



ENVIRONMENT PROTECTION NOTICE No. 7942/1

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

Issued to: **GUNNS LIMITED**
ACN 009 478 148
78 LINDSAY ST
LAUNCESTON TAS 7250

Environmentally Relevant Activity: **The operation of a woodchip mill (ACTIVITY TYPE: Woodchip Mills)**
TRIABUNNA CHIP MILL, FREESTONE POINT
TRIABUNNA TAS 7190

GROUND

I, Warren Jones, Director, Environment Protection Authority, being satisfied in accordance with section 44(1)(d) of the *Environmental Management and Pollution Control Act 1994* (the EMPCA) and in relation to the above-mentioned environmentally relevant activity that it is desirable to vary the conditions of a permit (see table below) hereby issue this environment protection notice to the above-mentioned person as the person responsible for the activity.

| Permit No. | Date Granted | Granted By |
|------------|------------------|--------------------------------------|
| 3389 | 11 December 1995 | Director of Environmental Management |

PARTICULARS

The particulars of the grounds upon which this notice is issued are that it is desirable to vary the conditions of a permit:

- 1 Because the permit conditions need to be varied to reflect current or updated terminology and/or to clarify the meaning of the conditions.
- 2 Because the permit conditions need to be varied to reflect current regulatory practice.
- 3 Because the permit conditions need to be varied to ensure that there are adequate safeguards against environmental harm or nuisance being caused by the activity.
- 4 Because the permit conditions need to be varied to reflect continuous improvement consistent with the objectives of EMPCA.

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

DEFINITIONS

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

REQUIREMENTS

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

INFORMATION

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

PENALTIES

If a person bound by an environment protection notice contravenes a requirement of the notice, that person is guilty of an offence and is liable on summary conviction to a penalty not exceeding 1000 penalty units in the case of a body corporate or 500 penalty units in any other case (at the time of issuance of this Notice one penalty unit is equal to \$120.00).

NOTICE TAKES EFFECT


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

APPEAL RIGHTS

You may appeal to the Appeal Tribunal against this notice, or against any requirement contained in the notice, within 14 days from the date on which the notice is served, by writing to:

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

Signed:

 Warren Jones
DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date:

24 JUN 2010

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Attachments

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| Attachment 3: Irrigation Dam, Wetland System & Sewage Treatment Plant (modified: 20/01/2010 10:19)..... | 1 page |
| Attachment 4: Irrigation Areas (modified: 20/01/2010 10:38)..... | 1 page |

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.

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

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

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

DRP means a Decommissioning and Rehabilitation Plan

EMP means the *Environmental Management Plan 2007 - Gunns Limited Triabunna Operations*, prepared by Gunns Limited, and submitted to the Director on 1 October 2007, and includes any amendment to or substitution of this document, including an EMP Operations, approved in writing by the Director.

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

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

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

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

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

Person Responsible is any person who is or was responsible for the environmentally relevant activity to which this document relates and includes the officers, employees, contractors, joint venture partners and agents of that person, and includes a body corporate.

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

Process water means any water that is to be discharged from the activity following use.

Stormwater means water arising from rainfall that has not subsequently been used in carrying out the activity, and includes contaminated stormwater.



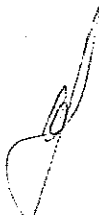
The Land means the land on which the activity to which this document relates may be carried out, and includes: buildings and other structures permanently fixed to the land, any part of the land covered with water, and any water covering the land. The Land falls within the area defined by:

- 1 Certificate of Title 147559 Folio 1, as shown in Attachment 1; and
- 2 that adjacent land leased by Gunns Ltd, and formerly leased by North Forest Products Ltd in the Lease Agreement of 1 July 1999 with Okehampton Pty Ltd, as shown in Attachment 2.

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

Wood waste means any planings, shavings, sawdust, wood fibre and dockings produced by the activity.

Woodchip mill means a facility used for the production of woodchips from raw and waste wood.



Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits

- 1 The activity must not exceed the following limits:
 - 1.1 1,600,000 tonnes/year of woodchips produced. (Annual fees are derived from this figure.)
 - 1.2 5,000 kilolitres/calendar month of fresh mains water used.

General

G1 Access to and awareness of conditions and associated documents

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

G2 Incident response

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

G3 No changes without approval

- 1 The following changes, if they may cause or increase the emission of a pollutant which may cause material or serious environmental harm or environmental nuisance, must only take place in relation to the activity if a new permit has been issued by the relevant planning authority (where the authority determines that a permit is required) or, if no such permit is required, the prior written approval of the Director (which shall not be withheld unreasonably):
 - 1.1 a change to a process used in the course of carrying out the activity; or
 - 1.2 the construction, installation, alteration or removal of any structure or equipment used in the course of carrying out the activity; or
 - 1.3 a change in the nature of materials used in the course of carrying out the activity.

G4 Change of ownership

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

G5 Annual Environmental Review

- 1 Unless otherwise specified in writing by the Director, a publicly available Annual Environmental Review for the activity must be submitted to the Director on, or before, 31 August each year. Without limitation, each Annual Environmental Review must include the following information:
 - 1.1 a statement by the General Manager, Chief Executive Officer or equivalent for the activity acknowledging the contents of the Annual Environmental Review;

- 1.2 subject to the *Personal Information Protection Act 2004*, a list of all complaints received from the public during the reporting period concerning actual or potential environmental harm caused by the activity and a description of any actions taken as a result of those complaints;
- 1.3 details of environment-related procedural or process changes that have been implemented during the reporting period;
- 1.4 a summary of the amounts (tonnes or litres) of both solid and liquid wastes produced and treatment methods implemented during the reporting period. Initiatives or programs planned to avoid, minimise, re-use, or recycle such wastes over the next reporting period should be detailed;
- 1.5 details of all non-trivial environmental incidents and/or incidents of non compliance with permit or environment protection notice conditions that occurred during the reporting period, and any mitigative or preventative actions that have resulted from such incidents;
- 1.6 a summary of the monitoring data and record keeping required by these conditions. This information should be presented in graphical form where possible, including comparison with the results of at least the preceding reporting period. Special causes and system changes that have impacted on the parameters monitored must be noted. Explanation of significant deviations between actual results and any predictions made in previous reports must be provided;
- 1.7 identification of breaches of limits specified in these conditions and significant variations from predicted results contained in any relevant DPEMP or EMP, an explanation of why each identified breach of specified limits or variation from predictions occurred and details of the actions taken in response to each identified breach of limits or variance from predictions;
- 1.8 a list of any issues, not discussed elsewhere in the report, that must be addressed to improve compliance with these conditions, and the actions that are proposed to address any such issues;
- 1.9 a summary of fulfilment of environmental commitments made for the reporting period. This summary must include indication of results of the actions implemented and explanation of any failures to achieve such commitments;
- 1.10 a summary of any community consultation and communication undertaken during the reporting period; and
- 1.11 strategic consideration of potential changes to the activity during the next 12 months that may have potential environmental impacts.

G6 Environmental Management Plan and review thereof

If required by the Director in writing, a revised EMP document must be prepared and submitted for approval within a period to be specified by the Director.

Atmospheric

A1 Covering of vehicles

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

A2 Control of dust emissions

Dust emissions from roads, disturbed areas, storage heaps, and machinery on The Land must be controlled to the extent necessary to prevent environmental nuisance.



A3 Restrictions for burning on-site

Unless otherwise approved in writing by the Director, burning of Wood waste, as defined, must not be undertaken on The Land.

Effluent Disposal**E1 Effluent emissions**

- 1 All effluent emissions discharged to the receiving environment must be visually free from grease, oil, solids and unnatural discolouration; and
- 2 The concentration in effluent discharged to the receiving environment of the parameters listed in Column 1, of the table below, must not exceed the limit in Column 3 when measured in the units in Column 2.

| Column 1 | Column 2 | Column 3 |
|---|---------------|-------------------------|
| Parameter | Units | Emission limit or range |
| Biochemical Oxygen Demand (BOD ₅) | mg/L | 40 |
| Total Suspended Solids (TSS) | mg/L | 60 |
| Oil & Grease | mg/L | 10 |
| Enterococci | cfu per 100mL | 200 |
| pH | pH units | 6.5-8.5 |

E2 Process water, leachate and stormwater treatment system

- 1 In accordance with Section 4.2.1 of the EMP, all process water, leachate and stormwater from the woodchip mill area, with the exception of stormwater from the logyard area, must be directed to the irrigation storage dam, as identified in Attachment 3, and used for on-site irrigation purposes as required;
- 2 Stormwater from the logyard area must be directed either to the irrigation storage dam or directly to the 'chain of lagoons' wetland system, as identified in Attachment 3, via the flow splitter located in the drainage channel on the southern boundary of the logyard area; and
- 3 All surface water run-off from the wetlands area must be directed through the monitoring facility on the final pond in the wetland system.

E3 Irrigation run-off

In accordance with Section 4.2.1 of the EMP, all reasonable and practicable measures must be undertaken to ensure that any run-off from irrigation practices on The Land are collected and directed to either the wetland system or to the stormwater collection system for return to the irrigation storage dam, as identified in Attachment 3.

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

- 1 Unless otherwise approved in writing by the Director, all environmentally hazardous materials, including all chemicals, fuels, and oils, held on The Land in volumes exceeding 250 litres must be stored and handled in accordance with the following:
 - 1.1 Any storage facility must be contained within a spill collection bund with a net capacity of whichever is the greater of the following:

- 1.1.1 at least 110% of the combined volume of any interconnected vessels within that bund; or
 - 1.1.2 at least 110% of the volume of the largest storage vessel; or
 - 1.1.3 at least 25% of the total volume of all vessels stored in that spill collection bund; or
 - 1.1.4 the capacity of the largest tank plus the output of any firewater system over a twenty minute period.
- 1.2 All activities that involve a significant risk of spillages, including the loading and unloading of bulk materials, must take place in a bunded containment area or on a transport vehicle loading apron.
- 1.3 Bunded containment areas and transport vehicle loading aprons must:
- 1.3.1 be made of materials that are impervious to any environmentally hazardous material stored within the bund;
 - 1.3.2 be graded or drained to a sump to allow recovery of liquids;
 - 1.3.3 be chemically resistant to the chemicals stored or transferred;
 - 1.3.4 be designed and managed such that any leakage or spillage is contained within the bunded area (including where such leakage emanates vertically higher than the bund wall);
 - 1.3.5 be designed and managed such that the transfer of materials is adequately controlled by valves, pumps and meters and other equipment wherever practical. The equipment must be adequately protected (for example, with bollards) and contained in an area designed to permit recovery of any released chemicals;
 - 1.3.6 be designed such that chemicals which may react dangerously if they come into contact have measures in place to prevent mixing; and
 - 1.3.7 be managed such that the capacity of the bund is maintained at all times (for example, by regular inspections and removal of obstructions).

H2 Hazardous materials (< 250 litres)

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

H3 Spill kits

Spill kits appropriate for the types and volumes of materials handled on The Land, and which may include relocatable (temporary) bunds, must be kept in appropriate locations to assist with the containment of spilt environmentally hazardous materials.

Monitoring

M1 Dealing with samples obtained for monitoring

- 1 Any sample or measurement required to be obtained under these conditions must be subject to the following:
 - 1.1 samples must be tested in a laboratory accredited by the National Association of Testing Authorities (NATA), or a laboratory approved in writing by the Director, for the specified test;



- 1.2 measurements must be made and samples must be collected and analysed in accordance with relevant Australian Standards, NATA approved methods, the *American Public Health Association Standard Methods for the Analysis of Water and Waste Water*, *Noise Measurement Procedures Manual* or other standard(s) approved by the Director;
- 1.3 details relating to the collection and analysis of the sample must be retained for at least three years after the date of measurement and must be made available on request to an Authorized Officer; and
- 1.4 the sample must be taken and transported by a person with appropriate training and experience.

M2 Water monitoring

A representative grab sample from the final pond outflow monitoring facility, as delineated in Attachment 3 of this Notice, must be collected at the frequency specified in Column 3, of the table below, and must be analysed for the parameters specified in Column 1 and reported, annually to the Director, in the units specified in Column 2.

| Column 1 | Column 2 | Column 3 |
|---|----------|----------------------|
| Parameter | Unit | Frequency |
| Biochemical Oxygen Demand (BOD ₅) | mg/L | Annually (September) |
| Total Suspended Solids (TSS) | mg/L | Annually (September) |
| Oil & Grease | mg/L | Annually (September) |
| Conductivity | uS/m | Annually (September) |
| Clarity - Secchi Depth | cm | Annually (September) |
| pH | pH units | Annually (September) |
| Flow | L/min | Annually (September) |

M3 Effluent quality - Sewage plant

In accordance with Section 5.1 of the EMP, effluent samples must be collected at the frequency specified in Column 3, of the table below, by grab sampling at the sewage treatment plant monitoring point, as identified in Attachment 3, and must be analysed for the parameters specified in Column 1 and reported, annually to the Director, in the units specified in Column 2.

| Column 1 | Column 2 | Column 3 |
|---|---------------|---------------|
| Parameter | Unit | Frequency |
| Biochemical Oxygen Demand (BOD ₅) | mg/L | Three monthly |
| Total Suspended Solids (TSS) | mg/L | Three monthly |
| Enterococci | cfu per 100mL | Three monthly |

M4 Investigation monitoring

- 1 In the event that any of the discharge limits specified in condition E1 of this Notice 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 why the discharge limit was exceeded;
 - 1.2.3 the results of re-sampling of the nominated monitoring point/s at which the exceedance was recorded; and
 - 1.2.4 strategies to limit the concentration to less than the discharge limit, or demonstrate that the reported levels would not cause or threaten environmental harm.
- 1.3 The strategies, as amended from time to time with the approval of the Director, must be implemented to the satisfaction of the Director.

M5 Water usage - Fresh mains water supply

In accordance with Section 5.1 of the EMP, a monthly reading of the mains water supply flow meter, located adjacent to the mill entrance, must be taken, and the total monthly volume of fresh mains water usage must be recorded in kilolitres (kL), and reported to the Director annually.

M6 Water usage - irrigation water

In accordance with Section 5.1 of the EMP, a weekly reading of the flow meter, located on the discharge line at the irrigation pump, must be taken and the weekly volume of water pumped to the irrigation areas must be recorded in kilolitres (kL), and reported to the Director annually.

Noise Control

N1 Noise emission limits

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

N2 Noise survey requirements

- 1 Unless otherwise approved by the Director, a noise survey must be carried out:
 - 1.1 within 90 days from the date on which these conditions take effect;
 - 1.2 twelve (12) months after the date of the noise survey carried out in accordance with 1.1;

- 1.3 within six (6) months from the date of any notification under these conditions of a change to the activity which is likely to substantially alter the character or increase the volume of the noise emitted from The Land; and
- 1.4 at such other times as may reasonably be required by the Director.

N3 Noise survey methodology and reporting requirements

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

N4 Log Drops

Logs being unloaded from a vehicle and/or stockpile should be placed onto the ground or directly to log decks to avoid the dropping of logs from height.

Operations

OP1 Weed management

The person responsible for the activity must ensure that The Land is kept substantially free of weeds using weed control measures to the satisfaction of the Director.

Rehabilitation

R1 Notification of cessation

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

R2 DRP requirements

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

R3 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 sold.
- 2 Where a Decommissioning and Rehabilitation Plan (DRP) has been approved by the Director, rehabilitation must be carried out in accordance with that plan.

R4 Suspension of activity

- 1 During temporary suspension of the activity:
 - 1.1 The Land must be managed and monitored by the person responsible for the activity to ensure that emissions from The Land do not cause serious environmental harm, material environmental harm or environmental nuisance; and
 - 1.2 If required by the Director, the person responsible must prepare and implement a Care and Maintenance Plan to the satisfaction of the Director.
- 2 Unless otherwise approved in writing by the Director, if the activity on The Land has substantially ceased for 2 years or more, rehabilitation of The Land must be carried out in accordance with the requirements of these conditions as if the activity has permanently ceased.

Waste Management**WM1 Waste management hierarchy**

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

WM2 Controlled waste transport

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

Schedule 3: Information

Legal Obligations

LO1 Notification of incidents under s.32 of EMPCA

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

LO2 EMPCA

The activity must be conducted in accordance with the requirements of the *Environmental Management and Pollution Control Act 1994* and Regulations thereunder, and in accordance with the principles of Best Practice Environmental Management. The requirements of this permit must not be construed as an exemption from any of those requirements or principles.



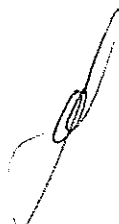
LO3 Storage and handling of Dangerous Goods and Dangerous Substances

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

- 1.1 *Dangerous Goods (Safe Transport) Act 1998;*
- 1.2 *Dangerous Substances (Safe Handling) Act 2005;*
- 1.3 *Dangerous Goods (Road and Rail Transport) Regulations 1998;*
- 1.4 *Workplace Health and Safety Act 1995; and*
- 1.5 *Workplace Health and Safety Regulations 1998*

LO4 Change of responsibility

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



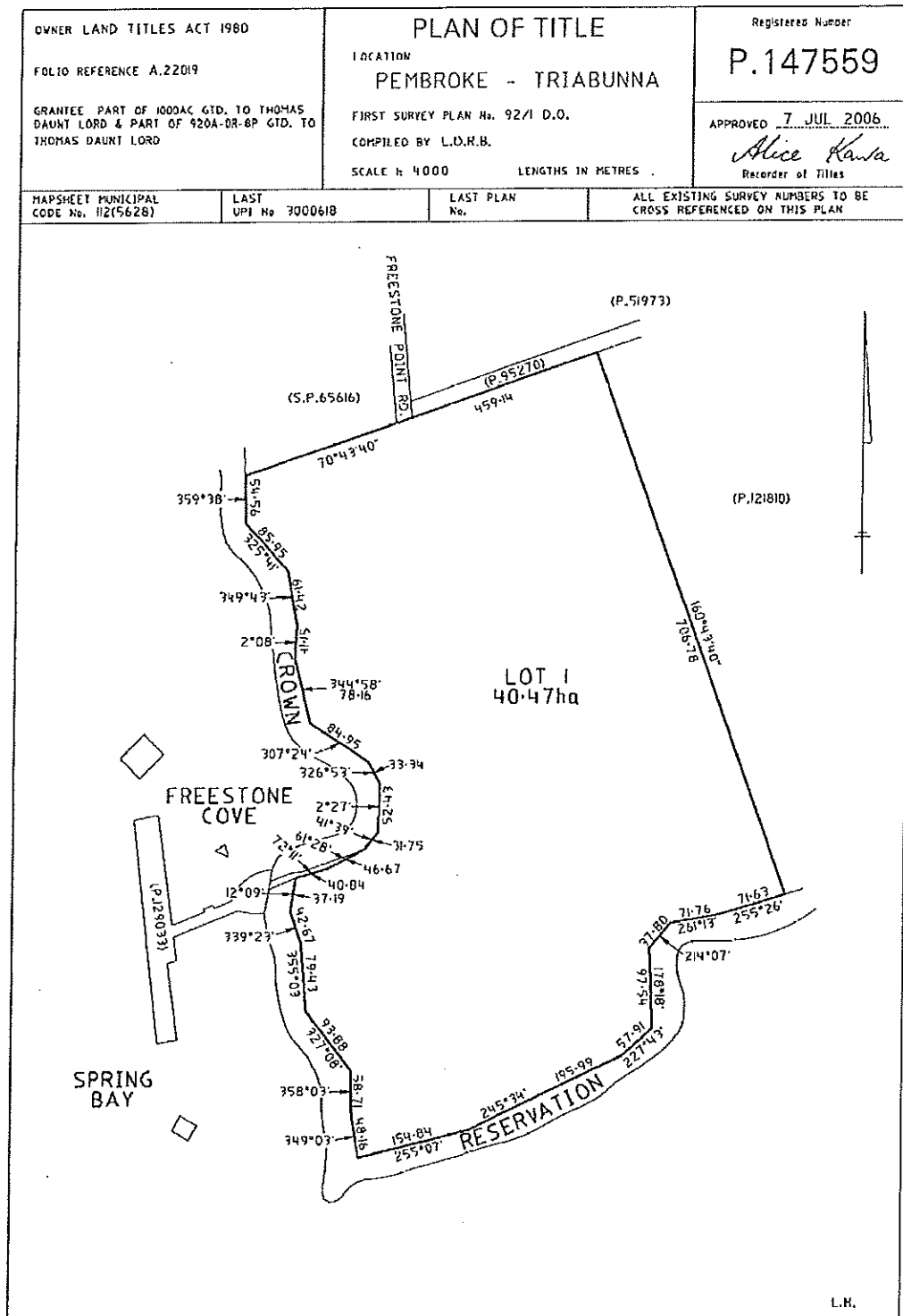
Schedule 4: Grounds Matrix

| Condition in Schedule 2 (unless otherwise indicated) | Condition in Permit (where EPN relates to a permit) | Grounds |
|--|--|--|
| Nil | D1 | Definitions of terms used in conditions in this Environment Protection Notice are contained in Schedule 1 of this Notice in order to improve clarity and layout. |
| Q1 | Limit on Materials used, Produced or Processed in Respect of Schedule 1 Part 16. | Varied: (i) to acknowledge increased production limit and decreased water usage limit; (ii) to clarify that limits apply to materials produced and to materials used; (iii) to more clearly define the product; and (iv) to reflect the terminology and requirements of EMPCA. |
| G1 | G5 | Varied to reflect current wording of the condition. |
| G2 | G3 | Varied to reflect current wording of the condition. |
| G3 | G2 | Varied to reflect current wording of the condition. |
| G4 | Nil | A new condition to establish the responsibility for notifying the Director of a change in ownership of The Land, as the Director may have statutory duties in respect of The Land. |
| G5 | Nil | A new condition to specify the content requirements of the Annual Environmental Review (AER) report and to set the date of submission for this report to the Director to ensure the timely submission of environmental information relating to the company's activities as the Director may have statutory duties in respect of this information. |
| G6 | G6 | Varied: (i) because regular review of the EMP is no longer necessary as the review function is now achieved through the AER (Condition G7 of this Notice); and (ii) to enable the Director to require revision of the EMP in the event that changes to the activity occur, or are proposed, that have the potential to cause environmental harm. |
| Nil | A1 | Revoked as condition is no longer applicable. |
| A1 | Nil | A new condition to control dust emissions and spillages from vehicles in accordance with BPEM to prevent environmental nuisance occurring. |
| A2 | Nil | A new condition to control dust emissions from The Land in accordance with BPEM to prevent environmental nuisance occurring. |

| Condition in Schedule 2 (unless otherwise indicated) | Condition in Permit (where EPN relates to a permit) | Grounds |
|--|---|--|
| A3 | Nil | A new condition to prohibit on-site burning of wood waste, unless approved by the Director, in accordance with BPEM to minimise air pollution from the activity. |
| E1 | W1 | Varied to reflect current wording of the condition and require compliance with discharge limits to prevent environmental nuisance, material or serious environmental harm. |
| E2 | W1 | Varied to specify wastewater treatment procedures to be employed for each of the site's wastewater streams to reduce risk of overflow from the irrigation storage dam and to define a monitoring point for run-off from the wetlands area. |
| E3 | Nil | A new condition to specify treatment procedures to be employed for run-off from on-site irrigation practices to ensure collection and subsequent monitoring of this stream. |
| H1 | Nil | A new condition to specify storage facilities for environmentally hazardous materials held on The Land in volumes exceeding 250 litres, in accordance with BPEM, to prevent environmental harm occurring. |
| H2 | Nil | A new condition to specify storage facilities for environmentally hazardous materials held on The Land in volumes not exceeding 250 litres, in accordance with BPEM, to prevent environmental harm occurring. |
| H3 | Nil | A new condition to specify the requirements for spill kits and to describe those spill kits. |
| M1 | M2 | Varied: (i) to reflect the terminology of EMPCA; (ii) to reflect modern accreditation practice and currently applicable standards; and (iii) to clarify meaning of the condition. |
| M2 | Nil | A new condition to specify monitoring, parameters to be monitored, and frequency of monitoring, of the wetland system, and the frequency of reporting of monitoring results to the Director. |
| M3 | Nil | A new condition to specify monitoring, parameters to be monitored, and frequency of monitoring, of the sewage plant discharge, and the frequency of reporting of monitoring results to the Director. |
| M4 | Nil | New condition requiring investigation if monitoring exceeds discharge limits set by this Notice, to minimise environmental harm. |
| M5 | Nil | A new condition requiring the reporting of fresh water usage to the Director to enable the Director to assess whether the activity is being operated in accordance with BPEM. |
| M6 | M1 | Varied to require the reporting of irrigation water usage to the Director to enable the Director to assess whether the activity is being operated in accordance with BPEM. |

| Condition in Schedule 2 (unless otherwise indicated) | Condition in Permit (where EPN relates to a permit) | Grounds |
|---|--|--|
| N1 | N1 | Varied: (i) to reflect the terminology of EMPCA; (ii) to establish that breaches of the condition must be demonstrably due to the activity; (iii) to provide consistency in noise measurement; and (iv) to ensure that measurements are made in accordance with the <i>Tasmanian Noise Measurement Procedures Manual</i> . |
| N2 | Nil | A new condition specifying the requirement for a noise survey to be carried out, and to specify the timeframe for that noise survey to be carried out, to enable the Director to assess whether the activity is not causing environmental nuisance. |
| N3 | Nil | A new condition specifying the timely submission of noise survey reporting, and the information to be included in that reporting. |
| N4 | Nil | A new condition to control potential nuisance noise emissions from the dropping of logs directly onto the ground or log decks. |
| OP1 | Nil | A new condition requiring the weed management on The Land to prevent the spread of weeds from the site. |
| R1 | R1 | Varied to reflect current wording of the condition. |
| R2 | Nil | A new condition requiring the timely provision of a draft DRP to the Director, after notification of cessation of operations on The Land. |
| R3 | Nil | A new condition requiring the timely implementation of the DRP to mitigate environmental impacts on the receiving environment. |
| R4 | Nil | A new condition requiring management and monitoring of The Land in the event of temporary suspension of the activity. |
| WM1 | S1, S2 | Varied, and combined: (i) to reflect the terminology of EMPCA; and (ii) to prescribe improved principles for the management of solid wastes. |
| WM2 | Nil | A new condition to ensure controlled wastes are transported and disposed of by a licensed Waste Transport business. |
| Condition in Schedule 3 | Condition in Permit | |
| LO2 | G1 | Varied to reflect the terminology and requirements of EMPCA. Contained in Schedule 3 of this Notice in order to improve clarity and layout. |
| LO3 | H1 | Varied to reflect the terminology and requirements of EMPCA. Contained in Schedule 3 of this Notice in order to improve clarity and layout. |

Attachment 1: Certificate of Title



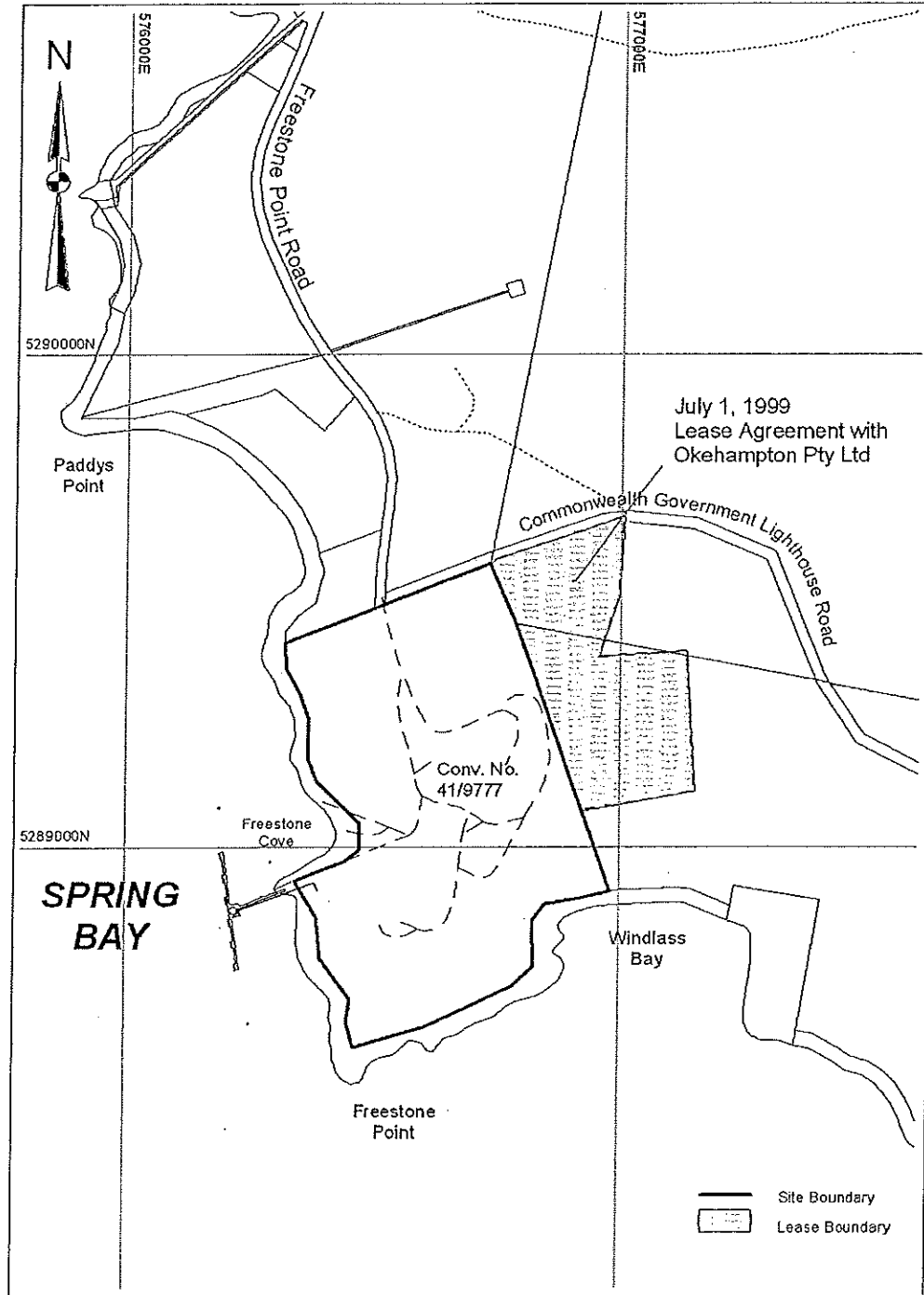
DIRECTOR, ENVIRONMENT PROTECTION NOTICE

Date of issue:

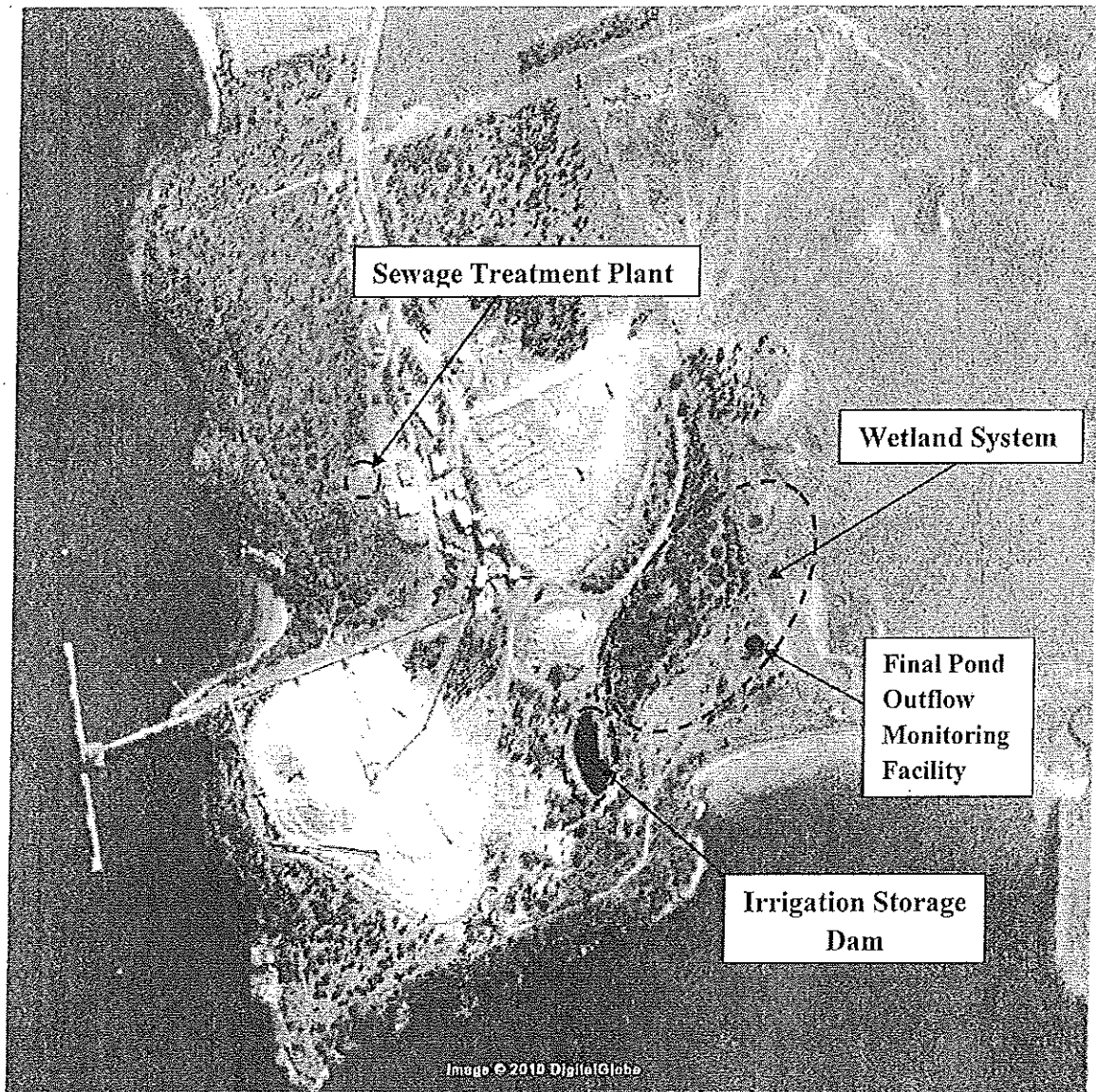
24 JUN 2013

Attachment 2: The Land

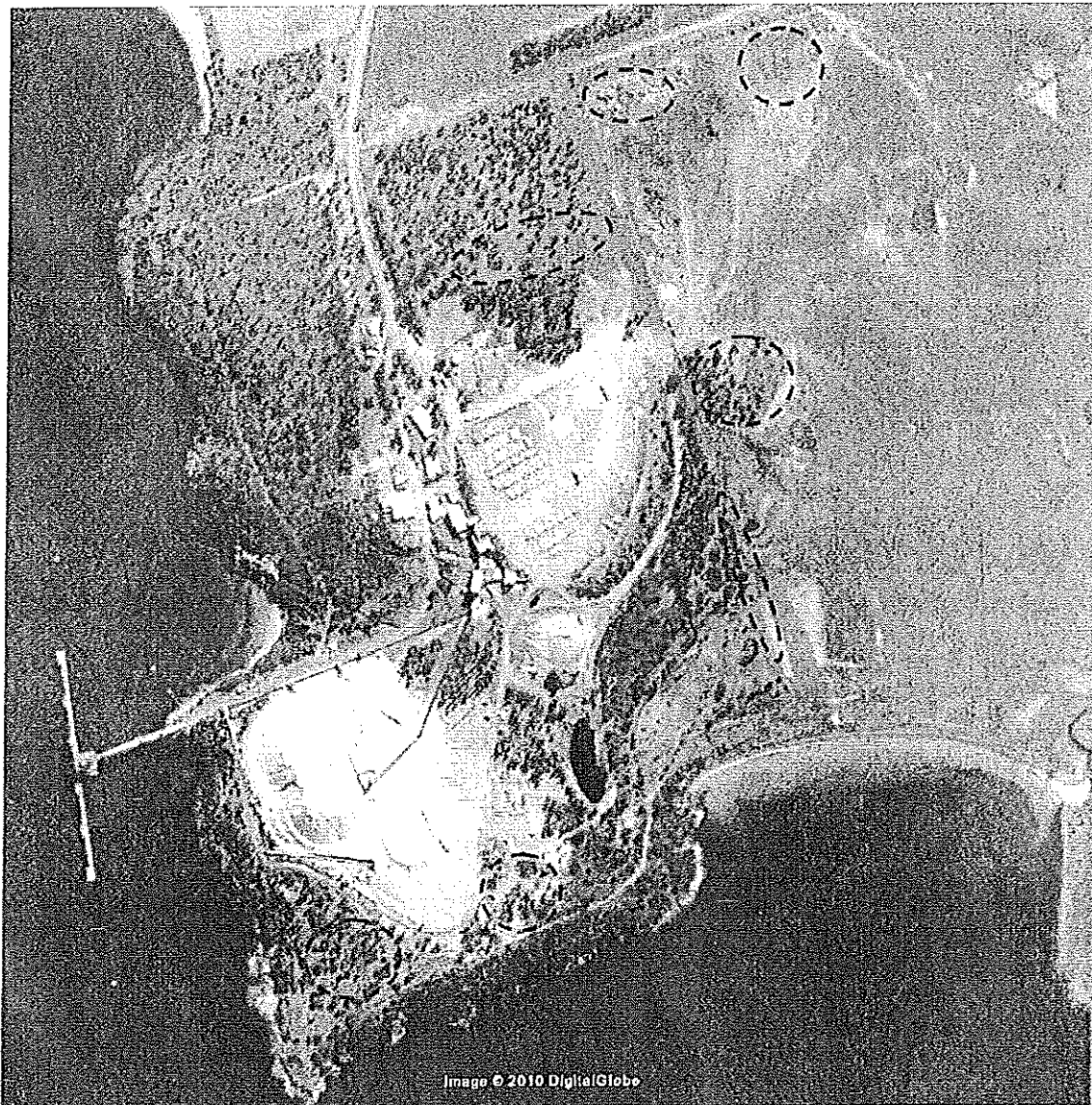
TRIABUNNA - SPRING BAY



Attachment 3: Irrigation Dam, Wetland System & Sewage Treatment Plant



Attachment 4: Irrigation Areas



Level 7, 134 Macquarie Street, Hobart TAS
GPO Box 1550, Hobart, TAS 7001 Australia



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Ph: +61 3 6233 6693 Fax +61 3 6233 3800
Email: Anthony.cook@environment.tas.gov.au
Web: www.epa.tas.gov.au
Our Ref: 038264: (G:\EEO\IND\ISWPU\Chipmills\038264 Gunns Triabunna\EPN 7942_1\CLF EPN 7942_1 AC160610) sma

REGISTERED POST

24 JUN 2010

Mr Bryan Hayes
General Manager – Forest Products
Gunns Limited
78 Lindsay Street
LAUNCESTON TAS 7250

Attention: Darren Davis, Manager – Triabunna

Dear Mr Hayes

ENVIRONMENT PROTECTION NOTICE 7942/1 GUNNS LIMITED'S, FREESTONE POINT, TRIABUNNA, WOODCHIP MILL

Please find attached to this correspondence, Environment Protection Notice (EPN) No. 7942/1, issued to Gunns Limited, in accordance with Section 44(1)(d) of the *Environmental Management and Pollution Control Act 1994*, to vary the conditions attached to the Permit (formerly Licence to Operate Scheduled Premises No. 3389) for the company's woodchip mill, located at Freestone Point, Triabunna.

This Notice has been issued to vary the Permit conditions for the site. A draft copy of this Notice was forwarded to Gunns Limited on 20 May 2010, seeking comments within 21 days of receipt of the draft Notice. Thank you for your response, and comments, in the letter dated 10 June 2010. The amendments that you requested in your response have been incorporated into this Notice.

Please note that all of the conditions attached to the Permit for the woodchip mill have effectively been replaced by the conditions set out in Schedule 2 of EPN No. 7942/1. I also draw your attention to Schedule 3 of the Notice, which contains important additional information.

This Notice takes effect on the date on which it is served upon you. The company may appeal to the Appeal Tribunal against this Notice, or against any requirements contained in this Notice, within fourteen (14) days of that date, by writing to:

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

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

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

Yours sincerely


Warren Jones
DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Encl. EPN No. 7942/1

