ENVIRONMENTAL ASSESSMENT REPORT

Peppermint Hill Quarry – Increase in Production

Tierney’s Road, Mengha, 13km south-east of Smithton

Forestry Tasmania

The Board of the Environment Protection Authority
June 2013
### Environmental Assessment Report

<table>
<thead>
<tr>
<th>Proponent</th>
<th>Forestry Tasmania, Murchison District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal</td>
<td>Peppermint Hill Quarry – Increase in Production</td>
</tr>
<tr>
<td>Location</td>
<td>Tierney’s Road, Mengha, Tipunah State Forest, 13km SE of Smithton</td>
</tr>
<tr>
<td>NELMS no.</td>
<td>EPN 8685/1</td>
</tr>
<tr>
<td>File</td>
<td>EN-EM-EV-DE-112467</td>
</tr>
<tr>
<td>Class of Assessment</td>
<td>2B</td>
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</table>

### Assessment process milestones

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>24/11/2011</td>
<td>Notice of Intent submitted</td>
</tr>
<tr>
<td>13/1/2012</td>
<td>EER Guidelines issued</td>
</tr>
<tr>
<td>18/12/2012</td>
<td>Application received by Board</td>
</tr>
<tr>
<td>26/1/2013</td>
<td>Start of public consultation period</td>
</tr>
<tr>
<td>24/2/2013</td>
<td>End of public consultation period</td>
</tr>
<tr>
<td>10/5/2013</td>
<td>Supplementary information submitted to Board</td>
</tr>
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</table>

### Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>Board</td>
<td>Board of the Environment Protection Authority</td>
</tr>
<tr>
<td>DPIPWE</td>
<td>Department of Primary Industries, Parks, Water and Environment</td>
</tr>
<tr>
<td>EER</td>
<td>Environmental Effects Report</td>
</tr>
<tr>
<td>EIA</td>
<td>Environmental impact assessment</td>
</tr>
<tr>
<td>EMPC Act</td>
<td><em>Environmental Management and Pollution Control Act 1994</em></td>
</tr>
<tr>
<td>EPBC Act</td>
<td><em>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</em></td>
</tr>
<tr>
<td>FPP</td>
<td>Forest Practices Plan</td>
</tr>
<tr>
<td>LUPA Act</td>
<td><em>Land Use Planning and Approvals Act 1993</em></td>
</tr>
<tr>
<td>SD</td>
<td>Sustainable development</td>
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Report summary

This report provides an environmental assessment of Forestry Tasmania’s proposed increase in production at the Peppermint Hill Quarry, located approximately 13 kilometres south east of Smithton.

The proposal involves the increase in production at an existing Forestry Tasmania quarry from a maximum extracted amount of hard rock of 5,000 cubic metres per annum and crushed amount of 1,000 cubic metres per annum, up to a maximum extracted amount of 19,500 cubic metres extracted and 2,000 cubic metres per annum crushed. The quarry is located within State Forest and supplies small quantities of crushed material for road maintenance and construction on State Forest roads in and around the Smithton area. The quarry operates under an approved Forest Practices Plan.

This report has been prepared based on information provided by the proponent in the appropriate Forest Practices Plan (FPP) and supporting documentation (hereafter referred to as the Environmental Effects Report, or EER). The advice of relevant Government Agencies and the public has also been sought and considered as part of this assessment.

On 27 February 2013, the Director requested that the applicant submit supplementary information to address Council comments on the EER. The supplementary information was submitted on 10 May 2013.

Background to the proposal and details of the assessment process are presented in Section 1 of this report. Section 2 describes the context of this assessment. Details of the proposal are contained in Section 3. Section 4 reviews the need for the proposal and considers the project, site and design alternatives. Section 5 summarises the public and Agency consultation process and the key issues that were raised in that process. The detailed evaluation of key issues is contained in Section 6. Section 7 identifies other environmental issues and the report conclusions are contained in Section 8.

Appendix 1 contains a tabular evaluation of other environmental issues referred to in Section 7. Appendix 2 contains a summary of issues raised in the consultation process. Appendix 3 contains environment protection notice (EPN) conditions for the proposal.
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The proponent submitted a Notice of Intent to the Board in relation to the proposal on 24 November 2011. The proposal is defined as a ‘level 2 activity’ under Schedule 2 Subsection 6(a)(ii) of the Environmental Management and Pollution Control Act 1994 (EMPC Act), being the crushing, grinding or milling of rock, ores or minerals at a rate in excess of 1,000 cubic metres per year.

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

The Board required that additional information to support the proposal be provided in the form of an Environmental Effects Report prepared in accordance with guidelines issued by the Board, which were issued to the proponent on 13 January 2012.

A final EER was submitted to the EPA Division on 18 December 2012. The EER was released for public inspection for a 28-day period commencing on 26 January 2013. Advertisements were placed in The Advocate newspaper and on the EPA website. The EER was also referred at this time to relevant government agencies for comment. No public submissions were received.

On 27 February 2013, the Director requested that the proponent prepare a Supplement to address Council comments on the EER. The Supplementary information was submitted on 10 May 2013.
2 SD objectives and EIA principles

The proposal must be considered by the Director in the context of the sustainable development 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) established by 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 protect the environment of Tasmania, and 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 main characteristics of the proposal are summarised in Table 1.

Table 1: Summary of key proposal characteristics

<table>
<thead>
<tr>
<th>Activity</th>
<th>Extraction of up to 19,500 cubic metres and crushing of up to 2,000 cubic metres per annum of hard rock, for use on State Forest road building and maintenance projects in the Smithton area.</th>
</tr>
</thead>
</table>
| Location and planning context | Location
Approximately 13 kilometres south east of Smithton and 8 kilometres south of the township of Forest, at Tierney’s road, South Forest, forest coupe TP041B. Within State Forest (Murchison District) on Lileah 3446 map sheet at 350400 mE – 5468000 mN. 
Land zoning
Forest Resources zone, Circular Head S.46 Planning Scheme No. 1, 1995 
Land tenure
State Forest 
Mining lease
A mining lease is not required as material used is contained on the landowner’s property and will not be sold to outside parties as a commercial venture. |
| Existing site | Land Use
Forestry. The existing quarry is on a 10 hectare site and supplies a small quantity of crushed rock for road maintenance and construction on Forestry roads around Smithton. The quarry site is located in an area of regrowth forest. 
Topography
The quarry sits in an elevated position in the landscape on the northern slopes of Peppermint Hill on a moderate slope. The surrounding landscape is characterised by rolling hills managed for agriculture (cropping and grazing) or forestry (plantation and native forest). 
Geology
Precambrian mudstones/quartzites. 
The quarry is in a Category B karst area (karst area NW30/31/32/33 as indicated in An Atlas of Tasmanian Karst¹). 
Soils
Mottled grey stony soils of moderate soil erodibility. 
Hydrology
The quarry is located high in the landscape and is not immediately adjacent to any waterways. Minor tributaries of East Creek are to the east and south east of the site. 
Fauna
The quarry is in the potential range of a number of priority species but no suitable habitat exists on the site. 
Flora
Dry *Eucalyptus nitida* forest. No sites of potential significance for flora found at the quarry site. |

## Local region

<table>
<thead>
<tr>
<th>Climate</th>
<th>Mean annual rainfall at the nearby weather station at South Forest (Plummers Road) is 1059 mm.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surrounding land and uses</td>
<td>Forestry and agriculture.</td>
</tr>
<tr>
<td>Species of conservation significance</td>
<td>Giant Freshwater Crayfish (listed as Vulnerable under the Threatened Species Protection Act 1995) has been recorded at East Creek approximately 2.5 kilometres to the south east of the quarry site. The quarry is in the potential range of a number of priority species (Quolls, Masked owl, Northwest velvet worm, Hydrobiid snails, Grey Goshawk, Keeled snail, Eastern barred bandicoot, Giant freshwater crayfish, and Wedge-tailed eagle), however none have been recorded on site or within 2.5 km of the site. No flora of conservation significance has been recorded at the quarry site, or within 1.3 km of the quarry.</td>
</tr>
</tbody>
</table>

## Proposed infrastructure

<table>
<thead>
<tr>
<th>Major equipment</th>
<th>Drilling and blasting equipment as required. Mobile crushing plant as required. Excavators and front wheeled loaders, and supporting vehicles.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other infrastructure</td>
<td>N/A</td>
</tr>
</tbody>
</table>

## Inputs

<table>
<thead>
<tr>
<th>Water</th>
<th>Minimal water usage for dust suppression.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy</td>
<td>Diesel fuel to power machinery.</td>
</tr>
<tr>
<td>Other raw materials</td>
<td>N/A</td>
</tr>
</tbody>
</table>

## Wastes and emissions

<table>
<thead>
<tr>
<th>Liquid</th>
<th>Stormwater runoff from extraction and stockpile areas. Quarry is 200 metres from the nearest watercourse.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atmospheric</td>
<td>Dust from extraction, crushing and gravel loading activities, and from vehicles moving to and from the site.</td>
</tr>
<tr>
<td>Solid</td>
<td>General litter.</td>
</tr>
<tr>
<td>Noise</td>
<td>Noise will be emitted from machinery operating on site to extract material, the mobile crusher, drilling and blasting, and from vehicles moving to and from the site.</td>
</tr>
<tr>
<td>Greenhouse gases</td>
<td>Given the use of diesel fuel for powering machinery and vehicles on site and transporting materials to road construction sites it is expected that a small increase in greenhouse gas emissions would result from the increase in production at this quarry.</td>
</tr>
</tbody>
</table>

## Commissioning and operations

| Operating hours | Proposed 0600 to 1700 hours, Monday to Friday, as required during harvesting/construction times. |
## Project timetable

Quarry to be used on a campaign basis, dependent on forestry and road maintenance operations. The estimated life of the quarry is 10 years.

## Other key characteristics

The older section of the quarry is currently affected by *Phytophthora cinnamomi* and there is little prospect of the site being managed to supply *Phytophthora*-free gravel. However, the newer section of the quarry, proposed for the upgrade, was considered disease-free at the last inspection. The Forest Practices Plan for the site prescribes that gravel from this quarry can only be used for non-sensitive roading operations (construction and maintenance). The gravel is suitable to be used in situations where the roading is through non-sensitive vegetation types such as agricultural land (pastures), rainforest and wet sclerophyll forest types. Further expansion of the quarry will not change the *Phytophthora* status of the quarry.
Figure 1: Regional map showing quarry location (FPP DRT0222)
Figure 2: Quarry location (FPP DRT0222)
Figure 3: Quarry site plan (FPP DRT0222).
4 Need for proposal and alternatives

The quarry has been operating below level 2 thresholds since 2005 under a certified Forest Practices Plan (DRT0222), made in accordance with the Forest Practices Act 1985, the Mineral Exploration Code of Practice (1999) and the Forest Safety Code Tasmania (2002). The quarry has been supplying small quantities of crushed material for road maintenance and construction on State Forest roads in and around the Smithton area.

The application for increased capacity is due to the focus of harvesting and available wood product markets expected in the next 5 years. The site is located to allow efficiencies in cost associated with the maintenance and construction of Forestry Tasmania’s existing road networks on expected cartage routes.

The Department of Economic Development, Tourism and the Arts provided feedback during the public and agency consultation period, stating that forestry has been identified within the Tasmanian Government’s Regional Economic Development Plans as a priority sector (with mining) for the north-west Tasmania region. The Department also stated that while the details of the Tasmanian Forestry Agreement and attendant resourcing issues are yet to be finalised, it is expected that Forestry Tasmania will continue to play a major role in the forestry industry and therefore it is important that future harvesting operations and ongoing development and maintenance of infrastructure continues.

No project or site alternatives were considered in the EER.
5 Public and agency consultation

The EER, consisting of the certified Forest Practises Plan, updates and relevant reports, and accompanied by a Noise Emission Management Report, was advertised in the Advocate newspaper and on the EPA’s website for a 28 day consultation period from 26 January 2013.

No representations were received from the public.

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

- Circular Head Council;
- Department of Economic Development, Tourism and the Arts; and
- Forest Practices Authority.

A summary of government agency/body submissions is contained in Appendix 2 of this report. The proponent’s response to those issues is contained in an email to the Assessment Officer dated Friday 10 May 2013. The email providing the supplementary information provides a response to the relevant environmental issues raised by the government agencies/bodies.

The proponent has also undertaken its own public consultation process involving contacting the nearest neighbour regarding the quarry upgrade and the expected increase in traffic on adjacent roads. Additionally, Forestry Tasmania is a signatory to the Good Neighbour Charter for Commercial Tree Farming in Tasmania and is required under this document to inform neighbours of forestry activities.
6 Evaluation of key issues

The key environmental issue relevant to the proposal that was identified for detailed evaluation in this report was:

- Noise emissions from machinery, blasting and crushing, and potential for disturbance to nearby residents.

This issue is considered specifically in the following Section.

6.1 Noise emissions

Description

Drilling and blasting, use of heavy machinery, intermittent use of a mobile crusher, and loading and transport of gravel may create noise nuisance for nearby residents. The proponent states that a maximum of 19,500 cubic metres per annum of material will be extracted, with 2,000 cubic metres of this requiring crushing.

The existing quarry is located within an area of mixed private forest, State Forest, and private property, and has been operating since 2005. The 2005 Forest Practices Plan (FPP) (subsequently updated in 2010 for the purposes of this application to increase production) states that the nearest neighbour is approximately 200 metres from the quarry where a house is proposed to be built. The Noise Emission Management Report, undertaken in 2012, states that the nearest residence is located approximately 400 metres to the north east. A site visit undertaken in 2013 confirms that the nearest residence is approximately 350 metres to the north east. Including this residence, there are six houses located within 1,000 metres of the quarry with one of these not occupied due to fire damage. Three residents are located within 750 metres of the quarry which is the recommended separation distance (Quarry Code of Practice, 1999) for quarries where material is crushed. Figure 4 shows the location of nearby residents.

Blasting in the past has been carried out on site on an approximately annual basis, and for the quarry upgrade, is proposed for a maximum of once per annum. A Noise Emission Management Report was submitted to the EPA in December 2012 in relation to blasting. The report contained a measurement of peak particle velocity vibration and air blast over pressure at the nearest residence (Residence “E” in Figure 4), from a blast that took place on site in February 2012. The proponent states that there is unlikely to be any noise emissions outside acceptable levels from the planned continuance of quarry operations.

Gravel will mainly be won from the quarry via the use of a dozer and excavators. Crushing is to take place as required using a mobile crusher; however the nature of the material means that only a small proportion of the total excavated amount will require crushing.

The proposed operating hours of the quarry are 0600 hours to 1700 hours five days per week, coinciding with planned harvesting and road construction and maintenance activities. There is likely to be more activity at the quarry over the summer months compared to winter, reflecting peak road maintenance times.

Management measures

The Noise Emission Management Report states that there are unlikely to be any noise emissions outside acceptable levels from the planned continuance of quarry operations.

No further management measures in relation to noise are proposed in the FPP or accompanying information beyond the proposed operational hours of the quarry and informing neighbours of planned works. The proponent states that the quarry is in an isolated location which is of an industrial nature and that informing neighbours of planned works on site is a requirement of the Good Neighbour Charter for Commercial Tree Farming in Tasmania, to which Forestry Tasmania is a signatory.

Public and agency comment

No comments were made in relation to noise or blasting impacts by the public or in agency submissions.

The EPA Division’s Noise Specialist reviewed the Noise Emission Management Report and concluded that the blasting carried out was well within standard limits for vibration and air blast over pressure at the nearest residence.


Evaluation

Blasting noise and vibration

Discussion with the proponent indicated that blasting is unlikely to be undertaken on an annual basis and it may be 5 years before further blasting is required. The infrequent nature of blasting means that the impact on nearby residences is likely to be very low. The EPA’s Noise Specialist reviewed the Noise Emission Management Report submitted by the proponents and concluded that blasting undertaken at the same levels as those reported in the Noise Emission Management Report would ensure that blasts remain below the standard accepted limits for vibration and air blast over pressure. Specific commitments relating to blasting management are not made within the EER and supporting documents. EPN conditions B1, B2 and B3 reflect standard operational procedures and noise and vibration limits for blasting.

Crushing

Crushing will take place on site for a proportion of the total rock to be excavated (2,000 cubic metres of the total 19,500 cubic metres per annum) and a mobile crusher will be brought to site when required (reflected in EPN condition Q1). The recommended separation distance for crushing in the Quarry Code of Practice is 750 metres. Three residences are within 750 metres of the quarry, however the irregularity of crushing to be undertaken and the relatively small amounts of rock to be crushed results in a low risk of nuisance being experienced by nearby residents. The proponent states that quarry operations are planned for Monday to Friday, 0600 hours to 1700 hours. Given the proximity of these residents to the quarry it is recommended that the quarry be required to operate within the Quarry Code of Practice’s recommended hours for weekdays of 0700 to 1900 hours. The EPN condition N1 reflects this requirement. The requirement for compliance with the Quarry Code of Practice is covered by EPN condition G6.

Excavation and loading

Noise from excavators and other heavy machinery operating on site, and loading of excavated material on to trucks, may cause noise nuisance to nearby residents. As the majority of material will be won by excavator it is expected that this will be the main potential source of noise on site. The Noise Emission Management Report states that there are 6 houses within 1,000 metres of the quarry (one of which is unoccupied due to being burnt out), with the nearest being close to 400 metres away. The Quarry Code of Practice recommends a separation distance of 300 metres for a quarry where no blasting, crushing or screening takes place. Given that blasting and crushing are to be undertaken very infrequently, the weekday operational hours recommended in the Quarry Code of Practice provide sufficient control for potential noise nuisance. EPN condition N1 reflects this requirement.

According to the proponents, the operation of the existing adjacent quarry has not attracted complaints from nearby residents and regular contact is maintained between Forestry Tasmania and neighbours of the quarry. The requirement under the Good Neighbour Charter for Commercial Tree Farming in Tasmania (to which FT is a signatory) to keep residents informed of activities on site should be maintained to ensure good neighbour relations.
Conclusions

The proponent should be required to comply with the following standard (generic) conditions:
B1  Blasting times.
B3  Notification of blasting.
G6  Quarry Code of Practice.

The proponent should also be required to comply with the following non-standard conditions:
QL1  Regulatory limits.
N1  Operating hours.
7 Other environmental issues

In addition to the key issues, the following environmental issues are considered relevant to the proposal and have been evaluated in Appendix 1.

- Karst topography;
- *Phytophthora cinnamomi* management;
- Flora, fauna and weeds;
- Atmospheric emissions (dust);
- Stormwater and drainage management;
- Cultural heritage;
- Traffic and transport;
- Quarry decommissioning and rehabilitation; and
- Hazardous materials.
8 Report Conclusion

This assessment has been based upon the information provided by the proponent in the EER and supplementary information.

This assessment has incorporated specialist advice provided by Divisions of DPIWFE, the Forest Practices Authority and Circular Head Council in relation to a number of key issues.

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 proposal has been undertaken in accordance with the Environmental Impact Assessment Principles;

It is concluded that the proposal is capable of being managed in an environmentally acceptable manner such that it is unlikely that the RMPS and EMPCS objectives would be compromised, provided that the Environment Protection Notice No. 8885/1 appended to this report are imposed and duly complied with, including commitments made by the proponent in the EER and supplementary information.

Report approval

Environmental Assessment Report and conclusions, including EPN conditions, accepted:

[Signature]

Alex Schaap
Director, Environment Protection Authority
Under delegation from the Board of the Environment Protection Authority
Date: 21 June 2013
9 References


Forestry Tasmania, Murchison District (November 2011). Level 2 Activity Application & EER Cover Report, incorporating:

- Forest Practices Plan DRT0222 (certified 12 July 2005);
- Application for Variation to Certified Forest Practices Plan (signed 4 June 2010);
- Natural and Cultural Values Evaluation Sheet for FPP No: DRT0222;
- *Phytophthora cinnamomi* – status of quarries report for Peppermint Hill – Upper (18 November 2011);
- Email containing supplementary information to Kate Duttmer (EPA) from Kevin Maguire (Circular Head Council) and Craig Perry (Forestry Tasmania), 10 May 2013 9:23AM Doc One reference H154279.

# 10 Summary of appendices

<table>
<thead>
<tr>
<th>Appendix 1</th>
<th>Assessment of other environmental issues</th>
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<tbody>
<tr>
<td>Appendix 2</td>
<td>Summary of issues raised by public and agency submissions</td>
</tr>
<tr>
<td>Appendix 3</td>
<td>Environment Protection Notice (EPN) Conditions – Environmental</td>
</tr>
</tbody>
</table>
## Appendix 1 Assessment of other environmental issues

### Issue 1

**KARST TOPOGRAPHY**

**Description of potential impacts**

The Forest Practices Plan DRT0222 states that the quarry is within a karst area (NW30/31/32/33 in *An Atlas of Tasmanian Karst*). Quarrying in karst landscapes may destroy karst landscapes and lead to the formation of sinkholes.

The quarry is not a listed geoconservation site according to the Natural Values Atlas. The quarry is located 10 kilometres east of the listed Smithton Basin Plain Karst.

**Management measures proposed**

The Forest Practices Geoscientist was consulted for the FPP. The FPP states that if any depressions are located in the surrounds of the quarry, or any cavities in the quarry face, the quarry operators are to seek further advice from the FPB Senior Geoscientist immediately.

**Public and agency comment**

The Chief Forest Practices Officer provided advice that the quarry’s FPP was reviewed and found to be in accordance with the requirements of the *Forest Practices Act 1985* and *Forest Practices Code 2000*.

**Evaluation**

The management prescriptions contained within the FPP is considered an appropriate management response.

**Conclusion**

The management of karst topography is regulated by the certified FPP in place for the quarry.
<table>
<thead>
<tr>
<th><strong>Issue 2</strong></th>
</tr>
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<tbody>
<tr>
<td><strong>PHYTOPHTHORA CINNAMOMI MANAGEMENT</strong></td>
</tr>
<tr>
<td><strong>Description of potential impacts</strong></td>
</tr>
<tr>
<td>The existing older section of quarry is currently infected with Phytophthora cinnamomi and has little prospect of being managed to supply P. cinnamomi-free gravel. Inadequate washdown of vehicles travelling off the quarry site, and use of the gravel in sensitive non-infected areas, may increase the spread of the P. cinnamomi fungus.</td>
</tr>
<tr>
<td><strong>Management measures proposed</strong></td>
</tr>
<tr>
<td>An inspection of the newer section of the quarry proposed for the increase in production, which is located uphill to the existing quarry, was completed in 2011 and the report provided as part of the submission to the EPA. No field symptoms of P. cinnamomi infection were observed at this time and healthy regeneration of many P. cinnamomi host/indicator species has occurred. While the newer section of the quarry, proposed for the increased use, is currently considered to be P. cinnamomi-free, it is at a moderate risk of contamination due to its location in a high-risk area (low elevation and history of nearby contamination). The inspection report recommends access to the older, contaminated section of the quarry be blocked off to prevent movement of potentially contaminated sediment from the quarry, all run off water should be collected in spoon drains or diverted with tail-outs so that the active working area of the quarry stays as dry as possible. Stringent washdown are also recommended. In relation to the older, contaminated quarry, the FPP management prescriptions state that the gravel is only suitable for use in road construction and maintenance situations where the roading is through non-sensitive vegetation types such as agricultural land (pasture), rainforest, and wet sclerophyll forest types. The FPP also states that earthmoving machinery leaving the site to go to new jobs must be thoroughly washed down prior to leaving the site.</td>
</tr>
<tr>
<td><strong>Public and agency comment</strong></td>
</tr>
<tr>
<td>The Chief Forest Practices Officer provided advice that the quarry’s FPP was reviewed and found to be in accordance with the requirements of the Forest Practices Act 1985 and Forest Practices Code 2000.</td>
</tr>
<tr>
<td><strong>Evaluation</strong></td>
</tr>
<tr>
<td>While the newer section of the quarry is currently considered disease-free, the risk of contamination is moderate given the proximity to a confirmed-infected area, and the upgraded quarry’s materials should be considered as potentially contaminated. The quarry should be kept as dry as possible (see Issue #5 in relation to stormwater and drainage management), stringent machinery washdown procedures should be followed, and quarry materials only used in non-susceptible areas. The prescriptions and recommendations contained within the certified FPP are considered adequate management of P. cinnamomi risk.</td>
</tr>
<tr>
<td><strong>Conclusion</strong></td>
</tr>
<tr>
<td>The management of P. cinnamomi risk is regulated by the certified FPP in place for the quarry. This issue is also covered by the Quarry Code of Practice (standard condition G6).</td>
</tr>
<tr>
<td>Issue 3</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td><strong>FLORA, FAUNA AND WEEDS</strong></td>
</tr>
<tr>
<td><strong>Description of potential impacts</strong></td>
</tr>
<tr>
<td>Vegetation clearing associated with quarry development may result in loss of significant species and/or habitats. Inadequate weed management can contribute to a loss of biodiversity and encourage the spread of weeds within the region.</td>
</tr>
<tr>
<td><strong>Management measures proposed</strong></td>
</tr>
<tr>
<td>The land use for the site is forestry. The proposed site is a maximum of 10 hectares and is an area of native forest regrowth. The site is subject to an approved Forest Practices Plan (and update for the proposed expanded quarry operations) which includes a natural values assessment and assessment of potential impacts on flora, fauna, geomorphology, landscape, soil and water. The assessment found that the area does not contain priority vegetation types or communities or sites of potential significance for flora, and therefore there are no specific management prescriptions in the FPP in relation to flora. There are, however, specific prescriptions in place in relation to management of <em>P. cinnamomi</em> risk (see Issue #2 for further discussion).</td>
</tr>
<tr>
<td>In relations to fauna, the TSPA and EPBC Act-listed Giant Freshwater Crayfish (<em>Astacopsis gouldi</em>) is known to occur locally (more than 2 kilometres from the proposed quarry area). As there are no streams in and on the boundary of the operation area, no further management is proposed in relation to this species. A number of priority species fall within the category of “within potential range but not suitable habitat” for the site. These include the Spotted-tailed and Eastern Quolls, Masked Owl, Hydrobiid Snails, Grey Goshawk, Keeled Snail, Eastern Barred Bandicoot, Giant Freshwater Crayfish, and Wedge-tailed Eagle. There are no further management recommendations provided in the FPP beyond the standard fauna management provisions of the Forest Practices Code recommended in relation to Quolls and Eastern Barred Bandicoot.</td>
</tr>
<tr>
<td>Weeds were not observed during the field inspection of the site for infection by <em>P. cinnamomi</em> and the inspection report recommends stringent vehicle washdown procedures to prevent weeds being brought on site.</td>
</tr>
<tr>
<td><strong>Public and agency comment</strong></td>
</tr>
<tr>
<td>The Chief Forest Practices Officer provided advice that the quarry’s FPP was reviewed and found to be in accordance with the requirements of the <em>Forest Practices Act 1985</em> and <em>Forest Practices Code 2000</em>.</td>
</tr>
<tr>
<td><strong>Evaluation</strong></td>
</tr>
<tr>
<td>The assessment and evaluation provided within the FPP and approved by the Chief Forest Practices Officer is considered adequate in relation to potential impacts on flora and fauna.</td>
</tr>
<tr>
<td><strong>Conclusion</strong></td>
</tr>
<tr>
<td>The management of potential impacts to flora and fauna, and management of weeds, are regulated by the certified FPP in place for the quarry. These issues are also covered by the <em>Quarry Code of Practice</em> (standard condition G6).</td>
</tr>
<tr>
<td><strong>Issue 4</strong></td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>ATMOSPHERIC EMISSIONS (DUST)</td>
</tr>
<tr>
<td><strong>Description of potential impacts</strong></td>
</tr>
<tr>
<td>Dust from excavation operations on site, from vehicular movements on site, and from vehicles moving to and from the site, may cause dust to</td>
</tr>
<tr>
<td><strong>Management measures proposed</strong></td>
</tr>
<tr>
<td>No management measures are proposed. The FPP states that “dust should not be a problem” for neighbours as nearest neighbours are 200 metres distant.</td>
</tr>
<tr>
<td><strong>Public and agency comment</strong></td>
</tr>
<tr>
<td>No comments were received.</td>
</tr>
<tr>
<td><strong>Evaluation</strong></td>
</tr>
<tr>
<td>The potential for dust from quarry operations and transport to and from the quarry to cause nuisance for nearby residents has not been addressed by the proponent. No complaints have been received for existing quarry operations. Standard conditions relating to dust minimisation will be adequate to ensure minimal risk of dust nuisance.</td>
</tr>
<tr>
<td><strong>Conclusion</strong></td>
</tr>
<tr>
<td>Standard conditions A1, A2 and A3 require the proponent to ensure dust from the Land is adequately controlled.</td>
</tr>
</tbody>
</table>
### Issue 5

**STORMWATER AND DRAINAGE MANAGEMENT**

#### Description of potential impacts

Sediments originating from quarry working areas entrained in stormwater may pollute nearby waterways. Poor rainwater management may also cause waterlogging in the quarry which can make machinery operations less efficient and increase the likelihood of sediment and *Phytophthora* spreading off site.

#### Management measures proposed

According to an inspection for *Phytophthora* undertaken in November 2011, water is not ponding on the quarry floor, but run-off water is not controlled and flows straight through the active quarry areas and down the main access routes.

The quarry is sited on higher ground so there will be minimal stormwater coming off the site. Outlet drains have been established and directed into surrounding vegetation. The quarry floor is graded gently so that the working area remains well drained.

The proposed quarry will be at least 40 metres from the start of any water catchment area. Drainage and soil water movement from the quarry area is to be controlled as per normal practices by the use of culverts, silt traps and silt fences and ripraps where needed.

#### Public and agency comment

The Chief Forest Practices Officer provided advice that the quarry’s FPP was reviewed and found to be in accordance with the requirements of the *Forest Practices Act 1985* and *Forest Practices Code 2000*.

#### Evaluation

The risk of contamination of waterways with sediment-entrained stormwater is considered minimal due to the considerable distance from the quarry site to any perennial or permanent waterways (at least 200 metres). Standard conditions relating to use of perimeter drainage around the quarry and drainage from the quarry into settlement ponds prior to discharge from the quarry is considered adequate for the prevention of quarry waterlogging and polluted water leaving the site.

#### Conclusion

Standard conditions **E1**, **E2** and **E3** require the proponent to ensure sediment-laden water does not leave the Land.
## Issue 6

**CULTURAL HERITAGE**

### Description of potential impacts
Excavation and blasting at the quarry has the potential to disturb or destroy culturally significant sites.

### Management measures proposed
According to the FPP there are no known historic sites or Aboriginal sites in the proposed operation area. No specific prescriptions provided in the FPP.

### Public and agency comment
The Chief Forest Practices Officer provided advice that the quarry’s FPP was reviewed and found to be in accordance with the requirements of the *Forest Practices Act 1985* and *Forest Practices Code 2000*.

### Evaluation
The advice provided in the FPP is considered adequate.

### Conclusion
The legal obligations in LO5 should be noted.
<table>
<thead>
<tr>
<th><strong>Issue 7</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TRAFFIC AND TRANSPORT</strong></td>
</tr>
<tr>
<td><strong>Description of potential impacts</strong></td>
</tr>
<tr>
<td>An increase in truck movements to and from the quarry will increase traffic loads on local roads, potentially creating safety concerns for local residents and increasing risk of noise and dust nuisance.</td>
</tr>
<tr>
<td><strong>Management measures proposed</strong></td>
</tr>
<tr>
<td>Access to the site is via Tierney's Road, a Council-controlled road. The proponent states that forestry activities, including log carting, road building and maintenance, are everyday occurrences on the roads surrounding the quarry with increases in activity over the summer months. Access to the quarry from the public road is via a locked gate. As the quarry will be operated in daylight hours only, the proponent expects that truck movements will be confined to daylight hours also with little expected impact on other road users. Forestry Tasmania has undertaken to inform local residents when increased activity at the quarry is to occur.</td>
</tr>
<tr>
<td><strong>Public and agency comment</strong></td>
</tr>
<tr>
<td>Circular Head Council requested more information in regards to location and construction details of a proposed new access track from the public road to the quarry, and details of increased traffic movements.</td>
</tr>
<tr>
<td><strong>Evaluation</strong></td>
</tr>
<tr>
<td>Advice from Circular Head Council is that the proponents have agreed to install signage and undertake trimming of roadside vegetation to enhance safety features of the access to the public road. The risk of dust and noise nuisance from trucks has not been addressed in detail by the proponents beyond a statement that they will adhere to the normal standards and codes of practice under which Forestry Tasmania usually operate. Provided that nearby road users are aware of potential times of increased activity at the quarry, it is considered that any problems that local residents may experience in terms of increased dust and noise could be adequately addressed through consultation between residents and Forestry Tasmania.</td>
</tr>
<tr>
<td><strong>Conclusion</strong></td>
</tr>
<tr>
<td>Standard condition <strong>G6</strong> requires adherence to the provisions of the <em>Quarry Code of Practice</em>.</td>
</tr>
<tr>
<td><strong>Issue 8</strong></td>
</tr>
<tr>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td><strong>QUARRY DECOMMISSIONING AND REHABILITATION</strong></td>
</tr>
<tr>
<td><strong>Description of potential impacts</strong></td>
</tr>
<tr>
<td>Quarrying activities can change landscapes permanently. Inadequate ongoing rehabilitation and quarry decommissioning planning can lead to long term environmental impacts even after quarry closure.</td>
</tr>
<tr>
<td><strong>Management measures proposed</strong></td>
</tr>
<tr>
<td>The approved Forest Practices Plan includes operational requirements for rehabilitation. Approximately 200 cubic metres of topsoil has been stockpiled for current quarry rehabilitation as required. The maximum life of the quarry during the 2005 FPP process was 10 years. The current quarry site will be levelled, drained and topsoil used in the final rehabilitation of this site. Further proposed development will be progressively restored as per standard rehabilitation prescriptions under the <em>Forest Practices Code</em>. Topsoil will be collected from alternative sites if present levels are insufficient for rehabilitation, with soil re-spreading depth to be 0.15 m. Suitable tree species will be used in the revegetation of the site as soon as possible to prevent the invasion of other weed species. Rehabilitation has been implemented in one section of the existing quarry.</td>
</tr>
<tr>
<td><strong>Public and agency comment</strong></td>
</tr>
<tr>
<td>The Chief Forest Practices Officer provided advice that the quarry’s FPP was reviewed and found to be in accordance with the requirements of the <em>Forest Practices Act 1985</em> and <em>Forest Practices Code 2000</em>.</td>
</tr>
<tr>
<td><strong>Evaluation</strong></td>
</tr>
<tr>
<td>The planned rehabilitation procedures provided as part of the FPP and approved by the Chief Forest Practices Officer, combined with standard decommissioning and rehabilitation conditions, are considered adequate in relation to quarry decommissioning and rehabilitation.</td>
</tr>
<tr>
<td><strong>Conclusion</strong></td>
</tr>
<tr>
<td>Standard conditions DC1, DC2, DC3, DC4 and DC5 require the proponent to undertake decommissioning and rehabilitation activities on site.</td>
</tr>
<tr>
<td><strong>Issue 9</strong></td>
</tr>
<tr>
<td>-------------</td>
</tr>
<tr>
<td><strong>HAZARDOUS MATERIALS</strong></td>
</tr>
</tbody>
</table>

**Description of potential impacts**
Accidental spill of hazardous materials onto the ground may contaminate soils and waterways.

**Management measures proposed**
The proponent states that all dangerous goods and substances including explosives, fuel and lubricants are to be managed around the operation in accordance with Tasmanian legislation, regulations and the required codes of practice under which Forestry Tasmania operate.

**Public and agency comment**
No comments were received.

**Evaluation**
The requirement to comply with standard conditions relating to hazardous substances and the proponent’s commitment to operate within the requirements of Tasmanian legislation, regulations and relevant codes of practice, are adequate to reduce the risk of contamination of soil or waterways through accidental spills of hazardous materials.

**Conclusion**
Standard conditions **H1** and **H2** require the proponent to undertake adequate storage and handling of hazardous materials and ensure spill kits are available. The legal obligations detailed in **LO4** should also be noted.
### Appendix 2  Summary of issues raised by public and agency submissions
## Forestry Tasmania / Increase in Production – Peppermint Hill Quarry

### Summary of comments received during public consultation period

**Circular Head Council**

<table>
<thead>
<tr>
<th>Comment</th>
<th>Additional Information Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information provided with this application does not sufficiently address the location and construction details of the proposed new access to the quarry off Council-controlled Tierney’s Road.</td>
<td>Council request Forestry Tasmania provide further information in the form of a plan showing the exact location of the proposed new access, including sight distances and construction details.</td>
</tr>
<tr>
<td>If the proposed increase in production will also increase traffic movements at the existing access on to Tierney’s Road, Forestry Tasmania will also be required by Council to supply detailed information regarding upgrade works to bring the intersection into compliance with current Council requirements.</td>
<td></td>
</tr>
<tr>
<td>Any works carried out within the Tierney’s Road road reserve will require a Works In Road Reservation Permit from Council prior to works occurring.</td>
<td></td>
</tr>
</tbody>
</table>
Mining and forestry have been identified within the Tasmanian Government’s Regional Economic Development Plans as priority sectors for the north-west Tasmania region.

I note from the EER that the existing quarry supplies crushed rock material for road maintenance and construction on state forest roads in and around the Smithton area. The quarry’s expansion and increased capacity is identified by FT as being necessary due to the focus of harvesting and available wood products market over the next five years.

As you would be aware, whilst the final detail of the Tasmanian Forestry Agreement (and attendant resourcing issues) is still yet to be finalised, the goal of the agreement is to support the forest industry to progressively transition to a more sustainable and diversified footing and to build regional economic diversity and community resilience. Consequently, as FT will continue to play a major role in the industry, it will be essential for future harvesting operations that the ongoing development and maintenance of infrastructure continues.

The Department of Economic Development, Tourism and the Arts welcomes this proposed development in Tasmania’s north-west in terms of the longer term infrastructure benefits that will help underpin the forestry sector going into the future.
The FPA notes that this application is covered by a forest practices plan. The plan has been reviewed and found to be in accordance with the requirements of the Forest Practices Act and Code.

<table>
<thead>
<tr>
<th>Forest Practices Authority</th>
<th>Additional Information Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>The FPA notes that this application is covered by a forest practices plan. The plan has</td>
<td>No additional information required.</td>
</tr>
</tbody>
</table>
Appendix 3 Environment Protection Notice (EPN) Conditions
ENVIRONMENT PROTECTION NOTICE No. 8685/1

Issued under the Environmental Management and Pollution Control Act 1994

Issued to: FORESTRY TASMANIA,
ABN 91 628 769 359
79 MELVILLE ST
HOBART TAS 7000

Environmentally The operation of a forestry quarry (ACTIVITY TYPE: Quarries)
Relevant PEPPERMINT HILL QUARRY, TIERNEYS RD
Activity: MENGHA TAS 7330

GROUNDS

I, Alex Schaap, Director, Environment Protection Authority, being satisfied in accordance with section 44(1)(a) of the Environmental Management and Pollution Control Act 1994 (the EMPCA) and in relation to the above-mentioned environmentally relevant activity that serious or material environmental harm or environmental nuisance is being, or is likely to be, caused hereby issue this environment protection notice to the above-mentioned person as the person responsible for the activity.

PARTICULARS

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

1 The above activity, being an environmentally relevant activity which does not require a land use permit, was required to be referred to the EPA under Section 27 of the EMPCA for environmental impact assessment. Having completed its assessment, the Board of the EPA has caused the Director to issue this environment protection notice containing conditions and restrictions which the Board requires to apply to the activity.

THIS IS THE DOCUMENT MARKED ESO-1 REFERRED TO IN THE AFFIDAVIT OF ASTRID STURING SWORN AT HOBART IN TASMANIA THIS 12TH DAY OF JULY 2013 BEFORE ME:

JUSTICE OF THE PEACE
NUMBER 1373

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date of issue: 21 JUN 2013
DEFINITIONS

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

REQUIREMENTS

In accordance with s.44(3) of the EMPCA, the person responsible for the activity is required to comply with the conditions contained in Schedule 2 of this Notice.

INFORMATION

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

PENALTIES

If a person bound by an environment protection notice contravenes a requirement of the notice, that person is guilty of an offence and is liable on summary conviction to a penalty not exceeding 1000 penalty units in the case of a body corporate or 500 penalty units in any other case (at the time of issuance of this Notice one penalty unit is equal to $130.00).

NOTICE TAKES EFFECT

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

APPEAL RIGHTS

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

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

Signed: DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date: 21 JUN 2013
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Attachments

Attachment 1: Peppermint Hill Quarry Location (modified: 03/04/2013 15:59)................................. 1 page
Schedule 1: Definitions

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.

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 person authorised in writing by the Director to exercise a power or function on the Director's behalf.


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.

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

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

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:

1. Forest Practices Plan FPP No. DRT0222; and
2. as further delineated at Attachment 1.

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date of issue: 21 JUN 2013
Schedule 2: Conditions

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

G5 Environmental Management Plan and review thereof
1 Unless otherwise specified in writing by the Director, an Environmental Management Plan - Operations ('EMP Operations') for the activity must be submitted to the Director by whichever of the following dates occurs first and at five yearly intervals thereafter:
   1.1 In the case of the Director having approved a previous Environmental Management Plan, the fifth anniversary of the date of that approval;
   1.2 The fifth anniversary of the date on which these conditions take effect; or
   1.3 A date specified in writing by the Director.
2 The EMP Operations must include a statement by the General Manager, Chief Executive Officer or equivalent for the activity acknowledging the contents of the EMP Operations.
3 The EMP Operations must detail the potential environmental impacts arising from the ongoing operation of the activity over the next 5 years, including a strategic consideration of potential changes to the activity during that period and consideration of opportunities to implement continuous improvement.
4 The EMP Operations must separately identify specific commitments, with actions and timeframes, to mitigate or prevent the identified potential environmental impacts. In preparing the EMP Operations the person responsible must take into account the contents of any previous annual environmental reviews including complaints, incidents and monitoring data.

5 If the Director issues guidelines for preparation of the EMP Operations, the EMP Operations must address the matters listed in those guidelines.

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.

Atmospheric

A1 Covering of vehicles

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

A2 Control of dust emissions

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

A3 Control of dust emissions from plant

1 Dust produced by the operation of all crushing and 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 fixed crushers and at all points where crushed material changes direction due to belt transfer;
   1.2 the installation of dust extraction equipment at all fixed crushers and at all points where crushed material changes direction due to belt transfer, and the incorporation of such equipment with all vibrating screens;
   1.3 the enclosure of the crushing and screening plant and the treatment of atmospheric emissions by dust extraction equipment; and
   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 (L∞ 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 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 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 all surface soils must be removed 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 one hectare.

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, the person responsible must prepare and implement a Care and Maintenance Plan to the satisfaction 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 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.

E2 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.

E3 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.

Hazardous Substances

H1 Storage and handling of hazardous materials

Unless otherwise approved in writing by the Director, environmentally hazardous material held on The Land, including chemicals, fuels and oils, must be located within impervious bunded areas or spill trays which are designed to contain at least 110% of the total volume of material.

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 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.

2 Notwithstanding the above paragraph, activities must not be carried out on Saturdays, Sundays and public holidays that are observed Statewide (Easter Tuesday excepted).

Quantity Limits

QL1 Regulatory limits

1 The activity must not exceed the following limits:
   1.1 19,500 cubic metres/year of rock or gravel extracted (Annual fees are derived from this figure); and
   1.2 2,000 cubic metres/year of rock, ores or minerals processed.
Schedule 3: Information

Legal Obligations

**LO1 Notification of incidents under section 32 of EMPCA**

1. A person responsible for an activity that is not a level 2 activity or a level 3 activity must notify the relevant Council, as soon as reasonably practicable but not later than 24 hours, after becoming aware of the release of a pollutant occurring as the result of any incident in relation to that activity, including an emergency, accident or malfunction, if this release causes or may cause an environmental nuisance.

2. A person responsible for an activity that is a level 2 activity or a level 3 activity must notify the Director, as soon as reasonably practicable but not later than 24 hours, after becoming aware of the release of a pollutant occurring as a result of any incident in relation to that activity, including an emergency, accident or malfunction, if this release causes or may cause an environmental nuisance.

3. A person responsible for an environmentally relevant activity must notify the Director, as soon as reasonably practicable but not later than 24 hours, after becoming aware of the release of a pollutant occurring as a result of any incident in relation to that activity, including an emergency, accident or malfunction, if this release causes or may cause serious or material environmental harm.

4. The Director can be notified by telephoning 1800 005 171 (a 24-hour emergency telephone number).

5. Follow up reports can be emailed.

6. Any notification given by a person in compliance with this section is not admissible in evidence against the person in proceedings for an offence or for the imposition of a penalty (other than proceedings in respect of the making of a false or misleading statement).

7. A person is required to notify the relevant Council or the Director of an incident despite the fact that to do so might incriminate the person or make the person liable to a penalty.

8. Any notification referred to in subsection (1), (2) or (3) must include details of the incident, its nature, the circumstances in which it occurred and any action that has been taken to deal with it.

9. For the purposes of subsections (1), (2) and (3):
   
   9.1 a person is not required to notify the relevant Council of an incident if the person has reasonable grounds for believing that the incident has already come to the notice of the Council

   9.2 a person is not required to notify the Director of an incident if the person has reasonable grounds for believing that the incident has already come to the notice of the Director;

**LO2 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.

**LO3 Change of responsibility**

If the person who is or was responsible for the activity ceases to be responsible for the activity, they must notify the Director in accordance with Section 45 of the EMPCA.
LO4 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.

LO5 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.