

ENVIRONMENTAL ASSESSMENT REPORT

Chapmans Hill Quarry

Cleveland, Ouse

Cleveland Pastoral Estates Pty Ltd

Board of the Environment Protection Authority

March 2017



Environmental Assessment Report	
Proponent	Cleveland Pastoral Estates Pty Ltd
Proposal	Quarry and Materials Handling
Location	Chapmans Hill, 'Cleveland', 7619 Lyell Highway, Ouse
NELMS no.	PCE 9626
Permit application no.	DA 2016/61 (Central Highlands Council)
Folder	250832
Document.	H662502
Class of Assessment	2A

Assessment process milestones	
23/11/16	Permit application submitted to Council
1/12/16	Application received by Board
13/1/17	EER Guidelines issued
21/1/17	Start of public consultation period
4/2/17	End of public consultation period

Acronyms	
Board	Board of the Environment Protection Authority
EER	Environmental Effects Report
DPIPWE	Department of Primary Industries, Parks, Water and Environment
EIA	Environmental impact assessment
EMPC Act	<i>Environmental Management and Pollution Control Act 1994</i>
EMPCS	Environmental management and pollution control system
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>
LUPA Act	Land Use Planning and Approvals Act 1993
PCAB	Policy and Conservation Assessment Branch, DPIPWE
RMPS	Resource management and planning system
SD	Sustainable development
TSPA	<i>Threatened Species Protection Act 1995</i>

Report summary

This report provides an environmental assessment of Cleveland Pastoral Estate Pty Ltd's proposed quarry at Chapmans Hill on the 'Cleveland' property, Ouse.

The proposal involves the extraction of a maximum of 10,000 m³ of gravel and rock material, with crushing of a maximum of 5,000 m³ of the extracted material at Chapmans Hill on the 'Cleveland' property, 7619 Lyell Highway, Ouse. No blasting is proposed.

This report has been prepared based on information provided by the proponent in the Environmental Effects Report (EER). Relevant government agencies and the public have been consulted and their submissions and comments considered as part of this assessment.

Further details of the assessment process are presented in section 1 of this report. Section 2 describes the statutory objectives and principles underpinning the assessment. Details of the proposal are provided in section 3. Section 4 reviews the need for the proposal and considers the alternatives to the proposal. Section 5 summarises the public and agency consultation process. The detailed evaluation of environmental issues is contained in section 6. The report conclusions are contained in section 7.

Appendix 1 contains the environmental permit conditions for the proposal. Attachment 2 of the permit conditions contains the table of commitments from the EER.

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1 Approval process

An application for a permit under the *Land Use Planning and Approvals Act 1993* (LUPA Act) in relation to the proposal was submitted to Central Highlands Council on 23 November 2016.

The proposal is defined as a 'level 2 activity' under clauses 5(a) and 6(a)(ii) of the *Environmental Management and Pollution Control Act 1994* (EMPC Act), being a quarry and a materials handling (crushing and screening) activity. Section 25(1) of the EMPC Act required Council to refer the application to the Board of the Environment Protection Authority (the Board) for assessment under the Act. The application was received by the Board on 1 December 2016.

The assessment has been undertaken by the Director, Environment Protection Authority under delegation from the Board.

The Board required that information to support the proposal be provided in the form of an Environmental Effects Report (EER).

A draft of the EER was submitted to EPA Tasmania for comment prior to its finalisation and acceptance on behalf of the Board. The EER was released for public inspection for a 14-day period commencing on 21 January 2017. An advertisement was placed in the Mercury newspaper and a notice was placed on the EPA website. The EER was also referred at this time to relevant government agencies for comment. No public submissions were received.

2 SD objectives and EIA principles

The proposal must be considered by the Director in the context of the objectives of the Resource Management and Planning System of Tasmania (RMPS), and in the context of the objectives of the Environmental Management and Pollution Control System (EMPCS) (both sets of objectives are specified in Schedule 1 the EMPC Act). The functions of the Board are to administer and enforce the provisions of the Act, and in particular to use its best endeavours to further the RMPS and EMPCS objectives.

The Director must undertake the assessment of the proposal in accordance with the Environmental Impact Assessment Principles defined in Section 74 of the EMPC Act.

3 The proposal

The proposal site consists of a low ridgeline located north of Ouse adjacent the western side of the Lyell Highway (Figure 1). There are 2 extant quarry pits on the site (Figure 2). The EER states that the pit at the northern end of the ridge is historic whilst that at the southern end has recently been used for emergency repair associated with regional flood damage.

It is proposed to excavate material from the northern area over a period of 5 years to enable the landform to be stabilised and prepared for rehabilitation. The main excavation area and processing site is proposed to be at the southern end of the ridgeline (Figure 3).

There are high voltage transmission lines with associated towers on the site. Excavation works and associated infrastructure must be managed in compliance with Tas Networks requirements (see section B.5 of the EER).

The main characteristics of the proposal are summarised in Table 1. A detailed description of the proposal is provided in Part B of the EER.

Table 1: Summary of the proposal's main characteristics

Activity	
Extraction of a maximum of 10,000 m ³ of rock product per year including crushing and/or screening of a maximum of 5000 m ³ of the material extracted per year.	
Location and planning context	
Location	Chapmans Hill, 'Cleveland', 7619 Lyell Highway, approximately 9km north-west of Ouse (Figure 1)
Land zoning	Rural Resource
Land tenure	Private freehold
Mining lease	Mining lease application 2026 P/M
Lease area	31 ha
Bond	\$6000 deposit for the application based on a 3 ha area of disturbance. MRT has indicated this will likely be the bond.
Existing site	
Land Use	2 extant pits are located on the land (Figure 2). The northern quarry area is disused. The southern quarry area has been recent activity and contains stockpiled material. The site is otherwise agricultural land.
Infrastructure	High voltage electricity transmission line traverse the site along the ridgeline.
Topography	The proposed quarry footprint is located along the west side of a small ridge at the base of Chapmans Hill, parallel and west of the Lyell Highway. The ridge rises from approximately 210m AHD at the southern entrance to the site to 290m at its highest point. The crest of Chapmans Hill is at 400m AHD and is located approximately 1km further west.
Geology	Described in the EER as tertiary basalt with related pyroclastic rocks.
Soils	Described in the EER as shallow clay loam derived from <i>in situ</i> weathering of the Basalt. Land capability is mapped as class 5.

Hydrology	<p>The mining lease crosses 3 small catchments of the Dee River to the east. A drainage channel runs along the western edge of the proposed quarry footprint draining to the Dee south of the site.</p> <p>The northern and southern excavation areas are located in separate catchments. The northern area drains eastward, whilst the southern area drains south and east</p>
Fauna	The EER states that no threatened fauna species, listed under the <i>Threatened Species Protection Act 1995</i> (TSPA), were observed on the site and that no dens (eg wombat) were present.
Flora	<p>The site is composed of agricultural land. The EER states that no threatened flora species are present on the site.</p> <p>The presence of the Horehound, a Declared Weed under the <i>Weed Management Act 1999</i>, was noted. Thistles are also likely to occur on the site.</p>
Local region	
Climate	<p>Summary data from the Ouse fire station weather station is provided in the EER. Mean monthly rainfall varies from as low as 25mm from January to April, to a maximum of over 65mm in September.</p> <p>Annual wind roses for 9am and 3pm are provided which show winds are predominantly from the north and north west and between 10 and 30 km/hr. Seasonal breakdowns are not provided.</p>
Surrounding land zoning, tenure and uses	<p>Surrounded by land zoned Rural Resource. All surrounding land is privately owned and used for agricultural purposes. The EER reported that this consists mainly of grazing with some cropping.</p> <p>The nearest residential dwellings are located well in excess of 1000m from the mining lease boundary.</p>
Species of conservation significance	<p>The following Threatened Species are noted in the region:</p> <ul style="list-style-type: none"> • Tasmanian devil (<i>Sarcophilus harrisi</i>) (EER). • eastern quoll (<i>Dasyurus viverrinus</i>) (EER). • anchor plant (<i>Discaria pubescens</i>) (EER). • dagger wattle (<i>Acacia siculiformis</i>) (PCAB).
Proposed infrastructure	
Major equipment	<ul style="list-style-type: none"> • Crusher Mobile unit, Terex Pegson AX 846; • Screen Vibratory Sizing Screen RD 90; • Loader Komatsu WA350; • Excavator 30 Tonne, SK250; and • Dozer Cat D6H.
Other infrastructure	An existing 2 ML dam on the land is to be used for sediment control.
Inputs	
Water	From the dam located on the site for general dust suppression.
Energy	Diesel for operating machinery. No permanent fuel storage on site proposed.
Other raw materials	None significant.
Wastes and emissions	
Liquid	Northern pit drainage to be via seepage with an existing overflow pond at the pit outlet.

	Southern drainage to be directed to the existing on site dam.
Atmospheric	Dust from internal and external traffic, and blow-off from stockpiles.
Solid	General refuse including food scraps, paper and packaging. Machinery will generally not produce waste as servicing is not proposed to occur on the site.
Controlled wastes	No significant quantities.
Noise	From screening equipment, excavator on site, and vehicles on site and going to and from the site.
Greenhouse gases	From on-site machinery. No assessment is made in the EER of net greenhouse gas emission rates.
Construction and operations	
Proposal timetable	The EER proposes in effect an immediate commencement of operations. The Northern pit is expected to be fully excavated and rehabilitated within 5 years. Figure 2 shows the 5 year excavation footprints outlined in black.
Operating hours (ongoing)	0600 to 1900 hours Monday to Friday 0800 to 1600 hours Saturday and Sunday, with cartage extended to 0600 to 1700 hours

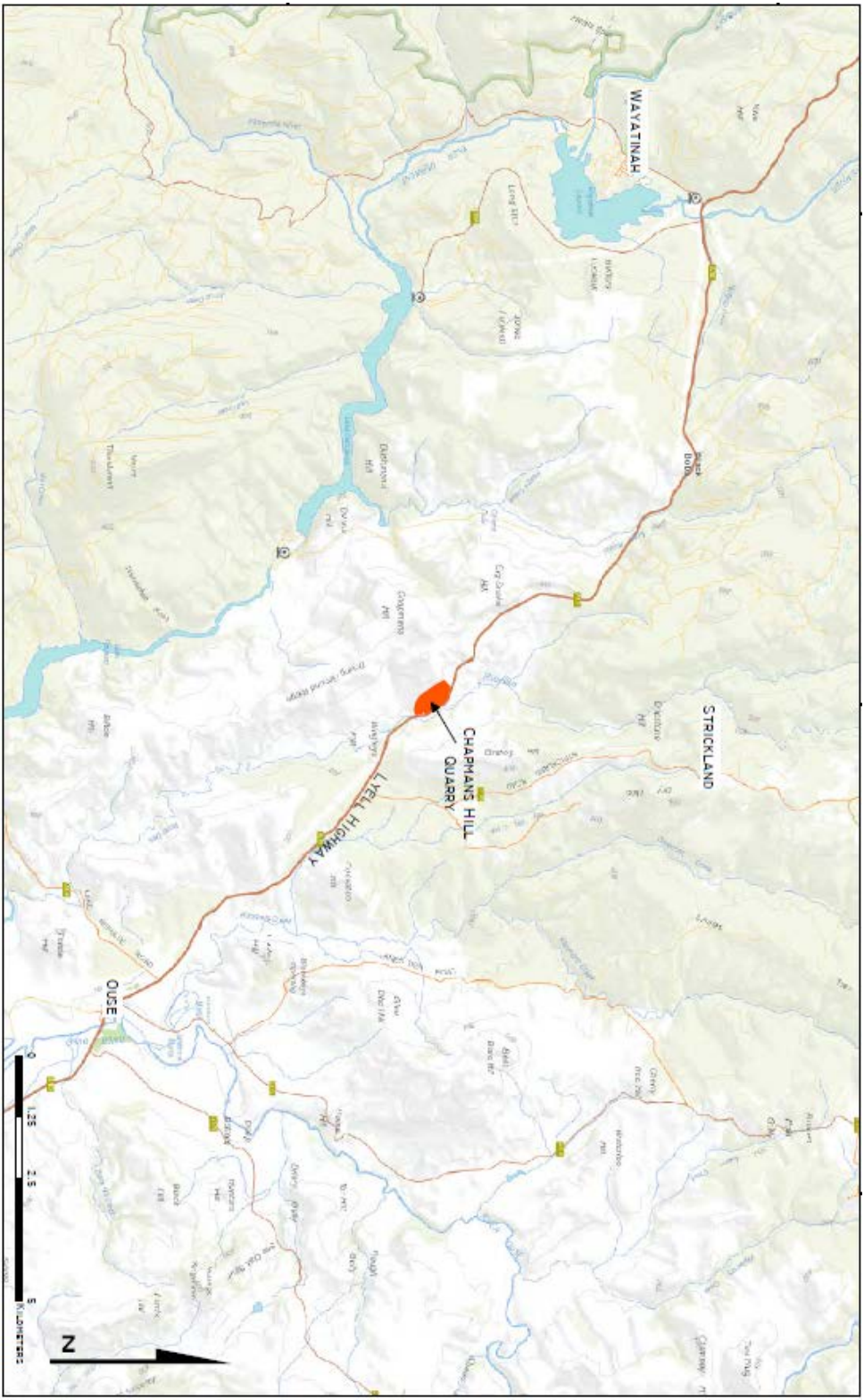


Figure 1: Site location (from Figure A-1 of the EER)

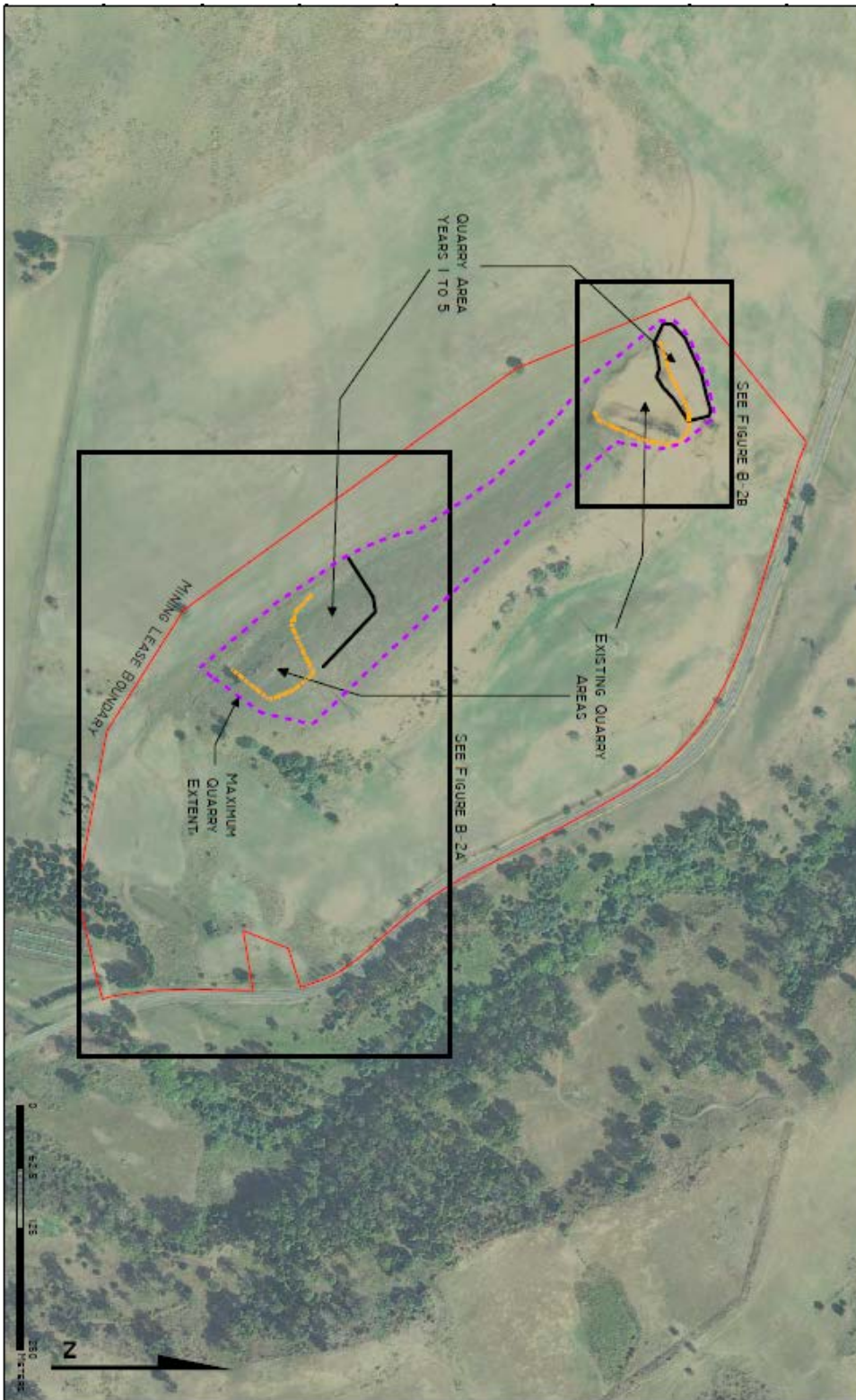


Figure 2: Quarry footprint (from Figure B-1 of the EER)

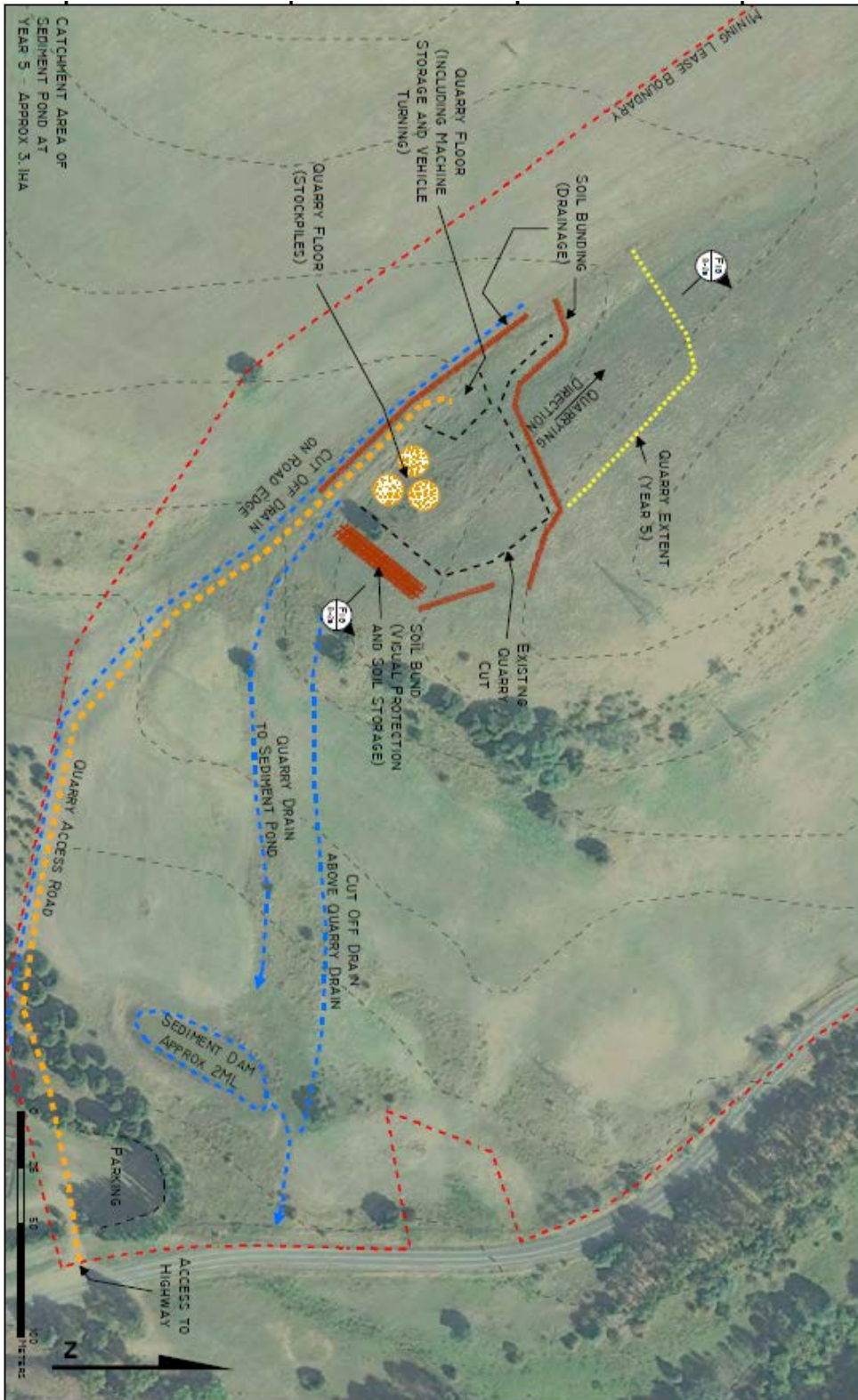


Figure 3: Quarry plan (southern area) (from Figure B-2a of the EER)

4 Need for the proposal and alternatives

Section A.4 of the EER States that:

“The quarry is geographically located in an area where there are several demands for gravel and rock material – roadworks, driveways, construction of buildings and farm infrastructure.”

The EER states that the reason for further excavation at the northern pit is to enable rehabilitation of this area.

5 Public and agency consultation

No public representations were received.

The EER was referred to a number of government agencies/bodies with an interest in the proposal. The following responses were received:

- Tasmanian Networks Pty Ltd – Stated they had been advising the proponent directly and had provided comment directly to the proponent’s consultant.
- Mineral Resources Tasmania – Noted the presence of the transmission towers.

The following Divisions/areas of the Department of Primary Industries, Parks, Water and Environment also provided submissions on the EER:

- Aboriginal Heritage Tasmania (AHT)- recommended an Aboriginal Heritage Investigation be conducted.
- Policy and Conservation Advice Branch (PCAB) – recommended a survey be carried out in accordance with DPIPW’s Guidelines for Natural Values Assessments.
- Water Management Branch – advised that there was no requirement to refer the existing farm dam to ACDC for approval as a sediment retention pond.

The Proponent addressed the comments received as follows:

- AHT – The proponent committed to carrying out an Aboriginal Heritage Investigation (Commitment 7).
- PCAB – additional information was provided regarding habitat suitability for identified threatened species, as discussed under Issue 1 below.

6 Evaluation of environmental issues

The environmental issues considered relevant to the proposal have been evaluated by the EPA Tasmania. Details of this evaluation, along with the permit conditions required by the Director, are discussed below.

Issue 1: Flora, fauna and habitat
Description of potential impacts
<p>Section D7 of the EER provides details of site vegetation and potential for threatened species, listed under the TSPA, to be present on site.</p> <p>It is noted that the site is comprised of agricultural land.</p> <p>It is noted that there are nearby records of the threatened flora species the anchor plant (<i>Discaria pubescens</i>). It is reported that no threatened flora species were observed on the site in September 2016</p> <p>It is noted that there are nearby records of the threatened fauna species the Tasmanian devil and eastern quoll. It is reported that no threatened fauna species were observed on site in September 2016 and that no dens or burrows were present.</p> <p>The presence of the weed Horehound (<i>Marrubium vulgare</i>) was noted. The presence of thistles on the site was also considered likely.</p>
Management measures proposed in EER
Commitment 2 and 3: A Weed and Pathogen Management Plan will be prepared and implemented.
Public and agency comment
<p>PCAB listed the threatened species dagger wattle (<i>Acacia siculiformis</i>) and the Tasmanian devil as being recorded within 5km of the site. A Survey in accordance with DPIPWEs Guidelines for Natural Values Assessments was recommended accordingly.</p> <p>Additional information to address PCABs comment was requested. The proponent's Consultant indicated that no survey was necessary. The following information was provided by email on 14 March 2017 as justification:</p> <ul style="list-style-type: none"> • In relation to the presence of Devil dens - It is stated that the site is a basalt landscape with shallow bedrock [inferring dens are unlikely]. • In relation to the dagger wattle – It is stated that this species can occur on agricultural land where sheltered from grazing. It is noted the site has been heavily grazed and does not have typical habitat for the species. Furthermore, at the time of the site assessment by the proponents' consultant the wattle would have been in flower and easily observable.
Evaluation
<p>On the basis of the additional information provided by the proponent it is considered that the potential for the threatened species identified by PCAB to be impacted by the proposal is low. It is thus agreed that no formal survey for threatened species is required.</p> <p>Commitments 2 and 3 regarding weed management are appropriate and a Weed and Pathogen Management Plan is required by condition FF1.</p>
Conclusion
<p>The proponent is required to comply with condition:</p> <p>FF1 Weed management.</p> <p>The commitments made by the proponent are included with the attached conditions under</p>

Issue 2: Stormwater
Description of potential impacts
<p>Part E.3 of the EER discusses surface water drainage management.</p> <p>Two existing pits are present on the site. The northern pit drains eastwards. The southern pit is in a separate catchment that drains southwards then eastwards. Drainage reports eventually to the Dee River east of the site.</p> <p>An existing dam with a volume of 2ML is located down slope of the southern pit. A determination of the required sediment pond size for the southern catchment is included as Appendix 5 of the EER. Assuming a total disturbance area of 3.1 ha it was calculated that a pond size of 1.6 ML would be sufficient, assuming annual cleanout.</p>
Management measures proposed in EER
<p>Commitment 5: The sediment retention pond sedimentation rates will be monitored and the pond cleaned out as necessary.</p> <p>Sections E3.1 and E3.2 of the EER state that:</p> <ul style="list-style-type: none"> • The northern pit does not require the installation of specific sediment control infrastructure because it has a large internal volume and the subsurface is very porous. • Drainage from the southern pit will be controlled and directed to the existing on site dam using bunds, cut off drainage and internal drains.
Public and agency comment
<p>The Water Management Branch, DPIPW stated that referral of the dam was not required under the <i>Water Management Act 1999</i>.</p> <p>EPA Tasmania regulatory officers were satisfied a specific settlement pond was not necessary for the northern pit on the basis of the works proposed.</p>
Evaluation
<p>The northern pit is a short term pit, the excavation of which is reported as necessary to achieve a landform suitable for rehabilitation. Rainfall in the region is generally low and the existing pit floor is more than adequate for retention and settling of sediment. In addition, should water pool within the pit area, the southern pit area is available for ongoing operations.</p> <p>The southern pit is a long term excavation area and includes processing, stockpiling and car parking facilities. Measures in relation to containment and treatment of stormwater (including commitment 5) are appropriate and required by conditions SW1, SW2 and SW3. Condition G6 requiring compliance with the Quarry Code of Practice is generally relevant, for instance, in relation to quarry planning.</p>
Conclusion
<p>The proponent is required to comply with conditions:</p> <p>G6 Quarry code of practice.</p> <p>SW1 Perimeter drains.</p> <p>SW2 Stormwater management.</p> <p>SW3 Maintenance of settling ponds.</p> <p>The commitment made by the proponent is included with the attached conditions under Schedule 3 clause O12.</p>

Issue 3: Noise
Description of potential impacts
<p>Noise management is discussed in Part E.5 of the EER.</p> <p>It is noted that the nearest residence is well in excess of 1km from the boundary of the site. In addition, significant noise sources, such as excavation works, and crushing and screening plant will be located well within the site boundary increasing point to point separation distance. No blasting is proposed.</p> <p>It is noted that typical rural noises and road vehicle noises would constitute the background noise environment. It is considered that the activity is unlikely to cause a nuisance particularly with a restriction of operating hours such that no noise generating works would occur in the late evening or very early morning.</p>
Management measures proposed in EER
<p>Commitment 6: The proponent's commitment to the operating hours specified in Table 1 of this report.</p> <p>Section E.5.4 of the EER states that machinery will be maintained to reduce the risk of generating excessive noise.</p>
Public and agency comment
<p>The EPA Tasmania Noise Specialist considered no specific conditions relating to noise were required.</p>
Evaluation
<p>The proposed operating hours vary from those listed in the quarry code of practice. Given the lack of nearby sensitive receptors and the use of a Highway road corridor to transport materials, the proposed extended operating hours are acceptable. Compliance with these hours is required by condition G7.</p>
Conclusion
<p>The proponent is required to comply with condition:</p> <p>G7 Operating hours.</p> <p>The commitment made by the proponent is included with the attached conditions under Schedule 3 clause O12.</p>

Issue 4: Dust
Description of potential impacts
<p>Part E.1 of the EER discusses dust source and management.</p> <p>Potential dust sources are listed as:</p> <ul style="list-style-type: none"> • The ripping of rock. • The removal of vegetative cover and the stripping of topsoil. • The movement of rock and gravel within the quarry. • Crushing and/screening. • Road use. • Stockpiles. <p>The EER states a mobile crusher will be used which is installed with dust control measures (covered chute and water sprayers). It is also stated that water will be available on site for general dust suppression.</p> <p>Trucks may generate dust from gravel surfaces. The maximum number of trucks that may arrive at the site is estimated at 17 per day during peak campaign periods, which are estimated to be for a maximum duration of 6 days (Part B.6 of the EER).</p>
Management measures proposed in EER
<p>Commitment 1: The proponent has listed the following measures that will be used to suppress dust:</p> <ul style="list-style-type: none"> • Watering of internal roads. • Retention of vegetation along access road corridor. • Water pumped to the crusher from the sediment retention pond. • Retention of native vegetation around the quarry working area • Minimisation of areas of exposed soil.
Public and agency comment
None
Evaluation
<p>The quarry is of relatively small scale with no nearby neighbours. Nevertheless, some potential exists to generate dust plumes during operations, and from stockpiles, that may drift across the Lyell Highway and thereby cause a nuisance. This is more likely given the predominant wind directions in the region.</p> <p>The controls listed in the EER are appropriate (Commitment 1). Condition A1 requires mitigation of the potential for dust generation from carted materials. Condition A2 requires that the potential for environmental nuisance to be caused by dust generation at the site is mitigated.</p>
Conclusion
<p>The proponent is required to comply with conditions:</p> <p>A1 Covering of vehicles.</p> <p>A2 Control of dust emissions.</p> <p>The commitment made by the proponent is included with the attached conditions under Schedule 3 clause O12.</p>

Issue 5: Hazardous materials and waste
Description of potential impacts
<p>Solid and control waste management is discussed in section E.9 of the EER.</p> <p>Machinery will not be serviced on site, nor will there be any storage of hazardous materials. Nevertheless, there is the potential for the generation of minor quantities of oily waste and minor spills of fuel and oil as a result of incidents accidents and malfunctions.</p> <p>Minor quantities of general waste may be produced.</p>
Management measures proposed in EER
<p>Commitment 4: Fuels and oils to be stored in a mobile bund on site and refuelling to be carried out using a mobile bund.</p> <p>Commitment 8: Only emergency repairs to occur onsite. Wastes to be disposed of at a permitted refuse disposal site</p> <p>Commitment 9: General waste to be kept in bins and disposed of fortnightly at an appropriate refuse disposal site.</p> <p>Commitment 10: Fuel and oil to be stored at least 10m from any drain. In addition, bund capacity to be 1.5x container volume.</p> <p>Commitment 11: A hydrocarbon spill kit will be available on site and maintained.</p>
Public and agency comment
None
Evaluation
<p>The proposed management measures are appropriate. General requirements in relation to storage and handling of hazardous materials (condition H1) and the provision of spill kits on site (condition H2) are imposed.</p> <p>The principles of the waste management hierarchy are general relevant and included as information schedule O13.</p>
Conclusion
<p>The proponent is required to comply with conditions:</p> <p>H1 Storage and handling of hazardous materials.</p> <p>H2 Spill kits.</p> <p>The commitments made by the proponent are included with the attached conditions under Schedule 3 clause O12. A summary of waste management principles is included as Schedule 3 clause O13.</p>

Issue 6: Decommissioning and rehabilitation
Description of potential impacts
<p>Rehabilitation and Decommissioning Procedures are discussed as Part G of the EER</p> <p>Progressive rehabilitation is proposed. Excavation works in the north pit are to ensure a stable landform suitable for rehabilitation is generated. The proposed area to be in a disturbed state at any one time is stated as 3 ha.</p> <p>Excessive disturbance without rehabilitation increases potential erodability and degradation of downstream land and water.</p>
Management measures proposed in EER
Commitment 12: In the event of permanent closure a Decommissioning and Rehabilitation plan (DRP) will be developed and submitted to the EPA for approval.
Public and agency comment
MRT confirmed by telephone the area of disturbance included in the mining lease application is 3 ha.
Evaluation
<p>The existing northern pit is steep walled and perched. Slope contouring is necessary to mitigate the long term potential for slumping and sediment erosion and transport. The proposed excavation and rehabilitation works in the area are appropriate.</p> <p>The proponent's commitment to develop a DRP is considered appropriate. Standard conditions are imposed in relation to decommissioning and rehabilitation (conditions DC1 – DC5).</p>
Conclusion
<p>The proponent is required to comply with conditions:</p> <p>DC1 Notification of cessation.</p> <p>DC2 Stockpiling of surface soil.</p> <p>DC3 Progressive rehabilitation.</p> <p>DC4 Rehabilitation on cessation.</p> <p>DC5 Temporary suspension of activity.</p> <p>The commitment made by the proponent is included with the attached conditions under Schedule 3 clause O12.</p>

7 Report conclusions

This assessment has been based on the information provided by the proponent, Cleveland Pastoral Estates Pty Ltd, in the permit application, EER, and in correspondence and discussion between the EPA Division and the proponent's representatives.

This assessment has incorporated specialist advice provided by EPA Division scientific specialists and regulatory staff, and other Divisions of DPIPWE.

It is concluded that:

1. the RMPS and EMPCS objectives have been duly and properly pursued in the assessment of the proposal; and
2. the assessment of the proposed activity has been undertaken in accordance with the Environmental Impact Assessment Principles.

It is concluded that the proposed activity is capable of being managed in an environmentally acceptable manner such that it is unlikely that the objectives of the *Environmental Management and Pollution Control Act 1994* (the RMPS and EMPCS objectives) would be compromised, provided that the Permit Conditions - Environmental No. 9626 appended to this report are imposed and duly complied with, including commitments made by the proponent in the EER.

8 Report approval

Environmental Assessment Report and conclusions, including permit conditions, adopted:



Wes Ford

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
Acting under delegation from the Board of the Environment Protection Authority

Date: 16 March 2017

9 References

Van Diemen Consulting, for Cleveland Pastoral Estates Pty Ltd; *Chapmans Hill Quarry, Ouse, Central Highlands - Environmental Effects and Planning Report*, Newtown, TAS (6/01/2017).

Appendix 1 Permit conditions - Environmental

PERMIT PART B
PERMIT CONDITIONS - ENVIRONMENTAL No. 9626

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

Activity: **The operation of a quarry and materials handling facility (ACTIVITY TYPE: Crushing, grinding, milling or separating into different sizes (rocks, ores or minerals))**
CHAPMANS HILL QUARRY, 7619 LYELL HWY
OUSE TAS 7140

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: **CENTRAL HIGHLANDS**
Permit Application Reference: **DA2016/61**
EPA file reference: **250832**

Date conditions approved: 16 March 2017

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

Attachment 1: The Land (modified: 15/03/2017 14:54).....	1 page
Attachment 2: Commitments (modified: 09/03/2017 10:03).....	1 page

Schedule 1: Definitions

In this Permit Part B:-

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

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.

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.

Quarry Code Of Practice means the document of this title published by the Department of Primary Industries, Water and Environment and the Department of Infrastructure, Energy and Resources in June 1999, and includes any subsequent versions 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 mining lease application 2026P/M, as delineated on attachment 1.

Threatened Species means species listed under the *Nature Conservation Act 2002*, the *Threatened Species Act 1995* or the *Wildlife Regulations 1999*.

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

Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits

- 1 The activity must not exceed the following limits :
 - 1.1 5,000 cubic metres per year of rocks, ores or minerals processed.
 - 1.2 10,000 cubic metres per year of rock 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 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 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*.

G7 Operating hours

- 1 Unless otherwise approved by the Director, activities associated with the extraction of rock, gravel, sand, clay or minerals, and screening/crushing must not be undertaken outside the hours of 0600 hours to 1900 hours on weekdays and 0800 hours to 1600 hours on Saturdays and Sundays.
- 2 Unless otherwise approved by the Director, activities associated with loading and carting of product must not be undertaken outside the hours of 0600 hours to 1900 hours on weekdays and 0600 hours to 1700 hours on Saturdays and Sundays.
- 3 Notwithstanding the above paragraph, activities must not be carried out on public holidays that are observed Statewide (Easter Tuesday excepted).

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.

Decommissioning And Rehabilitation**DC1 Notification of cessation**

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

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 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 3ha.

DC4 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.

DC5 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.

Flora And Fauna

FF1 Weed management

- 1 Within 6 months of the date on which these conditions take effect, or by a date otherwise specified in writing by the Director, a Weed & Disease Management Plan must be submitted to the Director for approval. This requirement will be deemed to be satisfied only when the Director indicates in writing that the submitted document adequately addresses the requirements of this condition to his or her satisfaction.
- 2 The plan must be consistent with the Washdown Guidelines, or any subsequent revisions of that document.
- 3 The person responsible must implement and act in accordance with the approved plan.
- 4 In the event that the Director, by notice in writing to the person responsible, either approves a minor variation to the approved plan or approves a new plan in substitution for the plan originally approved, the person responsible must implement and act in accordance with the varied plan or the new plan, as the case may be.

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 located 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 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.

Stormwater Management

SW1 Perimeter drains

- 1 Perimeter cut-off drains 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 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 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 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.

SW3 Maintenance of settling ponds

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

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 Aboriginal relics requirements

- 1 The *Aboriginal Relics Act 1975*, provides legislative protection to Aboriginal heritage sites in Tasmania regardless of site type, condition, size or land tenure. Section 14(1) of the Act states that; Except as otherwise provided in this Act, no person shall, otherwise than in accordance with the terms of a permit granted by the Minister on the recommendation of the Director of National Parks and Wildlife:
 - 1.1 destroy, damage, deface, conceal or otherwise interfere with a relic;
 - 1.2 make a copy or replica of a carving or engraving that is a relic by rubbing, tracing, casting or other means that involve direct contact with the carving or engraving;
 - 1.3 remove a relic from the place where it is found or abandoned;
 - 1.4 sell or offer or expose for sale, exchange, or otherwise dispose of a relic or any other object that so nearly resembles a relic as to be likely to deceive or be capable of being mistaken for a relic;
 - 1.5 take a relic, or permit a relic to be taken, out of this State; or
 - 1.6 cause an excavation to be made or any other work to be carried out on Crown land for the purpose of searching for a relic.
- 2 If a relic is suspected and/or identified during works then works must cease immediately and the Tasmanian Aboriginal Land and Sea Council and the Aboriginal Heritage Tasmania be contacted for advice before work can continue. In the event that damage to an Aboriginal heritage site is unavoidable a permit under section 14 of the *Aboriginal Relics Act 1975* must be applied for. The Minister may refuse an application for a permit, where the characteristics of the relics are considered to warrant their preservation.
- 3 Anyone finding an Aboriginal relic is required under section 10 of the Act to report that finding as soon as practicable to the Director of National Parks and Wildlife or an authorized officer under the *Aboriginal Relics Act 1975*. It is sufficient to report the finding of a relic to Aboriginal Heritage Tasmania to fulfil the requirements of section 10 of the Act.

Other Information

OI1 Notification of incidents under section 32 of EMPCA

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

OI2 Commitments

The person responsible for the activity has a general environmental duty to conduct the activity in accordance with the commitments contained in Attachment 2.

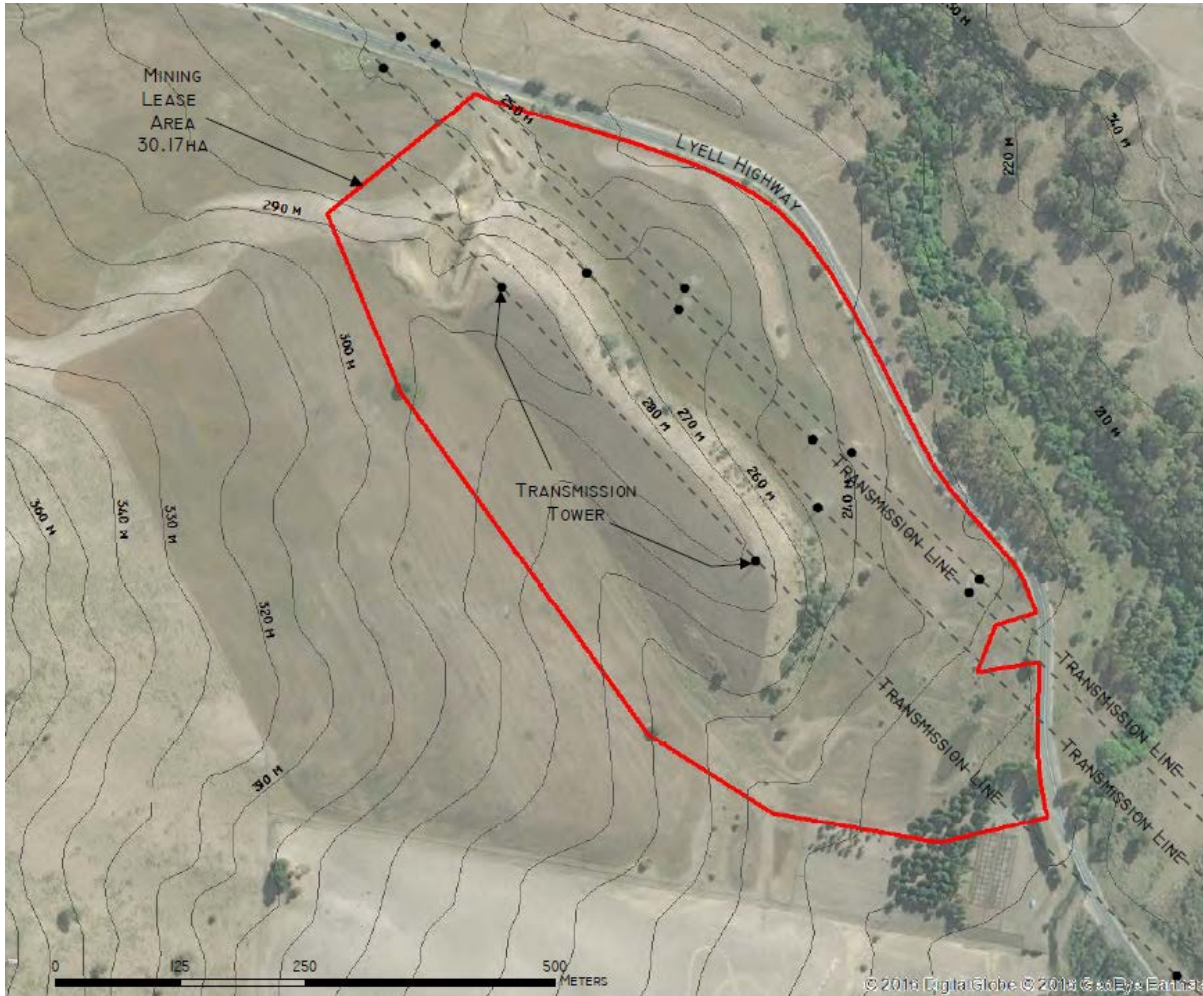
OI3 Waste management hierarchy

- 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.

ATTACHMENT 1: THE LAND

Mining Lease Application 2026 P/M

(Outlined in red)



ATTACHMENT 2: COMMITMENTS

1. General measures that will be used to suppress dust if it does occur include the following industry environmental practices for quarries:
 - Watering of internal roads as required during dry and windy conditions using a water cart (water accessed from the on-site dam) to be used for stormwater/sediment control;
 - Retention of vegetation along the access road corridor where possible;
 - Water supplied to the crusher via a pipeline and pump located at the dam;
 - Retention of native vegetation around the quarry working area to reduce the likelihood of strong winds liberating fine particles into the air; and
 - Minimising the geographic extent of areas of exposed soil.
2. A Weed and Pathogen Management Plan will be prepared and implemented for the life of the quarry activity.
3. The risk of introducing *Phytophthora cinnamomi* to the quarry, and its potential spread to other quarries, will be managed by a Weed and Pathogen Management Plan.
4. Fuels or oils will be stored in a bund when on-site and all refuelling of quarry equipment will be carried out using a suitably sized mobile bund.
5. Sediment accumulation rates in the sediment pond will be monitored and the maintenance program revised as required. Accumulated sediment will be reused as part of the saleable product or for application onto disused areas as part of site rehabilitation.
6. Operating hours will be those described in Table 3 [of the EER].
7. An Aboriginal heritage investigation will be conducted by the applicant in accordance with the request made by AHT.
8. No machinery servicing, except for emergency repairs or service requirements, will be conducted within the quarry. Wastes generated from machinery repairs will be disposed of in an appropriate bin located near the site office for future disposal at a permitted refuse disposal site.
9. Waste generated by workers from general refuse (eg lunch wrappers) at the quarry will be collected in waste bins provided on-site for general refuse. These will be emptied at least once per fortnight and the material disposed of at a permitted refuse disposal site.
10. When in the quarry, fuel and oil containers will be stored at least 10 m from any drain or sediment pond and are bunded (moveable bunds) to a capacity at least 1.5 times the volume of the container.
11. One hydrocarbon spill kit will be stored at the quarry to use in the event of a spillage. Staff will be trained in how to use the kit and the kit will be replaced as and when required.
12. In the event of permanent closure of the facility prior to complete extraction of the resource a detailed Decommissioning and Rehabilitation Plan will be developed and submitted to the EPA for approval.