
PERMIT PART B

PERMIT CONDITIONS - ENVIRONMENTAL No. 9774

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

Activity: **The operation of a wind farm (ACTIVITY TYPE: Wind Energy Facilities)**
 LITTLE HARCUS ROAD
 JIMS PLAIN TAS 7330

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: **CIRCULAR HEAD**
Permit Application Reference: **DA 2019/052**
EPA file reference: **253309**

Date conditions approved: _____ 7th April 2020 _____

Signed:



CHAIRPERSON, 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.

Table Of Contents

Schedule 1: Definitions.....	5
Schedule 2: Conditions.....	6
Maximum Quantities.....	6
Q1 Regulatory limits	6
General.....	6
G1 Access to and awareness of conditions and associated documents.....	6
G2 Incident response.....	6
G3 No changes without approval.....	6
G4 Change of responsibility.....	6
G5 Change of ownership.....	6
G6 Notification prior to construction	6
G7 Notification prior to commencement.....	7
G8 Notification on completion of commissioning.....	7
G9 Complaints register.....	7
G10 Annual Environmental Review.....	7
Atmospheric.....	8
A1 Covering of vehicles.....	8
A2 Control of dust emissions.....	8
A3 Control of dust emissions during construction.....	8
Construction.....	8
CN1 Design Report.....	8
CN2 Construction Environmental Management Plan.....	9
Decommissioning And Rehabilitation.....	10
DC1 Decommissioning and Rehabilitation Plan.....	10
DC2 Implementation of the DRP.....	10
DC3 Notification of cessation.....	11
DC4 Temporary suspension of activity.....	11
Effluent Disposal.....	11
E1 Stormwater.....	11
Flora And Fauna.....	11
FF1 Pre-construction eagle nest surveys.....	11
FF2 Eagle monitoring and management plan	12
FF3 Reporting requirements.....	12
FF4 Pre-construction surveys for Tasmanian devil dens.....	13
Hazardous Substances.....	13
H1 Storage and handling of hazardous materials.....	13
H2 Spill kits.....	13
Noise Control.....	13
N1 Noise emission limits.....	13
N2 Noise modelling.....	14
Operations.....	14
OP1 Operation Environmental Management Plan.....	14
Schedule 3: Information.....	15
Legal Obligations.....	15
LO1 EMPCA.....	15
LO2 Storage and handling of dangerous goods, explosives and dangerous substances.....	15
LO3 Aboriginal relics requirements.....	15
LO4 Change of responsibility.....	15

Attachments

Attachment 1: Attachment 1 - the Land (modified: 17/02/2020 14:48)..... 1 page

Schedule 1: Definitions

In this Permit Part B:-

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.

Commissioning means the testing of wind turbines and is taken to be completed when 90% of wind turbines are being used or operated in the course of normal commercial operations.

Construction means activities associated with the construction phase of the activity, including but not limited to, activities associated with the clearance of vegetation, site works to create a level site, rock breaking, installation of fences and other infrastructure whether on land or in water.

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 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.

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

Reporting Period means the 12 months ending on 30 June of each year.

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

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 the following property titles:

- 1 124651/11; 124651/13; 124651/14; 126961/12; 142621/1; 176467/1; 126961/20; and 124651/101; and
- 2 as further delineated at Attachment 1.

Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits

- 1 The activity must not exceed the following limits :
 - 1.1 200 megawatts of generating capacity

General

G1 Access to and awareness of conditions and associated documents

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

G2 Incident response

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

G3 No changes without approval

- 1 The following changes, if they may cause or increase the emission of a pollutant which may cause material or serious environmental harm or environmental nuisance, must only take place in relation to the activity if such changes have been approved in writing by the EPA Board following its assessment of an application for a permit under the *Land Use Planning and Approvals Act 1993*, or approved in writing by the Director:
 - 1.1 a change to a process used in the course of carrying out the activity; or
 - 1.2 the construction, installation, alteration or removal of any structure or equipment used in the course of carrying out the activity; or
 - 1.3 a change in the quantity or characteristics of materials used in the course of carrying out the activity.

G4 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 succeeding him or her as 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 Notification prior to construction

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

G7 Notification prior to commencement

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

G8 Notification on completion of commissioning

The Director must be notified in writing on the completion of commissioning.

G9 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.

G10 Annual Environmental Review

- 1 Unless otherwise specified in writing by the Director, a publicly available Annual Environmental Review for the activity must be submitted to the Director each year within three months of the end of the reporting period. Without limitation, each Annual Environmental Review must include the following information:
 - 1.1 a statement by the General Manager, Chief Executive Officer or equivalent for the activity acknowledging the contents of the Annual Environmental Review;
 - 1.2 subject to the *Personal Information Protection Act 2004*, a list of all complaints received from the public during the reporting period concerning actual or potential environmental harm or environmental nuisance 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 details of all non-trivial environmental incidents and/or incidents of non compliance with these conditions that occurred during the reporting period, and any mitigative or preventative actions that have resulted from such incidents;
 - 1.5 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;
 - 1.6 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;
 - 1.7 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;

- 1.8** 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; and
- 1.9** a summary of any community consultation and communication undertaken during the reporting period.

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 during construction

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

Construction

CN1 Design Report

- 1** At least three months prior to the commencement of construction activities, or by a date specified in writing by the Director, a Design Report must be submitted to the Director for approval in writing.
- 2** The Design Report must be prepared in accordance with any reasonable guidelines provided by the Director.
- 3** Without limitation, the Design Report must include details of the following:
 - 3.1** the model, size (including hub height and blade length) and capacity (MW) of the wind turbines;
 - 3.2** a site plan showing the locations of all major infrastructure, including wind turbines, hard stand areas, access roads, cables, substation, buildings, temporary construction facilities and construction areas, including a map showing all environmental constraints considered in determining the final site layout;
 - 3.3** the results of pre-construction surveys for eagles nests (*Aquila audax subsp. fleayi* [wedge-tailed eagle] and *Haliaeetus leucogaster* [white-bellied sea eagle]) and Tasmanian devil (*Sarcophilus harrisii*) dens;
 - 3.4** the results of pre-construction surveys for threatened vegetation communities and threatened flora within the project footprint;
 - 3.5** details of the impacts on threatened vegetation communities and threatened flora species, if any, including:
 - 3.5.1** location maps showing the extent of the threatened vegetation communities and the location of the threatened flora species that will be affected by the activity;

- 3.5.2 the area (m²) of threatened vegetation communities affected and the number of individuals of threatened flora species affected;
- 3.5.3 detail on micro-siting for each wind turbine demonstrating minimal impact to threatened flora; and
- 3.5.4 the measures undertaken to further mitigate or offset any impacts.
- 3.6 a table containing all of the major commitments made in the Design Report.
- 4 Construction must not commence until the Design Report has been approved by the Director, and construction must be undertaken in accordance with the approved Design Report.
- 5 In the event that the Director, by notice in writing to the person responsible, either approves a minor variation to the approved Design Report or approves a new Design Report in substitution for the Design Report originally approved, the person responsible must implement and act in accordance with the varied Design Report or the new Design Report, as the case may be.

CN2 Construction Environmental Management Plan

- 1 At least 60 days prior to the commencement of construction activities, or by a date specified in writing by the Director, a Construction Environmental Management Plan (CEMP) must be submitted to the Director for approval.
- 2 The plan must be prepared in accordance with any reasonable guidelines provided by the Director, and in accordance with the management measures included in UPC Robbins Island Pty Ltd's *Jim's Plain Renewable Energy Park Development Proposal and Environmental Management Plan, November 2019* (DPEMP).
- 3 The CEMP must contain a detailed description of the proposed timing and sequence of the major construction activities and of the proposed management measures to be implemented to avoid or minimise the environmental impacts during the construction phase. The CEMP must include, but not necessarily limited to, management measures in relation to the following:
 - 3.1 the prevention of impacts on surface water and waterways;
 - 3.2 monitoring of groundwater drawdown rates;
 - 3.3 erosion and sediment control techniques, in accordance with section 6.6.4 of the DPEMP;
 - 3.4 noise mitigation measures to be implemented during construction, in particular traffic noise;
 - 3.5 dust control;
 - 3.6 management of environmentally hazardous materials;
 - 3.7 cultural (Aboriginal and non-aboriginal) heritage considerations;
 - 3.8 avian management, including protection of Tasmanian masked owl (*Tyto novaellandiae subsp. Castanops*) potential breeding habitat;
 - 3.9 non-avian fauna management, including infrastructure exclusion zones, minimising roadkill risk and roadkill monitoring and reporting, in accordance with section 6.2.4 of the DPEMP;
 - 3.10 flora management, including minimising vegetation clearance;
 - 3.11 weed, pest and disease management, in particular *Phytophthora cinnamomi* (root rot fungus) and *Batrachochytrium denerobatidis* (amphibian chytrid fungus);
 - 3.12 quality control arrangements including supervision by appropriately qualified and experienced persons, detailed construction specifications for key items of environmental management infrastructure, documented site procedures, quality control testing and the keeping of appropriate records;

- 3.13 solid waste management, in accordance with section 6.9.4 of the DPMP;
 - 3.14 a table containing all of the major commitments made in the plan;
 - 3.15 an implementation timetable for key aspects of the plan; and
 - 3.16 a reporting program to regularly advise the Director of the results of the plan.
- 4 Construction must not commence until the Construction Environmental Management Plan has been approved by the Director, and construction must be undertaken in accordance with the approved Construction Environmental Management Plan.
 - 5 In the event that the Director, by notice in writing to the person responsible, either approves a minor variation to the approved plan or approves a new plan in substitution for the plan originally approved, the person responsible must implement and act in accordance with the varied plan or the new plan, as the case may be.

Decommissioning And Rehabilitation

DC1 Decommissioning and Rehabilitation Plan

- 1 A draft Decommissioning and Rehabilitation Plan (DRP) must be submitted for approval to the Director 12 months after commencement of operations.
- 2 Unless otherwise approved in writing by the Director, a revised DRP must be submitted to the Director for approval:
 - 2.1 when changes to the conduct of the activity are to occur that will result in significant changes to decommissioning and rehabilitation obligations; and
 - 2.2 within 30 days of the Director being notified of the likely cessation of operations; and
 - 2.3 where required by notice in writing, by a date specified in writing by the Director.
- 3 The DRP must be prepared in accordance with guidelines issued by the Director. If no guidelines have been issued by the Director the measures described in this plan must include, but should not necessarily be limited to, the following:
 - 3.1 completion of a site history, site contamination assessment and contamination remediation plan (including consideration of groundwater);
 - 3.2 removal of all equipment, structures and waste materials unless they are considered by the Director to be beneficial to a future use of The Land;
 - 3.3 grading and levelling/recontouring and revegetating (or other approved method of soil stabilisation) of the surface of the disturbed area;
 - 3.4 management of drainage on The Land so as to reduce erosion and prevent release of a pollutant from The Land;
 - 3.5 maintenance of the rehabilitated area for a period of not less than three years from the date of cessation of operations;
 - 3.6 an itemised estimate of the costs of carrying out the works listed in the DRP and a statement of how these costs will be provided for; and
 - 3.7 any other detail requested in writing by the Director.

DC2 Implementation of the DRP

Following permanent cessation of the activity, the decommissioning of the activity and the rehabilitation of The Land must be carried out in accordance with the most recent Decommissioning and Rehabilitation Plan (DRP) approved by the Director, as may be amended from time to time with written approval of the Director.

DC3 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.

DC4 Temporary suspension of activity

- 1 Within 30 days of becoming aware of any event or decision which is likely to give rise to the temporary suspension of the activity, the person responsible for the activity must notify the Director in writing of that event or decision. The notice must specify the date upon which the activity is expected to suspend or has suspended.
- 2 During temporary suspension of the activity:
 - 2.1 The Land must be managed and monitored by the person responsible for the activity to ensure that emissions from The Land do not cause serious environmental harm, material environmental harm or environmental nuisance; and
 - 2.2 If required by the Director a Care and Maintenance Plan for the activity must be submitted, by a date specified in writing by the Director, for approval. The person responsible must implement the approved Care and Maintenance Plan, as may be amended from time to time with written approval of the Director.
- 3 Unless otherwise approved in writing by the Director, if the activity on The Land has substantially ceased for 2 years or more, rehabilitation of The Land must be carried out in accordance with the requirements of these conditions as if the activity has permanently ceased.

Effluent Disposal**E1 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.

Flora And Fauna**FF1 Pre-construction eagle nest surveys**

- 1 Unless otherwise approved in writing by the Director, a pre-construction survey by a suitably qualified person must be undertaken for eagle nests (*Aquila audax subsp. fleayi* [wedge-tailed eagle] and *Haliaeetus leucogaster* [white-bellied sea eagle]) within 1 km of the boundary of the Land.
 - 1.1 The nest survey must be undertaken outside of eagle breeding season (July to February); and
 - 1.2 The Director must be notified upon completion of the survey.
- 2 A report outlining the findings of the surveys must be submitted to the Director, prior to commencement of construction.

FF2 Eagle monitoring and management plan

- 1 At least 60 days prior to the commencement of construction, or by a date specified in writing by the Director, an Eagle Monitoring and Management Plan must be submitted to the Director for approval.
- 2 The plan must be prepared in accordance with any reasonable guidelines provided by the Director, and in accordance with UPC Robbins Island Pty Ltd's *Jim's Plain Renewable Energy Park Preliminary Eagle Monitoring and Management Plan July 2019*.
- 3 Without limitation, the plan must include details of the following:
 - 3.1 avian mortality monitoring survey program designed to detect mortalities of, and injuries to, bird and bat species as a result of collisions with wind turbines and wind monitoring towers including
 - 3.1.1 the results of scavenger trials and carcass detectability trials which must be taken into account
 - 3.1.2 search methodology, including, the search area, wind turbines to be searched, frequency of searches, search technique and search area management (i.e. vegetation management)
 - 3.1.3 reporting requirements;
 - 3.2 eagle nest activity monitoring methodology, timing and reporting;
 - 3.3 adaptive management strategy in the event of an eagle mortality occurring as a result of the operation of the wind farm, including recommendations following a review of the effectiveness of available technologies in reducing eagle collision mortalities;
 - 3.4 carrion management, including the removal of animal carcasses within 200 m of any wind turbine and carcass disposal;
 - 3.5 eagle mortality offset strategy, including the undertaking to make financial contributions to research programs commensurate with the scale of the mortalities, or other equivalent measures; and
 - 3.6 a reporting program to regularly advise the Director of the results of the plan.
- 4 Operations must not commence until the Eagle Monitoring and Management Plan has been approved by the Director, and all operations must be undertaken in accordance with the approved Eagle Monitoring and Management Plan.
- 5 In the event that the Director, by notice in writing to the person responsible, either approves a minor variation to the approved plan or approves a new plan in substitution for the plan originally approved, the person responsible must implement and act in accordance with the varied plan or the new plan, as the case may be.

FF3 Reporting requirements

- 1 The Director must be notified of any evidence of dead or injured native birds or bats found on The Land, identified during mortality monitoring or through on-site observation, within:
 - 1.1 24 hours of the discovery of such evidence for any threatened species; and
 - 1.2 3 days of the discovery of such evidence for any non-threatened species.
- 2 Within three days of notification, a mortality report must be submitted to the Director and must include the following:
 - 2.1 unique identification number;
 - 2.2 general description of evidence;
 - 2.3 species identification;

- 2.4 sex and estimated age (if known);
 - 2.5 date and time of discovery;
 - 2.6 estimated date and time of incident;
 - 2.7 estimate of general weather conditions at time of incident;
 - 2.8 position of evidence relative to infrastructure;
 - 2.9 photograph of evidence; and
 - 2.10 any other relevant information.
- 3 The mortality report must be prepared by a suitably qualified or experienced person(s).

FF4 Pre-construction surveys for Tasmanian devil dens

- 1 Unless otherwise approved in writing by the Director, pre-construction surveys by a suitably qualified person must be undertaken for *Sarcophilus harrisii* (Tasmanian devil) den(s) on the Land.
- 2 The survey must be undertaken in accordance with the *Survey Guidelines and Management Advice for Development Proposals that may impact on the Tasmanian devil (Sarcophilus harrisii) - A supplement to the Guidelines for Natural Values Surveys - Terrestrial Development Proposals*, prepared by the Natural and Cultural Heritage Division of the Department of Primary Industries, Parks, Water and Environment (2015), or any subsequent revisions.
- 3 In the event that a Tasmanian devil den(s) is located, a Den Decommissioning Plan must be submitted to the Director for approval, prior to construction commencing.
- 4 A report outlining the findings of the surveys must be submitted to the Director, prior to construction commencing.

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 Spill kits

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

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 the greater of:
 - 1.1 5 dB(A) above the L_{A90} of all other noise; or

1.2 35 dB(A).

- 2 L_{A90} is the A-weighted sound level that is exceeded 90% of the time.
- 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 Unless otherwise approved in writing by the Director, measured sound levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.
- 5 Unless otherwise approved in writing by the Director, all methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual.

N2 Noise modelling

- 1 Unless otherwise approved in writing by the Director, at least three months prior to construction, or by a date specified in writing by the Director, a report must be submitted to the Director for approval which contains the results of noise modelling based on the final turbine type and windfarm layout.
- 2 The report must be submitted to the Director for approval prior to construction, as a component of the Design Report.

Operations

OP1 Operation Environmental Management Plan

- 1 At least 60 days prior to the commencement of commissioning, or by a date specified in writing by the Director, an Operation Environmental Management Plan (OEMP) must be submitted to the Director for approval in writing.
- 2 Without limitation, the plan must include details of the following:
 - 2.1 mitigation measures to minimise operational impacts to threatened avian fauna;
 - 2.2 mitigation measures to minimise operational impacts to threatened non-avian fauna, in particular measures to reduce the potential risks from vehicle collisions and habitat clearance, in accordance with DPEMP commitments;
 - 2.3 management of environmentally hazardous materials;
 - 2.4 weed, pest and disease management, in particular *Batrachochytrium denerobatidis* (amphibian chytrid fungus);
 - 2.5 monitoring of rehabilitated areas post construction;
 - 2.6 complaints management;
 - 2.7 monitoring of television services in the vicinity of the wind farm;
 - 2.8 a table containing all of the major commitments made in the plan;
 - 2.9 an implementation timetable for key aspects of the plan; and
 - 2.10 a reporting program to regularly advise the Director of the results of the plan.
- 3 Operations must not commence until the Operation Environmental Management Plan has been approved by the Director, and all operations must be undertaken in accordance with the approved OEMP.
- 4 In the event that the Director, by notice in writing to the person responsible, either approves a minor variation to the approved plan or approves a new plan in substitution for the plan originally approved, the person responsible must implement and act in accordance with the varied plan or the new plan, as the case may be.
- 5 A review of the OEMP must be submitted to the Director for approval at five yearly intervals; on the fifth anniversary of the date of the previously approved OEMP.

Schedule 3: Information

Legal Obligations

LO1 EMPCA

The activity must be conducted in accordance with the requirements of the *Environmental Management and Pollution Control Act 1994* and Regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.

LO2 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.

LO4 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.

Attachment 1 - The Land

