
PERMIT PART B
PERMIT CONDITIONS - ENVIRONMENTAL No. 11398

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

Activity: **The operation of a quarry and materials handling (ACTIVITY TYPE: Crushing, grinding, milling or separating into different sizes (rocks, ores or minerals))**
EAST ARM ROAD QUARRY, 2 GREENHYTHE ROAD
HILLWOOD TAS 7252

The above activity has been assessed as a level 2 activity under the *Environmental Management and Pollution Control Act 1994*.

Acting under Section 25(5)(a)(i) of the EMPCA, the Board of the Environment Protection Authority has required that this Permit Part B be included in any Permit granted under the *Land Use Planning and Approvals Act 1993* with respect to the above activity.

Municipality: **GEORGE TOWN**
Permit Application Reference: **DA 2022/109**
EPA file reference: **22/10511**

Date conditions approved: 17 August 2023

Signed:



DELEGATE FOR THE BOARD OF THE ENVIRONMENT
PROTECTION AUTHORITY

DEFINITIONS

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

ENVIRONMENTAL CONDITIONS

The person responsible for the activity must comply with the conditions contained in **Schedule 2** of this Permit Part B.

INFORMATION

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

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Attachments

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Schedule 1: Definitions

In this Permit Part B:-

130,000 cubic metres is considered equivalent to 208,000 tonnes.

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.

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

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.

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 Characteristics 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.

DRP means Decommissioning and Rehabilitation Plan.

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

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

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

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

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.

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} .

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.

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.

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

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:

- 1 Certificate of Titles 175733/1, 175735/1, 182487/1 (prior CTs 175732/1 and 152416/12), adjoining road reserve - north of East Arm Road; and
- 2 as further delineated at Attachment 1.

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.

Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits

- 1 The activity must not exceed the following limits :
 - 1.1 130,000 cubic metres per year of rocks, ores or minerals processed.
 - 1.2 130,000 cubic metres per year of rocks, ores or minerals extracted.

General

G1 Access to and awareness of conditions and associated documents

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

G2 Incident response

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

G3 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 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.

G5 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.

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 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*.

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 or load dampening.

A2 Control of dust emissions

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

A3 Control of dust emissions from crushing and screening plant

- 1 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:
 - 1.1 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;

- 1.2 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;
- 1.3 the enclosure of the crushing and/or screening plant and the treatment of atmospheric emissions by dust extraction equipment; or
- 1.4 any other method that has been approved in writing by the Director.

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.

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.

B3 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.

B4 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.

Decommissioning And Rehabilitation

DC1 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 11 hectares.

DC2 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.

DC3 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.

DC4 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.

DC5 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.

DC6 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 any guidelines provided by the Director.

Flora And Fauna

FF1 Green and Gold Frog (*Litoria raniformis*) Habitat Restoration and Management Plan

- 1 Unless otherwise specified in these conditions, the activity must be undertaken in accordance with the approved Green and Gold Frog (*Litoria raniformis*) Habitat Restoration and Management Plan, Version 2.0, dated May 2023 and prepared by East Arm Resources Pty Ltd and Van Dieman Consulting Pty Ltd, as may be amended from time to time with written approval from the Director.
- 2 The person responsible must not implement any amendment to the Green and Gold Frog Habitat Restoration and Management Plan until it is approved by the Director. Once approved the new Plan must be implemented.

FF2 Protection of the green and gold frog (*Litoria raniformis*) habitat

Unless otherwise approved in writing by the Director, no works other than water extraction for dust suppression or works detailed within the Green and Gold Frog Habitat Restoration and Management Plan are to be undertaken at the dam to the southeast of the quarry extraction area, as identified in the Green and Gold Frog Habitat Restoration and Management Plan as having records of the green and gold frog.

Hazardous Substances

H1 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.

H2 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.

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.

Noise Control

N1 Noise emission limits

- 1 Noise emissions from the activity at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
 - 1.1 50 dB(A) between 0800 hours and 1800 hours (Day time); and
 - 1.2 35 dB(A) between 1800 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 background noise level 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.

N2 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 Statewide (Easter Tuesday excepted).

N3 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.

Operations

OP1 Machinery washdown

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

OP2 Weed and Pathogen Management Plan

- 1 Unless otherwise specified in these conditions, the activity must be undertaken in accordance with the approved East Arm Road Quarry, Hillwood, Weed and Pathogen Management Plan, dated March 2023 and prepared by East Arm Resources Pty Ltd, as may be amended from time to time with written approval from the Director.
- 2 The person responsible must not implement any amendment to the East Arm Road Quarry, Hillwood, Weed and Management Plan until it is approved by the Director. Once approved the new Plan must be implemented.

Stormwater Management

SW1 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.

SW2 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.

SW3 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.

SW4 Waterway buffer

Unless otherwise specified in writing by the Director, land within 5 m of the un-named tributary (labelled 'Watercourse' on Attachment 1) must not be disturbed.

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 Storage and handling of dangerous goods, explosives and dangerous substances

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

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

1.2 *Explosives Act 2012* and subordinate regulations; and

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

LO3 Aboriginal relics requirements

1 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.

Other Information

OI1 Waste management hierarchy

1 Wastes should be managed in accordance with the following hierarchy of waste management:

1.1 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;

1.2 waste should 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.

OI2 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).

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: The Land

