



## ENVIRONMENT PROTECTION NOTICE No. 11880/1

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

Issued to: **REPROCESS TAS PTY LTD**  
**ACN 639 418 429**  
**LEVEL 1, 160 COLLINS STREET**  
**HOBART TAS 7000**

Environmentally **The operation of a waste reprocessing and storage facility (ACTIVITY**  
Relevant **TYPE: EPN only)**  
Activity: **20 & 42 SCOTTS ROAD**  
**RISDON VALE TAS 7016**

### GROUND

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

serious or material environmental harm or environmental nuisance is being, or is likely to be, caused; and

it is necessary to secure compliance with the general environmental duty,

hereby issue this environment protection notice to the above-mentioned person as the person responsible for the activity.

### PARTICULARS

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

- 1 Reprocess Tas Pty Ltd (ACN 639 418 429) is responsible for the Activity on The Land which includes both 20 and 42 Scotts Road, Risdon Vale.
- 2 The Activity currently includes the receipt and processing of waste, including construction and demolition waste, with associated activities. The processing can include crushing, grinding, washing, screening and shredding. The associated activities include vehicle and container washing. These Activities may cause environmental harm or nuisance.
- 3 There is a lengthy history of local resident's complaints about loss of amenity due to activities on The Land. Complaints include the emissions of dust, odour and noise, at times outside of normal operating hours, as well as the contamination of the creek discharging from The Land. Sufficient preventive measures have not been adopted despite being commercially available, and relatively inexpensive.
- 4 In carrying out the Activity, ReProcess Tas Pty Ltd (ACN 639 418 429) must take such steps as are reasonable and practicable to prevent and minimise environmental harm and nuisance likely to be caused during the conduct of the Activity.

- 5 Notwithstanding the above, I am satisfied that it is necessary to prohibit or limit some of the activities currently conducted on The Land, to minimise environmental harm and nuisance likely to be caused by the Activity and to secure compliance with the general environmental duty.
- 6 A regulatory limit which sets the maximum scale or throughput of the Activity is needed because any increase in scale or throughput or change in materials that are processed, may result in additional environmental impacts or emissions that were not considered at the time of issuing the EPN.
- 7 It is necessary to limit the timeframe for waste receipt as the Activity is potentially unlawful as it is regarded as being a Level 2 activity under EMPCA, and that an application to conduct the Activity on The Land will be submitted by ReProcess Tas Pty Ltd (ACN 639 418 429).
- 8 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.
- 9 A condition is required to be added, as the Director needs to be notified of, and approve any proposed change to the Activity before it is implemented to ensure that change does not cause additional environmental impacts or emissions that were not considered at the time of issuing the EPN.
- 10 It is necessary to add conditions requiring a public complaints register to be maintained, and to notify the Director of complaints received, so that the Director can appraise the frequency and characteristics of complaints which may indicate nuisance, should any complaints be received.
- 11 It is necessary to add a condition requiring the development and implementation of a fire management plan to ensure the risk of fire and resulting emissions of pollutants is managed in accordance with current best practice environmental management.
- 12 It is necessary to add conditions to control dust, odour and noise emissions, based on the history of complaints received by local residents, and the likelihood of the movement, storage and processing resulting in the emission of dust, odour and noise.
- 13 Environmentally hazardous materials are stored and handled on The Land and current best practice environmental management necessitates conditions to be imposed for the storage and handling of environmentally hazardous substances.
- 14 A condition requiring accurate measurement of emissions and their impact upon the receiving environment, with frequent reporting requirements, is necessary to consistently inform the Director of the results of monitoring.
- 15 A condition requiring the reporting of controlled wastes received or generated on The Land is necessary as the environmental risk increases for controlled wastes.
- 16 It is necessary to set permissible hours of operation for the Activity to prevent noise emissions unreasonably impacting on residents of neighbouring properties.
- 17 The operation of the wash bay has the potential to produce odour, as well as contaminated water and sediment, and requires a condition for operations and record keeping.

- 18** Stockpiles have the potential to increase environmental risk, due to dust, odour, leachate generation and fire risk. It is necessary to reduce environmental risk by imposing conditions on stockpile management and reducing the storage of wastes that have no current reprocessing options.
- 19** It is necessary to impose a condition requiring operational procedures to be developed. 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.
- 20** It is necessary to add a condition requiring adequate management of stormwater to prevent environmental harm and/or nuisance being caused by polluted stormwater leaving The Land.

## DEFINITIONS

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

## REQUIREMENTS

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

## INFORMATION

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

## PENALTIES

If a person bound by an environment protection notice contravenes a requirement of the notice, that person is guilty of an offence and is liable on summary conviction to a penalty not exceeding 1000 penalty units in the case of a body corporate or 500 penalty units in any other case (at the time of issuance of this Notice one penalty unit is equal to \$202.00).

## NOTICE TAKES EFFECT

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

## APPEAL RIGHTS

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

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

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

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



DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date: \_\_\_\_\_

5 August 2024

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***Attachments***

Attachment 1: Plan of Activity (modified: 02/07/2024 09:42)..... 1 page

Attachment 2: Table of Monitoring Requirements (modified: 26/06/2024 17:11)..... 2 pages



## Schedule 1: Definitions

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

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

**Clean Fill** has the meaning described Section 3(1) of EMPCA, with contaminant levels set by the Director as limits for 'fill material' in *Information Bulletin No.105*.

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

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

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

**engineered stone** means the artificial product (subject to a ban from 1 July 2024) used as benchtops, panels and slabs, that contains at least 1% crystalline silica as a weight/weight concentration, and is created by combining natural stone materials with other chemical constituents (such as water, resins, or pigments), and becomes hardened.

**Environmental Guidelines for Stockpiling Waste** means the document titled *Environmental Guidelines for Stockpiling Waste*, by the Environment Protection Authority, Hobart, Tasmania, dated December 2021, and any amendment to or substitution of this document.

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

**Environmental Nuisance** has the meanings ascribed to it in Section 3 of EMPCA.

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

**EPA Board** means the Board of the Environment Protection Authority established under section 13 of EMPCA and includes a delegate or person authorised in writing by the EPA Board to exercise a power or function on the EPA Board's behalf.

**Fire safety in waste management facilities guideline** means the document Australasian Fire and Emergency Service Authorities Council, (2022) Fire safety in waste management facilities (AFAC Publication No. 3095). AFAC, Melbourne, Australia.

**Information Bulletin No. 105** 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.

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

**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.

**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.

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

**Scrap Yard** means use of land where disused vehicles, materials and machinery or parts are collected and either sold or prepared for being used again, and includes the use or onselling of scrap materials.

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

**Stormwater** means water runoff as a consequence of a rainfall event, whether surface flow, piped flow, or flow within conduits, including any contaminants collected by the water during its passage.

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

- 1 Certificates of Title 138093/3 and 126888/2; and
- 2 as further delineated at Attachment 1.

**Transport Depot** means the Transport Depot delineated at Attachment 1, which comprises that part of The Land that may be used to park or garage vehicles, trailers or equipment and which may be operated and accessed for this purpose both within and outside of standard business hours.

**Wash Bay** means the Wash Bay delineated at Attachment 1.

**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.



## Schedule 2: Conditions

### General

#### **G1 Regulatory Limit**

- 1 Unless otherwise approved in writing by the Director,
  - 1.1 up to the 31 January 2025, in each calendar month, the activity must not receive on The Land more than:
    - 1.1.1 350 tonnes of vacuum excavation and construction industry waste;
    - 1.1.2 1000 tonnes of soil, subbase gravel and sand combined;
    - 1.1.3 250 tonnes of timber waste; and
    - 1.1.4 42 tonnes of green waste.
  - 1.2 Waste concrete and waste rock may be received and stored on The Land, but may not be processed by crushing or grinding.
  - 1.3 The Land may not be used as a metal Scrap Yard for commercial gain.
  - 1.4 The activity must not receive waste on The Land after the 31 January 2025.

#### **G2 Access to and awareness of conditions and associated documents**

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

#### **G3 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.

- 5 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.

**G4 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.

**G5 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.

**G6 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.

**G7 Notification of complaints**

In the event that a complaint is received in relation to the activity, the complaint must be reported to the Director as soon as reasonably practicable, but no longer than 24 hours after the complaint is received.

**G8 Permitted waste types - receipt and storage**

- 1 Unless otherwise approved in writing by the Director, no wastes may be received or stored on The Land other than wastes of the following types:
  - 1.1 General Wastes:
    - 1.1.1 concrete, bricks, rocks, plasterboard, sand and subbase gravel;
    - 1.1.2 metal (only if received as part of mixed construction waste);
    - 1.1.3 liquid vacuum excavation waste soil that does not exceed contaminant levels for Clean Fill;
    - 1.1.4 other waste soil that does not exceed contaminant levels for Clean Fill;
    - 1.1.5 waste timber; and
    - 1.1.6 green waste.
- 2 The person responsible must reasonably satisfy themselves that waste received on The Land meets the requirements of these conditions. Reasonable steps to confirm waste types may include inspection on receipt of waste on The Land, sampling for contaminants, and audits of waste origins and classifications.

**G9 Permitted waste types - processing**

- 1 Unless otherwise approved in writing by the Director, no wastes may be processed (including, but not limited to, being crushed, ground, or shredded) on The Land, other than the following wastes:
  - 1.1 construction and demolition waste which does not include or contain concrete, brick, rock, or metal waste;
  - 1.2 liquid vacuum excavation waste soil that does not exceed contaminant levels for Clean Fill;
  - 1.3 other waste soil that does not exceed contaminant levels for Clean Fill;
  - 1.4 waste timber; and
  - 1.5 green waste.

**G10 Non-permitted waste types**

- 1 Unless otherwise approved by the Director, the following waste types must not be received, stored, and/or processed on The Land:
  - 1.1 material classified as Level 2, 3 or 4 under *Information Bulletin No. 105*;
  - 1.2 scrap metal (other than metal received as part of mixed construction waste and scrap metal already stored on The Land);
  - 1.3 engineered stone;
  - 1.4 wash water produced by washing vessels which contain uncured concrete, including those on concrete mixer trucks;
  - 1.5 recognisable residues of fish waste or biosolids;
  - 1.6 other types of Controlled Waste not listed above; and
  - 1.7 general waste delivered to The Land by members of the public.

**G11 Fire Management Plan**

- 1 A Fire Management Plan for materials including any timber stockpiles held on The Land must be developed in accordance with the *Environmental Guidelines for Stockpiling Waste* and the *Fire safety in waste management facilities guideline* and implemented within 3 months of the date on which these conditions take effect.
- 2 Records to demonstrate the development and implementation of the Fire Management Plan must be kept and provided to an Authorized Officer on request.

**Atmospheric****A1 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.

**A2 Control of dust emissions from plant and equipment**

- 1 Dust produced by the operation of plant and equipment on The Land, used to process wastes permitted for processing by these conditions, must be controlled by the use of one or more of the following methods to the extent necessary to prevent environmental nuisance:
  - 1.1 the installation of fixed water sprays at all plant/equipment and at all necessary points where processed material changes direction due to belt transfer;
  - 1.2 the installation of dust extraction equipment at all plant/equipment and at all necessary points where processed material changes direction due to belt transfer;

- 1.3 the enclosure of plant/equipment and treatment of atmospheric emissions by dust extraction equipment; or
- 1.4 any other method that has been approved in writing by the Director.

### **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.

### **A4 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.

## **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).

## 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.

## H3 Spill kits

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

## H4 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.

## Monitoring

### M1 Monitoring requirements

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

### M2 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.

### **M3 Monitoring equipment**

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

### **M4 Monitoring reporting and record keeping**

- 1 Unless otherwise specified in writing by the Director, a Monthly Monitoring Report, in an electronic format approved by the Director, must be submitted to the Director by the 21<sup>st</sup> day of the following month. As a minimum, the Monthly Monitoring Report must include the following information:
  - 1.1 the laboratories at which sample analyses were carried out;
  - 1.2 contact details for a person responsible for managing monitoring programs, and
  - 1.3 for each sample or measurement:
    - 1.3.1 a sample or measurement identification which allows the location from which the sample or measurement was taken to be clearly identifiable;
    - 1.3.2 the date and time at which each sample or measurement was taken;
    - 1.3.3 the parameters for which analyses or measurements were carried out and the units in which the results are reported; and
    - 1.3.4 the results for all sample analyses and measurements.
- 2 A record of all Monthly Monitoring Reports submitted to the Director must be maintained and copies of all test reports referenced to the relevant Monthly Monitoring Reports kept for a minimum period of 3 years.

### **M5 Signage of monitoring points**

- 1 With the exception of open water sampling and monitoring locations external to The Land, all monitoring points must be clearly marked to indicate the location and name of the monitoring point.
  - 1.1 The location of monitoring points external to The Land must be recorded with sufficient accuracy to ensure that monitoring can be undertaken at the same location repeatedly and in accordance with these conditions.

### **M6 Records of waste received for processing or storage**

- 1 The following records must be kept for each load of waste received for processing or storage on The Land:
  - 1.1 Nature/type of the waste;
  - 1.2 Date and time of receipt of the waste;
  - 1.3 Sufficient details to reliably identify the producer of the waste;
  - 1.4 Location of the origin of the waste; and
  - 1.5 Quantity of waste measured in tonnes.
- 2 Records of waste received must be made available to an Authorized Officer on request.

### **M7 Records of materials and waste disposed**

- 1 The following records must be kept for each load of material resulting from processing of materials on The Land, when it is removed from The Land:

- 1.1 Nature of the material or waste;
  - 1.2 Date and time of disposal of the material or waste;
  - 1.3 Sufficient details to reliably identify the destination of the material or waste; and
  - 1.4 Quantity of material or waste measured in tonnes.
- 2 Records of material or waste disposal must be made available to an Authorized Officer on request.

## **M8 Waste Reporting**

- 1 Unless otherwise specified in writing by the Director, the person responsible must submit to the Director a monthly report on the quantity of waste handled as part of the Activity, in an electronic format approved by the Director. The report must be submitted to the Director by the 21st day of the following month. As a minimum, the report must include the following information:
- 1.1 the total quantity of waste received on The Land, measured in tonnes and reported in separate waste categories as may be specified by the Director;
  - 1.2 the total quantity of processed material sold or disposed of, and the purchaser or disposal location;
  - 1.3 the total quantity and disposal location of any waste disposal of unprocessed wastes; and
  - 1.4 the total quantity of stockpiled wastes held on The Land, including waste concrete and waste rock stored on The Land, reprocessed wastes, and unprocessed wastes awaiting processing stored on The Land, reported in separate categories.

## **M9 Record of controlled wastes**

- 1 A record of all controlled waste received or generated on The Land must be kept. This record must include:
- 1.1 the controlled waste category set down in the *National Environment Protection (Movement of Controlled Waste Between States and Territories) Measure 1998* and waste code associated with the waste category, or where applicable, the description of the controlled waste as defined in the *Environmental Management and Pollution Control (Waste Management) Regulations 2020*;
  - 1.2 the quantity of controlled waste received or generated;
  - 1.3 the fate (e.g. stored, disposed or transported off The Land) of the controlled waste;
  - 1.4 where available, the person or organisation which generated the waste.

## **Noise Control**

### **N1 Control of noise emissions**

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

## **Operations**

### **OP1 Site staff**

A person, or persons, whose duties include supervising the management of material deposition and ensuring compliance with these conditions, must be in attendance at all times that waste is received on The Land.

### **OP2 Operating hours**

- 1 Unless otherwise approved in writing by the Director:

- 1.1** activities associated with receipt, storage, and handling of waste permitted by these conditions, must not be undertaken outside the hours of 07:30 hours to 17:00 hours on weekdays and the hours of 07:30 to 13:00 hours on Saturdays; and
  - 1.2** Other processing activities excluding the use of the barrel trommel must not be undertaken outside the hours of 08:00 hours to 17:00 hours on weekdays; and
  - 1.3** screening of material by use of the barrel trommel screen must not be undertaken outside the hours of 10:00 hours to 16:00 hours on weekdays.
- 2** Notwithstanding the above paragraph, activities must not be carried out on public holidays that are observed Statewide (Easter Tuesday excepted).
- 3** The permitted hours of operation for the Transport Depot on The Land, as further delineated at Attachment 1, are 24 hours per day, seven days per week.

**OP3 Access to The Land**

Access to The Land must be through a gate that must be secured to prevent unauthorised access when The Land is unattended.

**OP4 Fire management**

- 1** Fires occurring on The Land must be extinguished as soon as possible using all practical means available.
- 2** The lighting of fires on The Land is not permitted.
- 3** The person responsible must make all reasonable efforts to prevent ignition of green waste or timber stockpiles.
- 4** 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.

**OP5 Timber Waste Disposal**

- 1** Unless otherwise approved in writing by the Director, processed and unprocessed waste timber must:
  - 1.1** not be disposed of on The Land;
  - 1.2** not be used for landscaping on The Land; and
  - 1.3** only be disposed of at a facility authorised to receive the material for disposal.

**OP6 Truck Wash Bay Operation**

- 1** Wastewater produced from activity within the Wash Bay, as further delineated at Attachment 1, must be contained and must only be disposed of to the Sewerage System.
- 2** Contaminated stormwater runoff from the Wash Bay must be contained and must only be disposed of to the Sewerage System.
- 3** Settled-out solids produced from activity within the Wash Bay must be retained, regularly removed, tested in accordance with *Information Bulletin 105* and disposed of to a facility authorised to receive the waste.
- 4** Records of Wash Bay wastewater and solids disposal must be maintained and provided to an Authorized Officer on request.

**OP7 Control of material transfer onto public roads**

Suitable measures must be implemented to ensure that gravel, mud or similar material is prevented from being transferred from vehicles leaving The Land onto public roads.



**OP8 Stockpile Management**

- 1 Stockpiles must be managed in accordance with the recommendations of the *Environmental Guidelines for Stockpiling Waste*. As a minimum, stockpiles must be managed to:
  - 1.1 not exceed 4m in height for timber stockpiles and 5m in height for other stockpiles;
  - 1.2 be lower than surrounding structures and fences if within 5m;
  - 1.3 prevent development of airborne dust;
  - 1.4 prevent ignition of combustible material;
  - 1.5 prevent negative impact of runoff or leachate on the quality of surface water or groundwater; and
  - 1.6 prevent spilling of material into or adjacent to surface water drainage areas.

**OP9 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.

**OP10 Operational Procedures and Maintenance Manual**

- 1 An Operational Procedures and Maintenance Manual ('the Manual') must be developed within 2 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.

**OP11 Waste Material Storage**

- 1 Waste material items other than Clean Fill that are stored on The Land for a period in excess of 2 months must only be stored on hardstand areas.
- 2 Reasonable measures must be implemented to prevent abandonment of waste items or environmental harm arising from the storage of waste materials. Reasonable measures include, but are not limited to:
  - 2.1 maintaining a register of waste material items and their location on The Land;
  - 2.2 measures to control the presence of nuisance animals to the extent necessary to ensure they do not represent an unacceptable public health risk;
  - 2.3 measures to prevent stormwater contamination; and
  - 2.4 storage within enclosed structures.

## **Stormwater Management**

### **SW1 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.

### **SW2 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.

### **SW3 Stormwater Infrastructure Maintenance**

- 1** Stormwater pits and drains within the Land must be:
  - 1.1** inspected weekly; and
  - 1.2** regularly cleared of trapped material.
- 2** Maintenance records must be kept for a minimum of three (3) years.
- 3** If inspection indicates any of the infrastructure subject to this condition is not operating as would reasonably be expected, the person responsible must inform the Director within 24 hours of the inspection.

### Schedule 3: Information

#### Legal Obligations

##### **LO1 EMPCA**

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

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

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

##### **LO3 Waste and Resource Recovery Act 2022 obligations**

The activity may be a prescribed a Landfill or Resource Recovery Facility under the *Waste and Resource Recovery Act 2022* and must comply with reporting and obligations under that legislation.

##### **LO4 Discharges to sewer**

In accordance with the *Water and Sewerage Industry Act 2008* wastewater, including treated wastewater is not to be discharged to sewerage infrastructure without consent.

#### Other Information

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

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

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

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

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

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

# Attachment 1: Plan of Activity



**ATTACHMENT 2: TABLE OF MONITORING REQUIREMENTS FOR EPN 11880/1**

Column 1 Item	Column 2 Sampling locations	Column 3 Parameter	Column 4 Unit of measure	Column 5 Sampling or testing frequency	Column 6 Sampling or testing technique	Column 7 Reporting requirements
<b>Dust deposition</b>	<b>RPT1</b> (528552E 5260740N)  <b>RPT2</b> (528456E 5260795N)  <b>RPT3</b> (528372E 5260685N)  <b>RPT4</b> (528431E 5260447N)	Airborne dust	g/m2/month	Monthly	In accordance with AS/AZS 3580.10.1:2016, Methods for sampling and analysis of ambient air - Deposited matter – Gravimetric method	Result to be reported in the Monthly Monitoring Report
<b>Recovered soil fine material (particle size up to 9.5mm)</b>	<b>RSF1</b> Crushed concrete storage – fine crushed rock (FCR) fines  <b>RSF2</b> Wash plant storage - fines	pH	pH units	Monthly	Composite sampling in accordance with AS 1141.3.1-2012 Methods for sampling and testing aggregates  Five individual grab samples composited to 1 sample for analysis	Result to be reported in the Monthly Monitoring Report
		Electrical conductivity	µS/cm			
		Total metals (A, Cd, Chr, Cu, Pb, Hg, Ni, Zn)	mg/kg dry weight			
		Total organic carbon	%			
		Benzo(a)pyrene	mg/kg dry weight			
		Polycyclic aromatic hydrocarbons (total)	mg/kg dry weight			
		Total petroleum hydrocarbons C6 – C9	mg/kg dry weight			
		Total petroleum hydrocarbons C10 – C36	mg/kg dry weight			
Asbestos (fragment and fibre)	presence/absence					
<b>Surface water quality</b>	<b>SR1</b> (natural water course upstream of site) 528514E 5260801N	pH	pH units	Monthly	Field Test	Results to be reported in the Monthly Monitoring Report.
		Temperature	°Celsius			
		Conductivity	µS/cm at reference temperature of 25 degrees C			
	<b>SR2</b> (Sediment settlement pond adjacent to wash plant) 528512E 5260765N	Total Suspended Solids	mg/L	On the same day for all surface water sampling locations  Samples must be taken under conditions of flow in surface water drains where reasonably feasible	Field test/grab sample	Rainfall recorded for the 24h preceding the sampling event must be recorded and reported within the monthly monitoring report.
		Alkalinity ( as bicarbonate)	mg/L			
		Total Nitrogen	mg/L			
		Ammonia-Nitrogen	mg/L			
		Nitrate-Nitrogen	mg/L			
		Nitrite-Nitrogen	mg/L			
		Total Phosphorus	mg/L			
	Dissolved Reactive Phosphorus	mg/L				
	<b>SR3</b> (Junction – confluence of surface water prior to outflow from willows basin) 528453E 5260695N	Metals (Total and dissolved): A, B, Ba, Be, Cd, Cr, Co, Cu, Mn, Ni, Pb, Se, V, Zn, Hg)	µg/L			
		Total Recoverable Hydrocarbons	µg/L			
		<b>SR4</b> (Surface water drain prior to leaving The Land ) 528380E 5260495N	BTEXN ( Benzene, Toluene, Ethylbenzene, Xylene, Naphthalene)	µg/L		

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

Field test/ on-site test means either in situ testing or analysis of samples immediately with appropriate instrumentation

Grab sample means a discrete sample collected in a manner that ensures it is a representative sample

Grid references are expressed as Map Grid of Australia Zone 55 GDA94. Coordinates can only be considered accurate within a few metres.

**ATTACHMENT 2: TABLE OF MONITORING REQUIREMENTS FOR EPN 11880/1**

Column 1 Item	Column 2 Sampling locations	Column 3 Parameter	Column 4 Unit of measure	Column 5 Sampling or testing frequency	Column 6 Sampling or testing technique	Column 7 Reporting requirements
<b>Wash Bay waste water quality</b>	Wash Bay Triple Interceptor – final (third) interceptor tank before disposal  528495E 5260683N	pH	pH units	Monthly	Field Test	Result to be reported in the Monthly Monitoring Report
		Temperature	°Celsius		Field test/grab sample	
		Conductivity	µS/cm at reference temperature of 25 degrees C		Grab sample	
		Total Suspended Solids	mg/L			
		Alkalinity ( as bicarbonate)	mg/L			
		Metals (Total and dissolved) : A, B, Ba, Be, Cd, Cr, Co, Cu, Mn, Ni, Pb, Se, V, Zn, Hg)	µg/L			
		Total Recoverable Hydrocarbons	µg/L			
		BTEXN ( Benzene, Toluene, Ethylbenzene, Xylene, Naphthalene)	µg/L			
		Oil & Grease	mg/L			
		Total Nitrogen	mg/L			
		Total Phosphorus	mg/L			
		Anionic surfactants and MBAS	mg/L			
Sulfate (turbidimetric) as SO <sub>4</sub>	mg/L					

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

Field test/ on-site test means either in situ testing or analysis of samples immediately with appropriate instrumentation

Grab sample means a discrete sample collected in a manner that ensures it is a representative sample

Grid references are expressed as Map Grid of Australia Zone 55 GDA94. Coordinates can only be considered accurate within a few metres.