 1.1. to soils within the boundary of The Land in a manner that is likely to cause serious or material environmental harm;
 - 1.2. to groundwater;
 - 1.3. to waterways; or
 - 1.4. beyond the boundary of The Land.
2. Reasonable measures may include spill kits, spill trays/bunds or absorbent pads, and automatic cut-offs on any pumping equipment.

Ground: No text defined.

Note: To be used in for activities where fuelling of plant equipment is undertaken from a mobile source, eg from a fuel tank on a ute.

Monitoring

MI: Samples and measurements for monitoring purposes

1. Any sample or measurement required under these conditions must be taken and processed in accordance with the following:
 - 1.1. sampling and measuring must be undertaken by a person with training, experience, and knowledge of the appropriate procedure;
 - 1.2. the integrity of samples must be maintained prior to delivery to a testing facility;
 - 1.3. sample analysis must be conducted by a testing facility accredited by the National Association of Testing Authorities (NATA), or a testing facility approved in writing by the Director, for the specified test;
 - 1.4. details of methods employed in taking samples and measurements and results of sample analysis, and measurements must be retained for at least three (3) years after the date of collection; and
 - 1.5. sampling and measurement equipment must be maintained and operated in accordance with manufacturer's specifications and records of maintenance must be retained for at least three (3) years.

Ground: Monitoring and reporting requirements set out in the permit conditions need to be varied to reflect current best practice environmental management and to require accurate measurement of emissions and their impact upon the receiving environment and to consistently inform the Director of the results of monitoring.

Note: To be used in any legal instrument that requires the collection and analysis of samples, such as water, noise or air.

MI2: Stack monitoring reports

1. A Monitoring Report must be provided to the Director within 30 days of the date on which the stack testing was completed.
2. The Report must include:
 - 2.1. the results of the stack test;
 - 2.2. the date on which the stack test was conducted;
 - 2.3. weather information at the time the stack test was conducted;
 - 2.4. relevant operating conditions including the fuel feed rate at the time the stack test was conducted;
 - 2.5. the stack test methods employed; and
 - 2.6. identification of breaches of limits specified in these conditions, an explanation of why each breach of specified limits occurred and details of actions that have or will be taken in response to each identified breach of limits.
3. Where total particulate matter testing is carried out reporting must be done in accordance with Section 9 of Australian Standard AS 4323.2 *Stationary source emissions - Determination of total particulate matter - Isokinetic manual sampling - Gravimetric method*.

Ground: Monitoring and reporting requirements set out in the permit conditions need to be varied to reflect current best practice environmental management and to require accurate measurement of emissions and their impact upon the receiving environment and to consistently inform the Director of the results of monitoring.

Note: No text defined.

MI8 Exceedance of emission limits

1. In the event that any of the emission limits specified in these conditions are exceeded:
 - 1.1. The Director must be notified within 24 hours of the person responsible becoming aware of the exceedance;
 - 1.2. A report must be forwarded to the Director within 30 days of becoming aware of the exceedance. The report must include, but not necessarily be limited to, the following:
 - 1.2.1. the reported concentration;
 - 1.2.2. an explanation as to whether the exceedance is likely to have caused or threatens environmental harm and or nuisance;
 - 1.2.3. an explanation as to why the emission limit was exceeded;
 - 1.2.4. prompt actions that were undertaken to control the exceedance;
 - 1.2.5. the results of re-sampling of the monitoring point/s at which the exceedance was recorded;
 - 1.2.6. proposed actions to limit the likelihood of a recurrence of the exceedance; and
 - 1.2.7. any other information that would assist the Director to understand the exceedance.
 - 1.3. Unless otherwise approved in writing by the Director, the proposed actions to limit the likelihood of a recurrence must be implemented once approved by the Director. These actions may be amended from time to time with the written approval of the Director.

Ground: It is desirable to add a condition requiring the Director to be notified when emission limits are exceeded, to allow the Director to evaluate whether environmental harm and/or nuisance has occurred as a result of the regulatory limit being exceeded and to appraise the frequency and characteristics of exceedances.

Note: Should be used for activities where regular monitoring to assess compliance with emission limits set by the conditions is required and reporting is via an Annual Environmental Review or a frequency less than the frequency of monitoring (e.g. monthly monitoring with quarterly reporting). Not to be used to replace notification required under EMPCA Section 32.

M22 Annual Authorised Landfill Area Survey

1. Unless otherwise approved in writing by the Director, a volumetric survey must be conducted annually by a suitable surveyor to determine:
 - 1.1. whether all waste deposited over the preceding 12 months has been deposited within the authorised filling area (including maximum height restrictions);
 - 1.2. the volume of airspace consumed in the preceding 12 months; and
 - 1.3. the volume of airspace remaining in each Cell approved for filling.
2. The survey must be undertaken in accordance with any relevant guidelines specified by the Director.
3. The Survey Report for the activity must be submitted to the Director each year with the Annual Environmental Review and must include:
 - 3.1. the information determined under 1.1 to 1.3 above;
 - 3.2. a depiction of the landfilling footprint and each active Cell approved for filling and
 - 3.3. the location of all waste deposited over the preceding 12 months in comparison to each active approved Cell, and
 - 3.4. the height of waste deposition in each Cell approved for filling at the time of the Survey.

Ground: Monitoring and reporting requirements set out in the permit conditions need to be varied to reflect current best practice environmental management and to require accurate measurement of waste deposition and remaining deposition capacity to consistently inform the Director of the status of waste deposition at the activity.

Note: To be used in all landfill permits

Guidelines on volumetric surveys are to be specified by separate letter once available.

Noise Control

NI (PF): 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. [x] dB(A) between [eg 0800 hours and 1800 hours] (Day time); and
 - 1.2. [x] dB(A) between [eg 1800 hours and 2200 hours] (Evening time); and
 - 1.3. {[x] dB(A) between the hours of [y] and [z] (early morning period); and}
 - 1.4. [x] dB(A) between [eg 2200 hours and 0800 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 in writing by the Director.
4. Noise emissions from the site should not contain any dominant or intrusive noise characteristics when measured or observed at any noise sensitive premises as assessed in accordance with the *Tasmanian Noise Measurement Procedure Manual*. Where noise emissions from the site contain any dominant or intrusive noise characteristics at any noise sensitive premises, 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*.

Ground: It is desirable to [add a /vary] condition[s] setting noise emission limits to minimise environmental nuisance and manage noise emissions, in accordance with the *Environment Protection Policy (Noise) 2009*.

Note: Generic where noise emission limits are justified. The dB(A) levels and time intervals during which they apply must be agreed with the Noise Specialist. Times should be expressed as the 24-hour clock e.g. 0700-1800 hours. The Noise Specialist is to be consulted if hours different to those suggested are to be used.

N2 (PF): Noise survey requirements

1. Unless otherwise approved in writing by the Director, a noise survey must be completed:
 - 1.1. [within [x days] from the date on which these conditions take effect] or [within x months after completion of commissioning]; and
 - 1.2. [within [six (6) months] after any change to the activity which is likely to substantially alter the character or increase the volume of noise emitted from The Land; and]
 - 1.3. [Where the Director is of the opinion that a noise survey must be completed within a specified timeframe]; and
 - 1.4. [recurrently, with no longer than [insert time interval] since the previous survey].

Ground: No text defined.

Note: Use for activities where noise is a potentially significant issue and noise surveys are warranted to ensure that the activity complies with noise emission limits. Usually applied to larger activities with residential areas in proximity.

For paragraph (1) the time interval is usually 90 or 60 days.

Consult the Noise Specialist to determine which sub-clauses should apply. The period for repeat surveys can be annually for large operations or every three years for smaller operations or where noise is a less significant issue. These times can be varied depending on the circumstances - consult the Noise specialist.

Must include NI4 where this condition is used.

N5: Log drops

When unloading 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.

Ground: The permit does not have a condition requiring the appropriate handling of logs to prohibit the dropping of logs from height. It is desirable to add a condition requiring the appropriate handling of logs to control nuisance noise resulting from the dropping of logs from height.

Note: Use for small scale operations; where whole logs are delivered to the site for processing.

N6: Operating hours

1. Unless otherwise approved by the Director, activities associated with the extraction of rock, gravel, sand, clay or minerals, and loading of product, and screening/crushing must not be undertaken outside the hours of 0700 hours to 1900 hours on weekdays and 0800 hours to 1600 hours on Saturdays.
2. Notwithstanding the above paragraph, activities must not be carried out on public holidays that are observed State-wide (Easter Tuesday excepted).

Ground: The permit[s] do/does not have specific and measurable limits for [atmospheric emissions from the activity's boiler; effluent quality for water being discharged from The Land; or noise emissions from the activity]. [A] Condition[s] is/are needed to control emissions from the activity and to impose limits upon those emissions to reflect current State Policies or Environment Protection Policies.

Note: For use in quarry/pit permits/EPNs that may cause impacts to neighbours

N7: Record of noise generating activities

1. The person responsible must make and retain written or electronic records of the various operational activities and changes to operational activities, on The Land, that have the potential to change the level and/or character of noise emitted from The Land.
2. These records must include, but should not be limited to, the start of commissioning of major plant and equipment and any major start-ups and shutdowns of major plant and equipment.
3. These records must be provided to the Director within two weeks of any written request to do so.

Ground: No text defined.

Note: No text defined.

N8 (PF): Operating hours

1. Unless otherwise approved by the Director, activities associated with milling or machining of timber and loading/unloading of wood deliveries to and from The Land must not be undertaken outside the following times:
 - 1.1. [0700 hours to 1800] hours Monday to Friday; and
 - 1.2. [0800 hours to 1700] hours Saturdays.
2. Notwithstanding the above paragraph, the above activities must not be carried out on Public Holidays that are observed State-wide (Easter Tuesday excepted) without the written approval of the Director.
3. [The permitted hours of operation for kilns, reconditioners and boilers on The Land are twenty-four hours per day, seven days per week.]

Ground: It is desirable of add a condition setting the permitted operating hours for operations on The Land and to set reasonable operating hours for the activity's kilns, reconditioners and boiler.

Note: Use for existing small scale wood processing operations in close proximity to noise sensitive premises, and where noise emissions limits have not been specified in the conditions.

N11: Noise complaints

In the event that a noise complaint is received in relation to the activity, the complaint must be reported to the Director within 24 hours.

Ground: It is necessary to add a condition requiring notification in the event of a noise complaint so that the Director can appraise the frequency and characteristics of complaints should any noise complaints be received.

Note: This condition is to be used only where there is an intermittent history (or likelihood) of noise complaints, generally relating to a specific operation or item of equipment, and it is considered appropriate that the EPA is kept informed of noise complaints on an ongoing basis. The condition G I I Complaint register must be used in conjunction with this condition.

NI2: 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.

Ground: It is necessary to [add a/vary permit] condition to require the control of noise emission from the activity and transport movements to and from The Land to prevent environmental nuisance.

Note: This noise condition can be used where a strict operating hours condition is not warranted because there are currently no nearby neighbours, but transport noise may be an issue.

NI3 (PF): Chainsaw operation

Unless otherwise approved in writing by the Director, the operation of a chainsaw (powered by an internal combustion engine) on The Land is only permitted within the hours of [0700 to 1900 Monday to Saturday], with no operations permitted on Sundays and Public Holidays that are observed State-wide (Easter Tuesday excepted).

Ground: It is desirable to add a condition to authorise the use of a chainsaw (powered by an internal combustion engine).

Note: For use in all EPNs for wood processing activities where chainsaws powered by an internal combustion engine are used in the course of carrying out the activity.

NI4: Noise survey method and reporting

1. Noise surveys must be undertaken in accordance with a survey method approved in writing by the Director, as may be amended from time to time with written approval of the Director.
2. Without limitation, the survey method 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. operational status of noise producing equipment and throughput of the activity;
 - 3.2. subjective descriptions of the sound at each location;
 - 3.3. details of meteorological conditions relevant to the propagation of noise; and
 - 3.4. the equivalent continuous (Leq) and LI , L10 , L50 , L90 and L99 A-weighted sound pressure levels measured over a period of 10 minutes or an alternative time interval specified by the Director.
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.

Ground: The permit[s] do/does not have specific and measurable limits for [atmospheric emissions from the activity's boiler; effluent quality for water being discharged from The Land; or noise emissions from the activity]. [A] Condition[s] is/are needed to control emissions from the activity and to impose limits upon those emissions to reflect current State Policies or Environment Protection Policies.

Note: N2 must be included where this condition is used.

Operations

OP9: Vehicle wash facilities

Facilities must be provided for cleaning vehicles to remove waste and mud.

Ground: No text defined.

Note: No text defined.

OPI2 (PF): Weed management

1. At least [X days prior to the commencement of construction OR Within xx months of the date on which these conditions take effect], or by a date otherwise specified in writing by the Director, a Weed and Disease Management Plan must be submitted to the Director for approval. This requirement will be deemed to be satisfied only when the Director indicates in writing that the submitted document adequately addresses the requirements of this condition to his or her satisfaction.
2. The plan must be consistent with the *Weed and Disease Planning and Hygiene Guidelines (DPIPWE)*, or any subsequent revisions of that document.
3. The person responsible must implement and act in accordance with the approved plan.
4. In the event that the Director, by notice in writing to the person responsible, either approves a minor variation to the approved plan or approves a new plan in substitution for the plan originally approved, the person responsible must implement and act in accordance with the varied plan or the new plan, as the case may be.

Ground: No text defined.

Note: Standard condition G5I must also be used when this condition is included in a legal instrument.

OPI9: Composting

Composting activities must not occur on The Land without the prior written approval of the Director.

Ground: No text defined.

Note: No text defined.

OP21: Operational Procedures and Maintenance Manual

1. An Operational Procedures and Maintenance 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 Manual must be prepared in accordance with any reasonable guidelines provided by the Director. If no guidelines are provided, the Manual must:
 - 2.1. be written in an easy to understand format, with checklists, diagrams, instructions and photographs as appropriate.
 - 2.2. be available for easy reference by operational staff, including any documents referenced by the Manual

- 2.3. be clear about who is responsible for carrying out tasks, as well as how, when or how often tasks should be performed.
3. The Manual must be kept up to date, and reviewed at least annually, and must take into account environment related complaints, incidents and changes to the activity.

Ground: 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.

Note: This condition is for specific situations where operational procedures are critical to preventing environmental damage e.g. landfills. See also OP32 where the condition is triggered prior to commencement of operations.

OP22 (PF): Plant and equipment

Unless otherwise approved in writing by the Director, [name item(s) of equipment] must be maintained and operated in accordance with the manufacturer's specifications.

Ground: No text defined.

Note: This condition is generally not used any more, except where there are specific items of equipment which, if not operated in accordance with manufacturer's specifications, are likely to result in environmental harm.

OP27: Weed management

The Land must be kept substantially free of weeds to minimise the risk of weeds being spread through the transport of products from The Land.

Ground: It is desirable to add a condition to ensure the spread of weeds from The Land is minimised.

Note: This condition mainly applies to quarries.

Waste Management

WM3: Fish waste management

1. Fish waste and other putrescible material generated on The Land must be kept in leak proof, lidded containers of strong construction, which must be kept closed when putrescible material is being held in them, to the extent practical and reasonable. Any such container to be kept outdoors must be fitted with a weatherproof and animal resistant cover.

Containers holding fish waste or other putrescible material must be moved to a refrigerated area as soon as reasonable and practical, but within 8 hours of generation of the waste at the latest. The contents must be removed from The Land within 48 hours of generation, unless frozen.

Ground: No text defined.

Note: Facilities processing fresh fish.

STANDARD INFORMATION

The items in Standard Information are not conditions. They are items that can be included in Permits and EPNs to assist persons to understand their legal obligations and provide general information in relation to the Permit, EPN, Policy and legal frameworks.

Legal Obligations

LO2: EMPCA

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

Note: Applicable to all Permits and EPNs.

LO3: 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.

Note: Applicable to virtually all Permits and EPNs.

LO4: Aboriginal relics requirements

1. Aboriginal relics, objects, sites, places and human remains regardless of whether they are located on public or private land, are protected under the *Aboriginal Heritage Act 1975*.
2. Unanticipated discoveries of Aboriginal heritage must be reported to Aboriginal Heritage Tasmania on **1300 487 045** as soon as possible.

Note: This component should be added to the information schedule for 'greenfields' sites and where the activity involves works that will disturb previously undisturbed areas.

LO5: Change of responsibility

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

Note: Use in all non-type (d) EPNs

LO6 (PF): Underground storage tanks

The operation and management of underground petroleum storage system must be in accordance with *Environmental Management and Pollution Control (Underground Petroleum Storage Systems) Regulations 2020*.

Note: For sites that have underground storage tanks, reminds them about the UPSS Regs.

LO7: 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.

Note: For any activity where there is a high risk that controlled waste is likely to be transported to or from the land without the use of a controlled waste transporter.

Other Information

O11: Waste management hierarchy

- I. Wastes should be managed in accordance with the following hierarchy of waste management:
 - I.1. waste should 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;
 - I.2. waste should be re-used or recycled to the maximum extent that is practicable; and
 - I.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.

Note: No text defined.

O12: Notification of incidents under section 32 of EMPCA

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

Note: This is intended as a replacement for standard legal obligation LO1. It can be used in all permits and EPNs.

O14: Fees payable

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

Note: For use in EPNs for which we can charge fees (does not include type (d) EPNs).

O16: Environmental Guidelines for Wood Processing

Information to assist in managing environmental risks associated with operation of the activity, along with other information related to environmental regulation is available in the *Environmental Guidelines for Wood Processing*. The Guidelines are available on the EPA website.

Note: To be included in permits or EPNs for wood processing works, woodchip mills, timber preservation plants, or activities that may have one of these operations as part of the activity, for example a woodchip mill located at a pulp and paper mill.

STANDARD GROUNDS (PARTICULARS)

This section details the standard Particulars held in the EPA database. When Standard Conditions are developed or changed Standard Grounds are also developed or reviewed and considered by the Standard Conditions Working Group. Grounds or Particulars in EPNs describe the basis for issuing the EPN as required by EMPCA section 44(3). The grounds documented herein are applicable to EMPCA section 44(1) or section 44(2) EPNs. A letter in brackets indicates the type of EPN to which the particular applies.

Consolidation of permits: The conditions in permits (see table above) have been varied simultaneously because the activities can be viewed as forming one integrated activity under section 44(9) of the EMPCA.

Continuous Improvement (d): The Permit conditions need to be varied to reflect updated terminology and regulatory practice, to reflect continuous improvement consistent with the objectives of EMPCA and/or to clarify the meaning of the conditions.

Emission limits: The Permit[s] do/does not have specific and measurable limits for [atmospheric emissions from the activity's boiler; effluent quality for water being discharged from The Land; or noise emissions from the activity]. [A] Condition[s] is/are needed to control emissions from the activity and to impose limits upon those emissions to reflect current State Policies or Environment Protection Policies.

Hazardous substances: The Permit does not contain conditions in relation to dealing with environmentally hazardous substances. Environmentally hazardous substances are likely to be stored and handled on The Land and current best practice environmental management necessitates conditions to be [added/varied] for the storage and handling of environmentally hazardous substances.

How (a,b): How did (or will) the environmental harm occur? For example: "Between 1,000 and 2,000 litres of fuel escaped from the ruptured pipeline and entered the adjacent creek killing fish and other aquatic organisms".

Management plans: It is desirable to add a condition to require the development, submission and implementation of a [issue] Management Plan to ensure best practice environmental management is applied to [issue].

Maximum quantity QI: A regulatory limit which sets the maximum scale or throughput of the activity is needed because any increase in scale or throughput may result in additional environmental impacts or emissions that were not considered at the time of granting of the permit.

New Management Plan(d): The Permit conditions need to be varied to reflect changed management or operational practices as outlined in the most recent [Environmental Management Plan or other relevant plan]and to require compliance with that plan.

Purpose (a): State the purpose to be achieved by the EPN. For example: "Action needs to be taken to [cease/prevent] the emission of pollutants to protect the environment." [Note an EPN must require ACTION to prevent, control, reduce or remediate environmental harm, it cannot require investigations/planning alone].

Purpose (b): State the purpose to be achieved by the EPN. For example: The pollution requires remediation to prevent it from spreading and causing further environmental harm. [Note an EPN must require ACTION to prevent, control, reduce or remediate environmental harm, it cannot require investigations/planning alone].

Purpose (c): Indicate the environmental purpose to be achieved by the EPN. [Note an EPN must require ACTION to prevent, control, reduce or remediate environmental harm, it cannot require investigations/planning alone].

Quantity Change (d): The permitted quantity of materials processed and/or produced by the activity needs to be varied to reflect proposed future levels.

Removal of conditions (I): It is necessary to remove condition[s] # [and #] of Permit No. [#####] because they detail requirements that have been fulfilled and/or are no longer required.

Removal of conditions (2): Condition[s] # [and #] of Permit No. [#####] is/are not specific and is/are not measurable. The permit has been varied to remove this condition.

Removal of conditions (3): Permit conditions need to reflect that specific requirements are no longer applicable because they reference documents relating to the activity that have been superseded or are now redundant.

Removal of conditions (4): It is desirable to remove conditions because they pertain to specific requirements imposed under EMPCA or Regulations thereunder.

Safeguards (d): The permit conditions need to be varied to ensure that there are adequate safeguards against environmental harm or nuisance being caused by the activity. [ELABORATE]

Variation of conditions in LOSPs and NoR: The Permit conditions refer to the *Environment Protection Act 1973* which has been repealed and replaced by the EMPCA. It is necessary to vary condition(s) to remove references to the repealed Act.

What (a,b): What is the nature of the environmental harm that has occurred or is likely to occur? For example: "Pollutants emitted to the [air/land/water/groundwater] [have caused/are likely to cause] [serious or material environmental harm/nuisance] to occur [set out the nature of the harm which has occurred/will occur]".

What (c): Refer to the relevant provisions of the State Policy/Environment Protection Policy that form the basis for issuing the EPN.

When (a,b): When did the incident, event or release of pollutants occur? For example: "Between [date] and [date] pollutants were emitted from [infrastructure] to [air/land/water/groundwater]".

Where (a): If not already included elsewhere, insert details as to where the environmental harm is occurring or is likely to occur. This is usually achieved by including location details in the definition of 'The Land'.

Who (a): Who is the "person responsible" for the activity that is causing or is likely to cause serious or material environmental harm or environmental nuisance? For example: "The AAA Company Pty Ltd was the owner/lessee of The Land between 1998 and June 2007. During this time the company was responsible for [insert details] on The Land".

Who (b): Who is the "person responsible" for the activity that has caused serious or material environmental harm or environmental nuisance? For example: "The AAA Company Pty Ltd was the owner/lessee of The Land between 1998 and June 2007. During this time the company was been responsible for [insert details] on The Land."

Who (c,e): Assert why we believe that the person/company to whom the EPN is being issued is responsible for the activity that is the subject of the EPN.

Who (d): Insert reasons why the person is considered the person responsible for the activity [eg the holder of mining lease XXX, operator of service station yyy, owner of business].

Why (a): Why are we of the view that serious or material environmental harm or environmental nuisance is being caused or is likely to be caused? [note 'likely' is far more restrictive than 'potentially'] For example: "[substances] are being stored and handled on The Land in a manner likely to result in spillage. Existing physical and procedural systems are inadequate to prevent subsequent release of ecotoxic chemicals to the environment. Evidence indicates that pollutants have been released to the environment in the past".

Why (b): Why are we of the view that serious or material environmental harm or environmental nuisance has occurred and why does it require remediation? For example: "During this period pollutants were emitted from the underground storage tank to The Land and to groundwater within The Land. Pollutants have subsequently been detected in groundwater beyond the boundary of The Land at levels which are likely to be harmful to human and aquatic life."

Why (e): Include sufficient reasoning to explain why it is considered necessary to issue the EPN secure compliance with the general environmental duty, which states "A person must take such steps as are

practicable or reasonable to prevent or minimise environmental harm or environmental nuisance caused, or likely to be caused, by an activity conducted by that person". See EMPCA section 23A(2) for a listing of the circumstances which must be considered when determining whether a person has complied with the general environmental duty.

STANDARD DEFINITIONS

Where the words shown in bold occur within a condition the definition should be included in the legal instrument.

90th percentile: means the value at which the relevant parameter is exceeded by no more than 10 percent of all sample results over a twelve month period.

95th percentile: means the value at which the relevant parameter is exceeded by no more than 5 percent of all sample results over a twelve month period.

Aboriginal Relic: has the meaning described in section 2(3) of the *Aboriginal Heritage 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.

AMD: means acid and metalliferous drainage arising from the oxidation of sulphide minerals.

AMT: or Accepted Modern Technology means technology which has consistently demonstrated capacity to achieve the desired emission concentration in a cost-effective manner, takes account of engineering and scientific developments in economically viable operations and pursues opportunities for waste minimisation.

ANC: means a measure of the potential acidity buffering capacity of a sample, typically due to the presence of calcium and magnesium bearing carbonate minerals. The test assumes all of the carbonate material is available for acid neutralisation and is expressed as kg H₂SO₄/tonne.

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.

Australian Guidelines for Water Quality Monitoring And Reporting: means the document of this title published as part of the *National Water Quality Management Strategy* in 2000, or any subsequent updates.

Authorised Filling Area means the area[s] designated in Attachment [#] [shown as cells #, #], where waste can be deposited.

Authorized Officer: means an authorized officer under section 20 of EMPCA.

Average Dry Weather Flow: means the average of the daily flows to a wastewater treatment plant sustained during dry-weather periods with limited infiltration.

Background noise level is the level that exceed 90% of the time of each measurement interval. Background noise level is measured in the absence of the subject site noise.

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.

Bypass: means the discharge of untreated or partially treated effluent most commonly as a result of WWTP component failure or increased inflows to the WWTP as a result of high rainfall.

Capping: means the placement of one or more layers to form a permanent covering above landfilled waste and includes a reference to such a layer.

Cell: means a section of The Land used for the deposition of waste within the defined landfilling footprint.

Chief Veterinary Officer means a person holding office under Section 6 of the *Animal Health Act 1995* and includes a person authorised in writing by the Chief Veterinary Officer to exercise a power or function on the Chief Veterinary Officer's behalf.

Classification and Management of Contaminated Soil for Disposal: means the document *Information Bulletin No. 105 Classification and Management of Contaminated Soil for Disposal* published by the Department of Primary Industries, Parks, Water and Environment, 2018, and includes any subsequent versions of this document.

Clean Fill: means fill including, soil, rock, concrete, bituminised pavement or similar non-putrescible and non-water-soluble material that is not contaminated by other waste; and that does not contain contaminant levels exceeding limits for 'fill material' set by the Director in *Classification and Management of Contaminated Soil for Disposal*.

Commissioning: means the testing of major items of equipment and is taken to be completed [X months after notification of the commencement of commissioning, as required by these conditions, or on a date otherwise specified in writing by the Director] OR [when the item(s) are being used or operated in the course of normal commercial operations].

Compost: means an organic product that has undergone controlled aerobic and thermophilic biological transformation through the composting process, to achieve pasteurization and reduce phytotoxic compounds, and achieve a specified level of maturity required for compost, as specified in AS4454-2012.

Composting: means the process whereby organic materials are microbiologically transformed under controlled aerobic conditions to achieve pasteurization and a specified level of maturity.

Composting Pad: a defined area of demonstrated low-permeability land upon which composting and related activities may be lawfully carried out, [as delineated in attachment #].

Conceptual Site Model: or **(CSM)** means a representation of site-related information regarding contamination sources, receptors and exposure pathways between those sources and receptors (refer to Schedule B2 of the NEPM (as amended 2013)).

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.

Contaminated site: means a contaminated site as per Section 74A of the *Environmental Management and Pollution Control Act 1994* (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 delegate or person authorised in writing by the Director to exercise a power or function on the Director's behalf.

Dominant Or Intrusive Noise Characteristic means any noise characteristic that contributes to a noise being considered louder than would be indicated by the A-weighted sound pressure level measured, or that exacerbates nuisance or harm caused by the noise.

DPIPWE: means the Department of Primary Industries, Parks, Water & Environment.

DRP: means Decommissioning and Rehabilitation Plan.

Effluent: means wastewater discharged from The Land.

Emission Limit Guidelines: means the *Emission Limit Guidelines for Sewage Treatment Plants that Discharge Pollutants into Fresh and Marine Waters 2001* published by the Department of Primary Industries, Water and Environment, dated June 2001, and includes subsequent versions of this document.

EMP: means the <DPMP, EER or EMP document title> prepared by <author> dated <document date> and includes supplementary information presented in <document title2> prepared by <author2> dated <document date2>, and includes any amendment to or substitution of <this/these> document(s), including an EMP Operations, approved in writing by the Director.

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

Environmental Guidelines for Wood Processing refers to the document of this title as published on the EPA website.

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.

Environmental Standards Applying to Liner Construction: means the document of this title dated March 2006 available from the Department of Primary Industries, Parks, Water and Environment and includes any subsequent versions of the document.

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 but excludes sewage.

EPA: means the Environment Protection Authority established under section 12 of EMPCA.

Full Effluent Reuse: means an effluent reuse scheme designed to beneficially reuse or contain all effluent during a 90th percentile wet year.

GLC: means Ground Level Concentration.

Grid reference: Grid references expressed as Map Grid of Australia Zone 55G GDA94.

Groundwater management plan: means the document ['Title'] prepared by [consultant] and dated [date], and includes any amendment to or substitution of this document approved in writing by the Director.

Heavy Vehicles means any vehicle or machinery used for the activity to which this document relates that has a gross vehicle mass (GVM) or aggregate trailer mass (ATM) exceeding 4.5 tonnes.

Inert Waste: means waste that does not undergo environmentally significant physical, chemical or biological transformations and has no potentially hazardous content and is not contaminated with noninert material, such as putrescible waste, and includes clean fill.

Information Bulletin No. 5 means the document titled *Information Bulletin No. 105 - Classification and Management of Contaminated Soil for Disposal*, Version 3, 2018, by the EPA, and includes any subsequent version of this document.

In-Stack Concentration: has the meaning ascribed to it in the *Environment Protection Policy (Air Quality) 2004*.

Intermediate Cover Material means low permeability material applied to surfaces of the landfill to reduce rainfall infiltration.

Landfill: means a waste depot as described in Schedule 2 of EMPCA.

Landfill Gas: means gaseous emissions arising from the decomposition of waste in a landfill.

Landfill Sustainability Guide: means the document of this title published by the Department of Primary Industries, Water and Environment in September 2004, and includes any subsequent versions of this document.

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

Liquid Waste: means any waste that is in liquid form or is substantially comprised of free liquids or is not spadable (able to be lifted and moved in heaps with a spade).

Mass Load: means the mass of a pollutant discharged over a given period of time calculated in accordance with the method outlined in the Annual Environmental Review Template referred to in these conditions.

Median: limit means the value at which the median of all results for the relevant parameter from the previous 12-month period is below the stated value.

Microtox: means a bioassay test conducted using a Microtox® bioassay machine.

Minimum Construction Requirements for Water Bores In Australia: means the document published under this title by The National Uniform Drillers Licensing Committee, 2020, or any subsequent updates of this document.

Mixing Zone: means a three dimensional area of the receiving waters around a point of discharge of pollutants within which it is recognised that the water quality objectives for the receiving waters may not be achieved [where the size and location of the mixing zone has been determined through appropriate investigations and approved by the EPA, the details should be loaded here or via an attachment].

NAF: means non acid forming, being material with a NAG pH of greater than or equal to 4.5 and a Net Acid Producing Potential (NAPP) of less than 0 kg H₂SO₄/tonne.

NAF waste rock dump: means the dump for the permanent storage of NAF waste rock.

NAG pH: means the pH of the post-reaction solution resulting from a Net Acid Generating (NAG) Test.

NAG4.5: means the equivalent acidity of a peroxide oxidised sample resulting from a Net Acid Generating (NAG) Test titrated to pH 4.5 expressed as kg H₂SO₄/tonne.

NAG 7.0: means the equivalent acidity of a peroxide oxidised sample titrated to pH 7.0 expressed as kg H₂SO₄/tonne

NAPP: means net acid producing potential, being the estimated maximum potential acidity (assuming oxidation of all Sulphide) of a material less its acid neutralising capacity (ANC) as determined via a geochemical static test procedure and expressed in kg H₂SO₄/tonne.

NEPM: means the National Environment Protection (Assessment of Site Contamination) Measure, 1999 made by the National Environment Protection Council under the *National Environment Protection Council Act 1994* (Cth) or any variation of it.

Net Acid Generating (NAG) Test: means a standard geochemical test undertaken to provide a direct estimate of the acid producing potential of a sample.

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.

Nominated Exhaust Points: means [insert descriptive list, and/or call up map Attachment(s) as required to define the nominated exhaust points eg means the coal fired boiler stack located within the area marked "proposed factory extension" on the plan at Attachment I].

Normal Ambient Noise refers to the ambient noise of the receiver location in the absence of the site noise. Ambient noise level is measured in L_{Aeq}.

NRE Tas means the Department of Natural Resources and Environment Tasmania.

PAF: means potentially acid forming, defined as material with a NAG pH of less than 4.5 and a Net Acid Producing Potential (NAPP) of greater than or equal to 0 kg of H₂SO₄/tonne and also includes UC material.

PAF and NMD: means potentially acid forming / neutral mine drainage under the following criteria: NAG pH less than or equal to 4.5 and NAG7.0 greater than or equal to 5kg H₂SO₄/tonne.

PAF Storage Dump: means the waste rock dump constructed outside the Direct Shipping Ore Pit footprint to temporarily store potentially acid forming waste rock. Location details are shown at Attachment 2.

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

Permeability: means the level of saturated hydraulic conductivity also known as the K-value.

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.

Planning Authority: means the Council(s) for the municipal area(s) in which The Land is situated.

PM10: means particulate matter with an equivalent aerodynamic diameter of 10 micrometres or less.

Pollutant source land: means the site identified as [insert street address, suburb, city, post code] as defined by <Right click here to insert land parcel reference values from the Premises screen> and as further shown in the plan in Attachment 1. The pollutant source land includes any water in, on, or under that land.

Protected Environmental Value: means a value or use for which it has been determined that a given area of the environment should be protected. There can, and often will be, more than one protected environmental value for a given area. A list of potential protected environmental values is provided in clause 7.1 of the *State Policy on Water Quality Management 1997*.

Putrescible Waste: means waste containing materials that are capable of rapid biological decay or rotting

Q20 flood level: means the flood level of a 1 in 20 year or 5% AEP flood.

Quarry Code of Practice: means the document of this title published by the Environment Protection Authority in May 2017, and includes any subsequent versions of this document.

Recycling: means a set of processes (including biological) for converting recovered materials that would otherwise be disposed of as wastes, into useful materials and/or products.

Regulatory Authority: means for a Level 1 activity the Planning Authority; and for a Level 2 activity the Environment Protection Authority.

Reporting Period: [Applies to the Annual Environmental Review - definition will be permit-specific e.g. 'means the 12 months ending on [day and month] of each year' or 'means the financial year'].

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

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

Sewage Sludge Management Plan Guidelines: means the document of this title published by the EPA in September 2014, and includes any subsequent versions of this document.

Sewerage System: means a system of pipes, maintenance holes, pumps, treatment facilities and other items for handling wastewater.

Site management plan: means the document ['Title'] prepared by [consultant] and dated [date], and includes any amendment to or substitution of this document approved in writing by the Director.

Spadable: means to be able to be lifted with a spade without the material or liquid running off.

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

Suitable Surveyor means a person, registered as a surveyor under the *Surveyors Act 2002*, who is an independent person in respect of the activity.

Stack Test: means the taking of measurements and the collection of samples for analysis from within a chimney, stack or flue.

Stormwater: means water traversing the surface of The Land as a result of rainfall.

Tailings: means the solid and liquid residue following processing of ore to recover mineral products.

Tasmanian Biosolids Reuse Guidelines: means the document of this title published by the Department of Primary Industries, Water and Environment (2020), and includes any subsequent versions of this document.

Tasmanian Noise Measurement Procedures Manual: means the document titled *Noise Measurement Procedures Manual*, by the Department of Environment, Parks, Heritage and the Arts, dated July 2008, and any amendment to or substitution of this 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: [title reference]

Threatened Species: has the meaning ascribed in the *Threatened Species Protection Act 1995*.

Trigger level: a monitoring parameter level, or combination of different parameter levels or conditions, that indicate the potential for environmental harm, and that initiate an event like repeat sampling, an investigation, or corrective action.

TSF: means tailings storage facility [insert site-specific details if required].

UC: means uncertain, defined as material with a NAPP of less than 0 kg H₂SO₄/tonne AND a NAG pH of less than 4.5 OR material with NAPP of greater than or equal to 0 kg H₂SO₄/tonne AND a NAG pH of greater than or equal to 4.5.

Washdown Guidelines: means the document titled *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania*, by the Department of Primary Industries, Parks, Water and Environment, dated March 2015, and any amendment to or substitution of this document.

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

Waste Rock: means all mined or excavated material which is not deemed suitable for processing to recover mineral products and includes overburden, but does not include mineral products, topsoil, tailings and NAF material used for construction purposes.

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 [name of reuse EMP, author and date] and includes any amendment to or substitution of this document approved in writing by the Director.

Wastewater Reuse Scheme: means the [name of the reuse scheme] as described in the Wastewater Reuse EMP.

Water Sensitive Urban Design: means the design of water infrastructure to minimise impacts on ecosystems while maximising efficient water use.

Weed: means a plant species that has, or is likely to have, an adverse impact on the environment because of the introduction, spread or increase in population size of the species in an area; and includes a declared weed as defined in the *Biosecurity Act 2019* and subordinate regulations.

Weed and Disease Guidelines: means the document titled *Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania*, by the Department of Primary Industries, Parks, Water and Environment, dated March 2015, and any amendment to or substitution of this document.

Wood Waste: means any planings, shavings, sawdust, wood fibre and dockings, but does not include treated timber or timber contaminated with other wastes.

WWTP: [the WWTP must be comprehensively defined by listing each component of infrastructure used in the course of carrying out the activity of wastewater treatment including sludge management].



ENVIRONMENT PROTECTION AUTHORITY