

Environmental Assessment
Report
Knaw Quarry
Dysart
K Noble & A Wedd

July 2022



ENVIRONMENT PROTECTION AUTHORITY

Environmental Assessment Report

Proponent	Kent Noble & Anita Wedd
Proposal	Knaw Quarry
Location	Dysart
Class of Assessment	2A
PCE no.	11112
Permit Application No.	DA 2020/180 (Southern Midlands Council)
MyDAS Folder No.	21/3381
MyDAS Document No.	D22-400809

Assessment Process Milestones

21 December 2021	Permit Application submitted to Council
11 January 2022	Referral received by the Board
22 February 2022	Guidelines Issued
16 May 2022	Case for assessment accepted
27 May 2022	Start of public consultation period
10 June 2022	End of public consultation period
20 July 2022	Additional information (Supplement) submitted to the Board
25 July 2022	Date draft conditions issued to proponent
3 August 2022	Statutory period for assessment ends

Glossary/Acronyms

AHD	Australian Height Datum
Board	Board of the Environment Protection Authority
CAS	Conservation Assessments Section, NRE
EER	Environmental Effects Report
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	<i>Land Use Planning and Approvals Act 1993</i>
NC Act	<i>Nature Conservation Act 2002</i>
NOI	Notice of Intent
NRE	Department of Natural Resources and Environment Tasmania
QCP	<i>Quarry Code of Practice (EPA 2017)</i>
RMPS	Resource Management and Planning System of Tasmania
SD	Sustainable development
SWL	Sound power level
TASVEG	Digital vegetation map of Tasmania
TSP Act	<i>Threatened Species Protection Act 1995</i>

Report Summary

This report provides an environmental assessment of Knaw Quarry proposed by Kent Noble and Anita Wedd.

The proposal is for a new level 2 quarry located on agricultural land, extracting up to 11,000 cubic metres (17,600 tonnes) per annum gravel. Of this volume up to 5,000 cubic metres may be crushed and screened. Blasting is not proposed.

This report has been prepared based on information provided in the permit application, Environmental Effects Report (EER) and Supplement to the EER. Relevant government agencies and the public were consulted, and their submissions considered as part of the assessment.

Appendix 1 contains details of matters raised by the public and referral agencies during the consultation process.

Appendix 2 contains a table of the proponent's proposed management measures.

Appendix 3 contains the environmental permit conditions for the proposal.

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Approval Process

An application for a permit under the *Land Use Planning and Approvals Act 1993* (LUPA Act) for this proposal was submitted to Southern Midlands Council on 21 December 2021.

This proposal is defined as a 'level 2 activity' under clauses 5a(i) and 6a(ii), Schedule 2 of the *Environmental Management and Pollution Control Act 1994* (EMPC Act), being a quarry extracting up to 11,000 cubic metres rock or gravel and subject of a mining lease and, of that quantity, up to 5,000 cubic metres may be crushed and screened.

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 11 January 2022.

The Board required that information to support the proposal be provided in the form of an Environmental Effects Report (EER) prepared in accordance with the Guidelines issued by the Board on 22 February 2022. Two drafts of the EER were submitted to EPA for review against the Guidelines before it was finalised and accepted on behalf of the Board on 16 May 2022.

The EER was released for public inspection for 14 days on 27 May 2022. Advertisements were placed in *The Mercury* and on the EPA website. The EER was also referred to relevant government agencies for comment. One representation was received.

On 6 July 2022, the Executive Director, Environmental Assessments requested that the proponent submit additional information to address matters raised during the public consultation period. Satisfactory additional information, in the form of a Supplement to the EER, was submitted by the proponent on 20 July 2022.

The Executive Director, Environmental Assessments, has undertaken determination of the assessment under delegation from the Board.

SD Objectives and EIA Principles

The proposal must be considered by the Board in the context of the objectives of the Resource Management and Planning System of Tasmania (RMPS), and the Environmental Management and Pollution Control System (EMPCS). Both sets of objectives are specified in Schedule 1 of the EMPC Act.

The functions of the Board are to administer and enforce the provisions of the EMPC Act, and to use its best endeavours to further the RMPS and EMPCS objectives. The Board must assess the proposal in accordance with the Environmental Impact Assessment Principles defined in Section 74 of the EMPC Act.

The Proposal

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

Table I: Summary of the main characteristics of the proposal

Activity	
Extraction of a maximum of 11,000 cubic metres of rock gravel per annum. Crushing and screening of up to 5,000 cubic metres of that volume.	
Location and planning context	
Location	475 Sugarloaf Road, Dysart, Tasmania 7030, as shown in Figure I. Portion of Certificate of Title 169546/5.
Land zoning	Agriculture (<i>Southern Midlands Local Provisions Schedule, Tasmanian Planning Scheme</i>)
Land tenure	Private Freehold. Proponent is the landowner.
Mining lease	2114P/M (in application)
Lease area	9.47 hectares
Bond	To be determined. Mining lease application not finalised at time of writing.
Activity site	
Land Use	Agricultural grazing. Land capability of Class 5, being land unsuited to cropping and with slight to moderate limitations to pastoral use.
Topography	Undulating hills 300 – 350 metres elevation AHD with quarry face situated on north and north-west facing slopes.
Geology	Jurassic dolerite
Soils	Shallow clay loam
Hydrology	Site drains to unnamed tributaries of Astronomers Creek to the north and west of the site. The northern tributary has several in-stream agricultural dams.
Natural Values	The site is highly modified agricultural land (TASVEG 4.0 – FAG). No threatened flora or fauna have been recorded on the land, but several declared weed species listed in the <i>Tasmanian Weed Management Act 1999</i> and Weeds of National Significance listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) are present, including slender thistle (<i>Carduus pycnocephalus</i>) and horehound (<i>Marrubium vulgare</i>).
Local region	
Climate	Cold winters and warm to hot dry summers. Frosts common. Rainfall occurs predominantly through winter months with approximately 500 – 900 mm per annum. Wind direction predominantly northerly with north westerly to westerly subdominant. Site is protected from southerly and easterly winds.

Surrounding land zoning, tenure and uses	Predominantly agricultural grazing and scattered residential premises occur in the land zoned as Agriculture surrounding the proposal. Land zoned as Rural is located to the west and southwest of the proposed development, and Rural Living approximately 1.3km directly to the south.
Species of conservation significance	Two sightings of the Tasmanian devil (<i>Sarcophilus harrisi</i>) are recorded within 1,000 metres to the southwest of the site. The nearest recorded raptor nests are more than 2,000 metres from the site.
Proposed infrastructure	
Major equipment	The machinery and equipment include (with sound power level - SWL - provided): <ul style="list-style-type: none"> • Crusher (jaw), likely Terex Pegson – (SWL: 120 (LAeq)) • Vibratory screen, likely Chieftain 1700 – (SWL: 120 (LAeq)) • CASE excavator CX240B (SWL: 102 (LAeq)) • Dozer D7 (SWL: 109 (LAeq)) • Front-wheel loader (SWL: 98 (LAeq)) • Water pump (petrol driven) (SWL: 91-95 (LAeq)) • Transport trucks (medium combination truck) – approx. SWL: 90-100 (LAeq) • A 5,000L capacity water cart truck
Other infrastructure	Stockpile and crushing pad, earthen bunds, drains, stormwater basin, 20,000 litre water tank. Figure 2 below shows a proposed site plan for up to Year 5 of production.
Inputs	
Water	To be sourced from stormwater system or tankered to site, if required.
Energy	Diesel powered equipment will be used on site.
Wastes and emissions	
Liquid	Stormwater runoff from extraction and stockpile areas.
Atmospheric	Dust from crusher, screen, internal and external traffic, and blow-off from stockpiles.
Solid	General refuse including food scraps, paper, and packaging. General inert wastes such as metal waste to be collected periodically.
Noise	From crushing and screening equipment, excavator, loader and dozer on site, and vehicles on site and going to and from the site.
Construction and operations	
Proposal timetable	Activity will commence as soon as all required approvals obtained. Cited in EER as fourth quarter of 2021-22 financial year.
Operating hours (ongoing)	0700 to 1900 hours Monday to Friday 0800 to 1600 hours Saturday

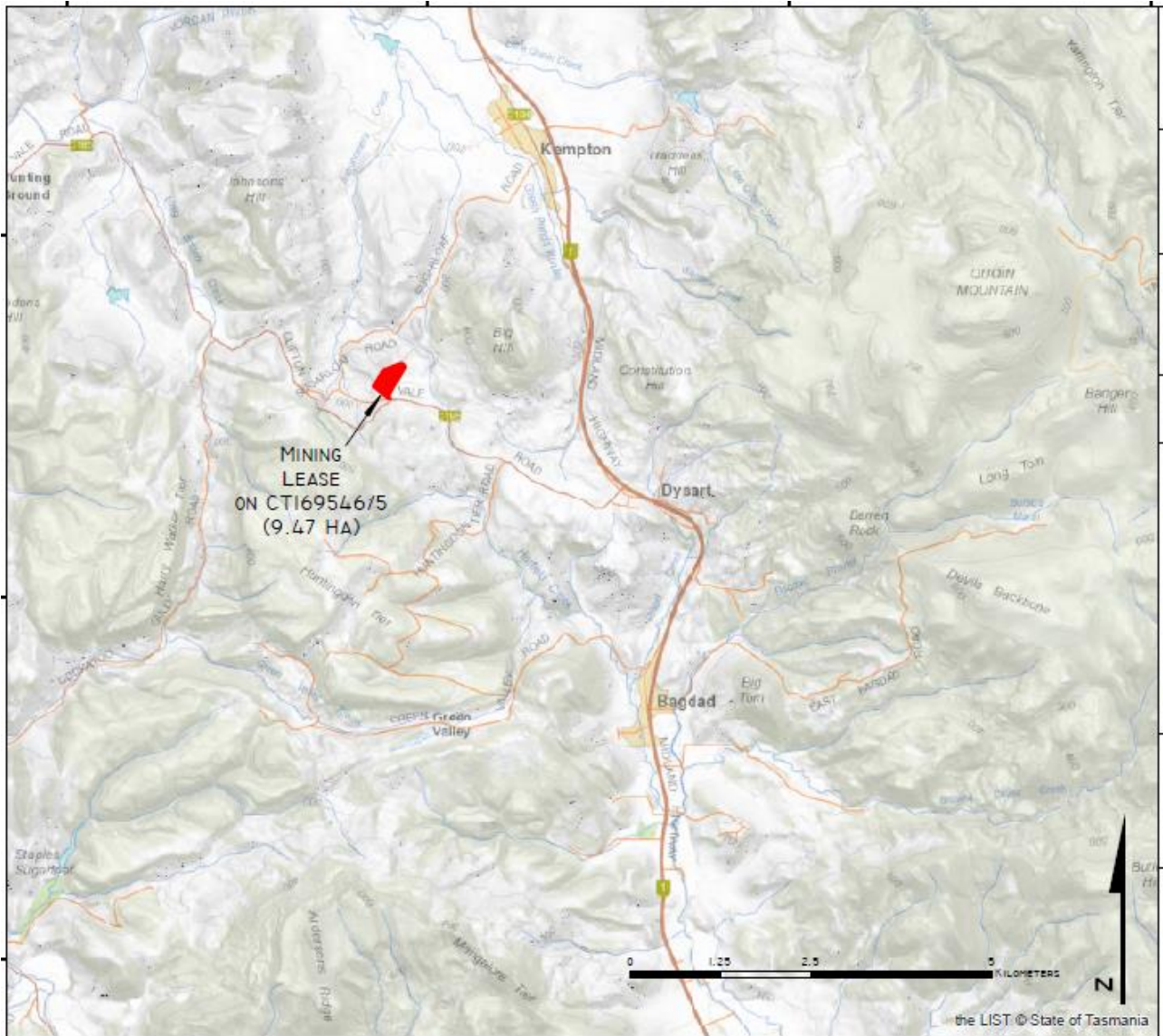


Figure 1: Proposed location (Figure B-I of the EER)

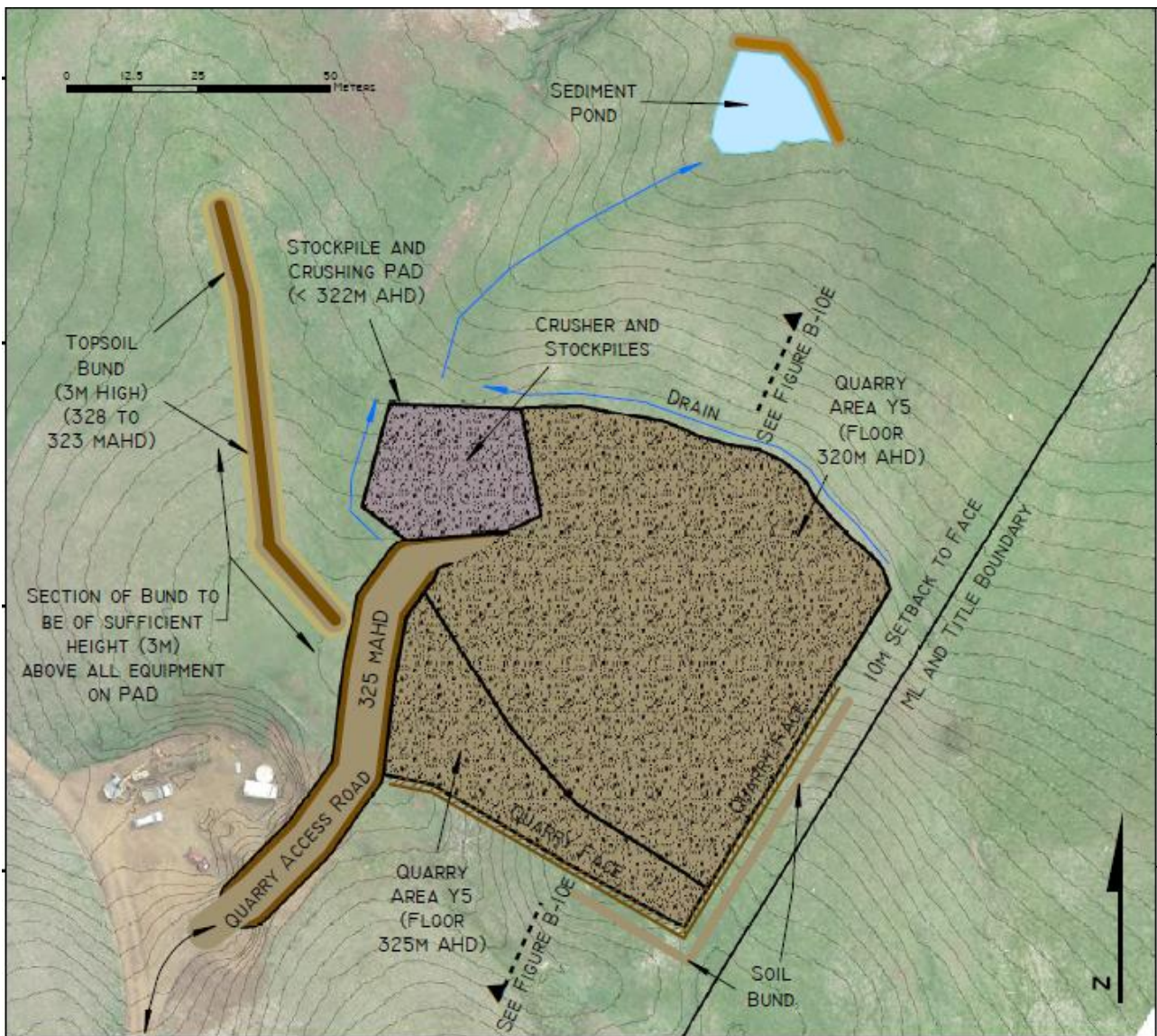


Figure 2: Site plan to Year 5 of mining plan (Figure B-9 of the EER Supplement)

Project Rationale and Alternatives

The quarry site was selected as it provides a source of dolerite product suitable for local use on farms and driveways. Being located on land previously cleared for agricultural grazing, there are few local natural values of significance. The landowner is the proponent and there is an existing formed access to the site.

No alternative locations were considered by the proponent.

Public and Agency Consultation

One public submission was received during the public consultation period. The main issues raised were:

- Noise emissions from the proposed development to impact on their daily lives and the health of their children.
- Dust emissions from the proposed development to impact on air quality in the vicinity of their dwelling.
- General site management such as storage of hydrocarbons and other liquids, general waste and refuelling etc to cause contamination.

The EER was also referred to several government agencies with an interest in the proposal. Submissions were received from the following:

- Department of State Growth, Mineral Resources Tasmania.
- Department of Natural Resources and Environment Tasmania:
 - Conservation Assessments and Wildlife Services, Policy, Advice and Regulatory Services.

The following individuals also provided specialist advice on the EER:

- Regulatory Officer, Environment Protection Authority
- Scientific Officer (Air), Environment Protection Authority
- Scientific Officer (Water), Environment Protection Authority
- Scientific Officer (Noise), Environment Protection Authority

Appendix I of this report contains a summary of the public and government agency submissions received.

Evaluation of Environmental Issues

The following environmental issues are considered relevant to the proposal and have been evaluated in this section:

1. Air quality
2. Surface water quality
3. Noise emissions
4. Waste management and environmentally hazardous materials
5. Biodiversity and natural values
6. Weed and disease management
7. Decommissioning and rehabilitation

General conditions

The following general conditions will be imposed on the activity:

- G1** Access to and awareness of conditions and associated documents
- G2** Incident response
- G3** No changes without approval
- G4** Change of responsibility
- G5** Change of ownership
- G6** Complaints register
- G7** Quarry Code of Practice

Issue 1: Air quality
Potential impacts
<p>Dust may be created by multiple sources during quarry operations, such as vegetation clearing, excavation, crushing, screening, from stockpiles, and from loading product on to trucks. Dust may also be created by vehicle movements on unsealed roads.</p> <p>Dust can be a nuisance to neighbours and a health hazard, particularly to quarry workers. The quarry operating area site is located on a slope facing north and north-west. The nearest residences to the quarry are 250m to the southwest of the mining lease boundary and 385m from the quarry operating area. Other residences are located more than 600m from the mining lease boundary to the south-east and south-west and in excess of 800m from the quarry operating areas (refer to Figure B-16 of EER). The maximum open area without rehabilitation at any time is proposed to be 2 hectares.</p>
Management measures proposed in EER
<p>The EER states the following measures will be provided to minimise dust emissions:</p> <ul style="list-style-type: none"> • Unsealed road on the site will be watered or sealed to minimise dust generated by transport on site. • Trucks will use tarpaulins and load dampening as needed to reduce dust being blown from loads. • Raw material will be dampened as necessary prior to crushing. • Water sprays will be used on the screening machinery chutes to minimise dust from the product.
Public and agency comment
<p>The representor raised concerns that their dwelling had not been correctly located in the EER and that due to it being closer to the proposed quarry than indicated in the EER, that the impacts of dust emissions on air quality would be greater than described. As the representor requested they not be identified, the precise location of their residence is not included in this report. The representation also raised concerns that dust deposition may adversely impact hay crops they grow on their property.</p>
Evaluation
<p>The representor's residence is several hundred metres from the boundary of the mining lease. Other residences are located in closer proximity (385m) to the southwest of the proposal site. The EER proposes sufficient management measures to ensure dust generation is minimised. Standard conditions have been included to reinforce the proposed management measures. Standard condition A1 requires the control of dust blowing or spilling from vehicles by use of such measures as dampening loads or covering with tarpaulins. Condition A2 is included to ensure dust management is undertaken such that dust is contained within the boundaries of the mining lease. Condition A3 is included in relation to dust management measures from plant such as crushing and screening equipment. The requirement for compliance with the Quarry Code of Practice (QCP) (Condition G7) is also relevant as this specifies requirements for dust management.</p>

Conditions

The proponent will be required to comply with the following conditions:

G7 Quarry Code of Practice

A1 Covering of vehicles

A2 Control of dust emissions

A3 Control of dust emissions from plant

Issue 2: Surface water quality
Potential impacts
<p>Sediment and contaminants from disturbed and unvegetated quarry surfaces may be entrained in water flowing across the surface of The Land, including the access road, entering waterways, and impacting water quality downstream of the site boundary.</p> <p>Surface water from the site drains to two separate unnamed tributaries of Astronomers Creek. Astronomers Creek flows through agricultural land and with a series of instream farm dams ultimately joins the Jordan River.</p>
Management measures proposed in EER
<p>The EER states the following measures will be provided to minimise water quality impacts:</p> <ul style="list-style-type: none"> • Cut-off drains around the quarry to be constructed to divert clean surface water away from the disturbed quarry area and thus minimise the water requiring treatment. • A sediment pond of 200m³ capacity to be constructed to treat all potentially contaminated surface water from the disturbed quarry area. • The stormwater system to be regularly inspected and necessary maintenance undertaken to ensure the system operates as intended and ensure ongoing minimisation of sediment release into stormwater. • Sediment accumulation rates in the sediment pond to be monitored quarterly or as required and sediment removed at least every 5 years to maintain functional capacity of the pond. • To reduce the risk of spills and contamination of surface waters chemicals, fuels and oils will not be stored overnight on site and refuelling will be conducted using suitably designed mobile equipment.
Public and agency comment
<p>No public comment was raised with respect to surface water quality.</p>
Evaluation
<p>Controls proposed in the EER align with the requirements of the QCP, which states that total suspended solids in run-off discharged to inland waters should not exceed 30 mg/L. The person responsible for the activity is required by Condition G7 to comply with the QCP. Calculations provided in the EER demonstrate appropriate design consideration has been given to the sizing of the sediment pond and ensure a generous capacity to adequately capture sediment. The sediment pond will be constructed offline and an acceptable distance from the nearest tributary, offering a further sediment barrier. The EPA water specialist concluded, based on the geology and distance to waterways, that there were no significant water quality risks. The proposed use of diversions for clean stormwater and settling ponds to treat stormwater contaminated by sediments on site are considered appropriate sediment controls. Standard conditions are considered sufficient to manage water quality impacts from the proposed development. Condition SW1 requires construction and maintenance of perimeter cut-off drains or bunds with sufficient capacity to retain run-off from a 1 in 20-year rainfall event. Condition SW2 specifies design and maintenance requirements for settling ponds. Condition SW3 requires collection and treatment of polluted stormwater to the extent necessary to prevent serious or material harm, or environmental nuisance.</p> <p>The potential for water quality to be impacted is also mitigated by Condition DC1, which requires topsoil to be separated and protected from erosion and disturbance, and Condition DC2, which requires progressive rehabilitation such that open surfaces vulnerable to erosion are minimised (see also Issue 7).</p>

Conditions

The proponent will be required to comply with the following conditions:

SW1 Perimeter drains or bunds

SW2 Design and maintenance of settling ponds

SW3 Stormwater

DC1 Stockpiling of surface soil

DC2 Progressive rehabilitation

<p>Issue 3: Noise emissions</p>
<p>Potential impacts</p>
<p>Excavation and vegetation removal, drilling, ripping, crushing, vibratory screening, material carting, truck movements and other use of ancillary equipment associated with quarry operations may cause noise and vibration to be emitted beyond the boundary of The Land causing nuisance and/or impacts on public health.</p> <p>The nearest residences within 1,000m of the site are located approximately 385m to the south-west, 650m and 700m to the south-east of the of the proposed quarrying area. Another residence approximately 400m to the west of the site is on the same property as the mining lease and under the ownership of the proponent.</p> <p>Quarrying activities are to be located on the northern facing slopes of the site. The topography of the site offers significant screening of the main quarrying activities to the residences to the south and east.</p>
<p>Management measures proposed in EER</p>
<p>The EER states the following measures will be provided to minimise noise impacts:</p> <ul style="list-style-type: none"> • Hours of operation of the quarry will be limited to the daytime hours specified in the QCP: 0700 to 1900, Monday to Friday, 0800 to 1600 hours Saturdays and no operations on Sundays or public holidays. • A 3m high bund will be constructed within the first 3 months of the activity commencing to provide a barrier to deflect noise from those nearest residences located to the southwest (see figure 2 above). • Access tracks and haul road will be well maintained to prevent corrugations that contribute to truck noise.
<p>Public and agency comment</p>
<p>The representation raised concerns with respect to noise disturbance from the proposal, particularly with respect to their children’s health. They are concerned that continual operation of the site Monday to Saturday will have an impact on being able to hear landscape noises and request operating hours be reduced or the days of operation reduced. They note that the proposal for continual operation of the quarry is causing them distress. They also believe it would be advantageous to undertake a site-specific noise assessment of the equipment on site.</p>

Evaluation

The proposal involves crushing and screening of up to 5,000m³ of the rock and gravel extracted. While the QCP recommends a separation distance of 300m for extraction activities, this increases to 750 metres from residences and sensitive uses where crushing of material occurs. The QCP also advises that variations to these distances may be considered where the nature or manner of the operation can justify this.

As noted, this is a small quarry operation and will operate on a campaign basis. Quarrying activities will be limited by the maximum extraction quantities being applied for and will therefore not be a continuous operation. When operating, all activities will be restricted to the day-time hours specified in the QCP.

The topography of the site and the chosen orientation of the quarry face and layout of the site provides significant natural noise attenuation to the residences located to the east and south. The proposal for a 3m topsoil bund to offer attenuation to the residences to the southwest is supported. Sound power levels of the equipment to be used on site are provided in the EER. A review of this information and the proposed mitigation measures indicate the quarry can comply with the daytime noise limits specified in the QCP of 45 dB(A) at the residences located in the vicinity of the quarry. The location of the representor's residence further away and to the south and east of the site affords it noise attenuation by the local topography.

However, analysis of this information also indicates that any future proposal to expand operations on the site would need to be carefully considered with respect to noise emissions and would need to be supported by a site-specific noise assessment, likewise for any proposal to operate the activity outside of daytime hours. Quarry operations during evening and night-time hours may not be compliant with the noise limits specified in the QCP for those times.

The proposed bund is considered essential to attenuate noise from the residences located to the southwest. Condition **N1** requires the construction of this bund within 3 months of the commencement of operations of the activity as committed to in the EER.

Condition **N2** specifies standard QCP daytime noise limits in relation to noise measured at noise sensitive premises. Given the location of residences in proximity to the quarry, it is not considered appropriate to provide evening or night-time noise limits as quarry operations during these hours is not permitted. Condition **N3** stipulates operating hours and are restricted to the day-time hours specified in the QCP.

Condition **N4** requires the Director to be notified of any noise complaints. Conditions **N5** and **N6** specify when a noise survey must be completed including within 12 months of the permit being issued, and the method and reporting requirements which must be complied with in the event a noise survey is undertaken. Condition **N7** confirms that blasting is not permitted.

Conditions

The proponent will be required to comply with the following conditions:

- N1** Noise attenuation bund
- N2** Noise emission limits
- N3** Operating hours
- N4** Noise complaints
- N5** Noise survey requirements
- N6** Noise survey method and reporting requirements
- N7** No blasting without approval

Issue 4: Waste and environmentally hazardous substances
Potential impacts
<p>Solid waste may escape into the surrounding environment, causing environmental nuisance or harm. Inappropriate storage, handling and disposal of environmentally hazardous substances including fuels and oils, may contaminate soil, surface water, groundwater, or other media. No controlled waste will be produced by the activity.</p> <p>The EER advises that waste generation by the activity will be minimised, likewise fuels and oils will not be stored on site.</p>
Management measures proposed in EER
<p>The EER states the following measures will be provided to minimise risk of harm from wastes or environmentally hazardous substances:</p> <ul style="list-style-type: none"> • No machinery servicing will occur on-site, except for emergency repairs or service requirements. Any waste from undertaking emergency repairs will be stored in a utility and taken off site each day. • Appropriate bins for collection of general refuse will be provided. • Redundant crushing consumables such as screens will be removed for disposal or recycling as they are replaced. • Use of accumulated sediment from ponds as saleable product or in site rehabilitation. • Handling, use and disposing of weed-spraying chemicals will occur in accordance with manufacturer directions and regulatory requirements. • Oil and fuel containers will be fitted with automatic shut-off trigger hoses and the containers held in double-layered bunds of at least 1.5 times the volume of the container, at least 10m from any drain or the sediment pond. • A hydrocarbon spill kit will be stored and maintained at the quarry. • Chemicals, fuels, and oils will not be stored at the quarry overnight and refuelling will occur using a mobile tanker. • There is no public water supply for the activity and the operator will need to use offsite amenities.
Public and agency comment
<p>The representation raised concerns regarding potential contamination from liquids being brought onto and stored on site, fuel and oil spills, and the lack of toilet amenities.</p>
Evaluation
<p>The EER management measures are considered appropriate for managing wastes and environmentally hazardous substances. No specific waste management conditions are warranted. In relation to the comment regarding a lack of toilet facilities on the Land, the quarry is very small and will not be operated continuously. As is typical with such operations, the operator will need to go offsite for toilet facilities. Standard hazardous material conditions are included. Condition H1 requires appropriate spill kits to be kept on The Land and maintained in a functional condition. Conditions H2 and H3 require hazardous materials to be contained and managed to prevent contamination of soil, groundwater, waterways or any other medium. Standard information items LO2 and O11 are included to ensure the proponent is aware of legislation relating to storage and handling of dangerous good and substances, and best practice in relation to waste management.</p>

Conditions

The proponent will be required to comply with the following conditions:

H1 Spill kits

H2 Storage and handling of hazardous materials

H3 Handling of hazardous materials – mobile

Other information included in the permit:

LO2 Storage and handling of dangerous goods, explosives and dangerous substances

OII Waste management hierarchy

Issue 5: Biodiversity and natural values
Potential impacts
<p>Land clearing and quarry operations may disturb, injure, kill rare and threatened flora and fauna or compromise sensitive native communities. Vehicle and machinery movements associated with quarry operations increase the risk of native roadkill.</p> <p>A natural values assessment was undertaken to inform the EER. This included:</p> <ul style="list-style-type: none"> • a desktop review of records with respect to recorded observations of threatened flora and fauna species and the use of government databases to determine the presence or potential presence, of protected species and communities in the vicinity of the site; and • field surveys to verify the findings of the desktop assessment. <p>This concluded no rare or threatened communities and species listed under the EPBC Act, the TSP Act or the NC Act were observed or likely to occur on the Land.</p> <p>The EER notes the Tasmanian devil, eastern quoll and spotted-tail quoll are known to occur in the area.</p>
Management measures proposed in EER
<p>The EER states the following measures will be provided to minimise risk of harm to native wildlife:</p> <ul style="list-style-type: none"> • Undertake education and awareness training for drivers accessing the quarry. • Limit internal road speed to 20 km/hr from dusk to dawn.
Public and agency comment
<p>The representation raised concerns with respect to the potential impact of quarry transport on threatened fauna species, particularly the Tasmanian devil, eastern quoll, and spotted-tail quoll.</p> <p>Conservation Assessments Section (CAS) advised there were no issues of concern in relation to the proposed quarry and threatened flora and fauna and that no further action is required. CAS noted that transport will occur predominantly during daylight hours, but that should an increase in night-time traffic occur on the nearest main access roads, Sugarloaf Road and Fosters Road, that roadkill mitigation measures be implemented in accordance with the Tasmanian Devil Survey Guidelines and Management Advice for Development Proposals (the Devil Guidelines) available at http://dpiwwe.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments.</p>
Evaluation
<p>Given the conclusions of the natural values assessment and advice from CAS, the management measures proposed in the EER are considered sufficient to manage impacts on natural values. No specific conditions are imposed in the permit.</p>
Conditions
<p>No conditions are imposed.</p>

Issue 6: Weed and disease management
Potential impacts
<p>Weeds, pests, and pathogens can disrupt environmental, agricultural, and silvicultural ecosystems. Ground disturbance associated with quarry operations may facilitate weed propagation across The Land and beyond its boundaries. Vehicle and machinery movements associated with the quarry may import weeds to The Land. Vehicle and machinery movements or contamination of quarry products may cause weeds to spread from The Land to other locations.</p> <p>Five plant species listed as a Declared Weed in the <i>Weed Management Act 1999</i> or a Weed of National Significance in the EPBC Act were recorded on The Land, including blackberry, slender thistle, fennel, boxthorn, and horehound. A number of additional weeds were recorded across The Land including spear thistle, wild teasel, great mullein, wild mignonette, variegated thistle, and briar rose.</p>
Management measures proposed in EER
<p>The EER states the following management measures to minimise weed impacts:</p> <ul style="list-style-type: none"> • A weed and disease management plan will be developed and implemented as part of the quarry operation, in accordance with the <i>Weed and Disease Planning and Hygiene Guidelines</i> (DPIPWE 2015). • A weed spraying program will be developed in consultation with accordance with the <i>Weed and Disease Planning and Hygiene Guidelines</i> (DPIPWE 2015). • Heavy machinery will be brought into the quarry in a clean condition, free of weed propagules, clods of dirt and vegetative matter.
Public and agency comment
<p>The representation commented that weed infestation on The Land is due to poor management of the property. The representation raised concerns there was no weed management plan for the site.</p> <p>CAS supported the proposal to develop a weed management plan.</p>
Evaluation
<p>A number of environmentally significant weeds are present on The Land and the risk of spreading weeds from The Land must be controlled. The management measures proposed in the EER are supported and considered adequate to control this risk. Condition OPI requires machinery being brought onto The Land to be in a clean condition. Condition OP2 requires the preparation, approval, and implementation of a weed management plan.</p>
Conditions
<p>The proponent will be required to comply with the following conditions:</p> <p>OPI Machinery washdown</p> <p>OP2 Weed management</p>

Issue 7: Decommissioning and rehabilitation
Potential impacts
Quarry extraction activities will disturb up to 2 hectares of land. Rehabilitation of the site is necessary to stabilise extraction areas, prevent ongoing erosion and ensure the site is safe and suitable for future land uses. The quarry is situated on private agricultural land.
Management measures proposed in EER
<p>The EER states the following management measures with respect to rehabilitation:</p> <ul style="list-style-type: none"> • Progressive rehabilitation will occur of areas no longer used for quarry operations to re-establish agricultural pasture. This will include preparing disused quarry surfaces to allow water to infiltrate, applying topsoil, overburden, and sediment, and planting seed. Monitoring and remedial works are required to address issues such as weeds, germination control, and landform stability. • Development of a Decommissioning and Rehabilitation Plan in the event of permanent closure. This will include processes to ensure the orderly and safe removal of machinery and equipment, establishment of sufficient and suitable vegetation to minimise risk of dust generation and soil erosion and a monitoring program to review the efficacy of the rehabilitation.
Public and agency comment
No public or agency comment was raised with respect to decommissioning and rehabilitation.
Evaluation
The measures proposed in the EER align with the QCP and are considered sufficient to manage risks associated with site decommissioning and rehabilitation. Stockpiling of surface soil for rehabilitation is required by Condition DC1 . Progressive rehabilitation is required by Condition DC2 , which also limits the maximum disturbed area to 2 hectares at any time. Condition DC3 requires the person responsible to notify the Director of temporary suspension of the activity and imposes care and maintenance requirements. Condition DC4 requires the proponent to notify the Director of permanent cessation. Condition DC5 requires rehabilitation to be carried out in accordance with the QCP and within 12 months of cessation and monitored for at least three years.
Conditions
<p>The proponent will be required to comply with the following conditions:</p> <p>DC1 Stockpiling of surface soil</p> <p>DC2 Progressive rehabilitation</p> <p>DC3 Temporary suspension of activity</p> <p>DC4 Notification of cessation</p> <p>DC5 Rehabilitation on cessation</p>

Issues not assessed by the Board

The following issues have been raised during the assessment process but are not the Board's responsibility under the EMPC Act. These may be issues which are more appropriately addressed by another regulatory agency.

Planning issues

The representation raised a variety of planning issues relating to the proposal, including in relation to illegal operation of the quarry, misrepresentation of the zoning of the surrounding land use and that the correct zoning does not allow for extractives industries such as this proposal. These are matters for determination by Southern Midlands Council.

Report Conclusions

This assessment has been based on the information provided by the proponent, Kent Noble and Anita Wedd, in the permit application, the case for assessment (the EER), and additional information provided (Supplement).

This report incorporates specialist advice provided by EPA scientific and regulatory staff, the Department of Natural Resources and Environment Tasmania, and other government agencies, and considers issues raised in public submissions.

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; and
3. 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 Permit Conditions - Environmental No. 11112 appended to this report are imposed and duly complied.

Report Approval

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



Martin Read

EXECUTIVE DIRECTOR, ENVIRONMENTAL ASSESSMENTS

Acting under delegation from the Board of the Environment Protection Authority

Date: 3 August 2022

References

Van Diemen Consulting (2022) *Knaw Quarry, Fosters Road, Dysart Environmental Effects Report* (dated 10 May 2022) for Kent Noble and Anita Wedd; New Town, Tasmania.

Van Diemen Consulting (2022) *Knaw Quarry, Fosters Road, Dysart Supplement to the EER* (dated 20 July 2022) for Kent Noble and Anita Wedd; New Town, Tasmania.

DPIPWE *Weed and Disease Planning and Hygiene Guidelines – Preventing the spread of weeds and disease in Tasmania* (March 2015), Department of Primary Industries, Parks, Water and Environment, Hobart, Tasmania.

Environment Protection Authority (2017) *Quarry Code of Practice* 3rd Edition; Hobart, Tasmania.

Appendices

- Appendix 1 Summary of public and agency submissions
- Appendix 2 Table of proponent management measures
- Appendix 3 Permit Conditions – Environmental No. 11112

Appendix I: Summary of public representations and agency submissions

Table I: Matters raised during public consultation period

Representation No. / Agency	Comments and Issues	Further Information Requested	EPA Comments
I	1. Representation claims the applicant has been operating the quarry illegally and has no regard for the environmental impact of his operation.	No	The EPA does not have information to substantiate this claim.
	2. The EER is overstating the prevalence of weeds to put question the prime agricultural value of the land. Weed infestation on the land is due to poor management. There is no weed management plan to control spread of weeds from the site.	No	The land has a land capability classification of 5 meaning it is unsuitable for cropping and has some limitations for grazing. This is likely in part due to the steep topography. Section 7 of the EER describes the weed species observed on site during surveys and outlines a proposed weed management plan for the site.
	3. The EER has misrepresented the annual figure of anticipated truck movements stating 850 movements rather than 860 per year.	No.	The difference highlighted by the representation is 10 truck movements over a year period. While this is noted, it is also noted that these figures are an estimate and depends on the transport options used (e.g. truck vs truck and trailer). The difference is considered minor in terms of the potential for increased noise and wildlife impacts.
	4. The EER misrepresents the proximity of the of representors current dwelling. The representation cites imagery sources to show their dwelling. The representation states that the quarry is 460m from the proposed quarry and that their house overlooks the quarry operation. The representor is	No	The representors residence precise location, as indicated in the submission, does not appear on LIST Map, nor on the sources cited (Daftmap and Google Maps). The representors residence is located on the eastern side of a hillside at approximately 385m AHD. This hill rises to 415m and will partially

Representation No. / Agency	Comments and Issues	Further Information Requested	EPA Comments
	concerned about the potential noise impacts on their daily life.		obstruct line of sight towards the quarry. The quarry itself is located on the north-western side of another small rise between the properties at approximately 325m. The topography will obstruct views of the quarry from the representor's residence. While this residence is approximately 460m from the entry to the quarry site, the proposed active quarry area is a further 200m away. Noise impacts are discussed in comment 8. below.
	5. There are no proposed amenities, and the representor is concerned about potential pollution from excrement.	No	The quarry is very small and will not be operated continuously. As is typical with such operations, the operator will need to go offsite for amenity facilities. Truck operators are unlikely to remain onsite for any length of time and likewise would need to find alternative facilities.
	6. The representation contests the measurement of the distance to their dwelling and indicates that the impact of dust would be greater.	No	The representor's residence is 460m from the entrance to the quarry site. Given this distance, the topography described in comment 4. above and the scale of the proposed quarry operation, the residence is unlikely to be impacted by dust emissions.
	7. The representation raises concerns about dust impacts in relation to hay cropping they undertake on their property.	No	Similarly, to above comment, given the distance, topography and scale of the quarry operation, dust generated by the proposal will have little to no impact on hay cropping. Management measures to be implemented on the site will limit generation of dust.

Representation No. / Agency	Comments and Issues	Further Information Requested	EPA Comments
	8. The representation raises concerns with respect to noise disturbance from the proposal, particularly with respect to their children's health who have a mental health condition. They are concerned that continual operation of the site Monday to Saturday will have an impact on being able to hear landscape noises and request operating hours be reduced or the days of operation reduced. They note that the proposal for continual operation of the quarry is causing them distress. They also believe it would be advantageous to undertake a site-specific noise assessment of the equipment on site.	No	The proposal is for a small quarry which will operate on a campaign basis and not continuously every day and every week. The maximum quantities being applied for will naturally limit the operations of the site. Noise emissions, their impacts and this concern raised by the representation are discussed in Section 6 of this report.
	9. The representation raises concerns of potential contamination from liquids being brought onto and stored on site and liquid wastes (e.g., oil spills, fuel spills etc).	No	This is addressed in the EER. There will be no servicing of machinery on-site. Machinery will be refuelled using suitable mobile refuelling facilities to minimise spillage risks. A hydrocarbon spill kits will be stored on site for use in the event of spillage.
	10. The representation raises concerns onsite storage of general refuse will attract wildlife causing this waste to be spread into the surrounding environment.	No	The on-site generation of general waste will be minimal. This issue can be easily prevented through onsite management to seal bins and regular removal of general waste.
	11. The representation raises concerns on the potential impact of transport on threatened fauna species, particularly the Tasmanian devil, eastern quoll and spotted-tailed quoll.	No	There is minimal suitable habitat on the site for these species and limited records of sightings within 5km of the site. given the scale of the proposed activity and the operating hours transport to and from the site

Representation No. / Agency	Comments and Issues	Further Information Requested	EPA Comments
			will be predominantly during daylight hours thus minimising roadkill risks to these species.
	12. The representation raises concerns with respect to the stated zoning of the site in the EER identifying that the EE incorrectly states the area is zoned 'rural resource' when it is zoned 'agricultural'.	No	This is a matter for Southern Midlands Council.
	13. The representation contests the measurement of the distance to their dwelling and indicates that the impact of dust would be greater.	No	The representor's residence is 460m from the entrance to the quarry site. Given this distance, the topography described in comment 4. above and the scale of the proposed quarry operation, the residence is unlikely to be impacted by dust emissions.
	14. The representation raises concerns on dust impacts in relation to hay cropping they undertake on their property.	No	Similarly, to above comment, given the distance, topography and scale of the quarry operation, dust generated by the proposal will have little to no impact on hay cropping. Management measures to be implemented on the site will limit on site generation of dust.
	15. The representation raises concerns with respect to noise disturbance from the proposal, particularly with respect to their children's health who have a mental health condition. They are concerned that continual operation of the site Monday to Saturday will have an impact on being able to hear landscape noises and request operating hours be reduced or the days of operation reduced. They note that the	No	The proposal is for a small quarry which will operate on a campaign basis and not continuously every day and every week. The maximum quantities being applied for will naturally limit the operations of the site. Noise emissions, their impacts and this concern raised by the representation are discussed in Section 6 of this EAR.

Representation No. / Agency	Comments and Issues	Further Information Requested	EPA Comments
	proposal for continual operation of the quarry is causing them distress. They also believe it would be advantageous to undertake a site-specific noise assessment of the equipment on site.		
	16. The representation raises concerns of potential contamination from liquids being brought onto and stored on site and liquid wastes (e.g., oil spills, fuel spills etc).	No	This is addressed in the EER. There will be no servicing of machinery on-site. Machinery will be refuelled using suitable mobile refuelling facilities to minimise spillage risks. A hydrocarbon spill kits will be stored on site for use in the event of spillage.
	17. The representation raises concerns onsite storage of general refuse will attract wildlife causing this waste to be spread into the surrounding environment.	No	The on-site generation of general waste will be minimal. This issue can be easily prevented through onsite management to seal bins and regular removal of general waste.
	18. The representation raises concerns on the potential impact of transport on threatened fauna species, particularly the Tasmanian devil, eastern quoll and spotted-tailed quoll.	No	There is minimal suitable habitat on the site for these species and limited records of sightings within 5km of the site. given the scale of the proposed activity and the operating hours transport to and from the site will be predominantly during daylight hours thus minimising roadkill risks to these species.
	19. The representation raises concerns with respect to the stated zoning of the site in the EER identifying that the EE incorrectly states the area is zoned 'rural resource' when it is zoned 'agricultural'.	No	This is a matter for Southern Midlands Council.

Representation No. / Agency	Comments and Issues	Further Information Requested	EPA Comments
Mineral Resources Tasmania, Department of State Growth	<p>Mineral Resources Tasmania (MRT) has reviewed the information contained within the Environmental Effects Report – K Noble and A Wedd, Knaw Quarry, Dysart and wish to advise we have no comment on the proposal at this time.</p> <p>Please note that under the <i>Mineral Resources Development Act 1995 (MRDA)</i> MRT is currently working through its own assessment process regarding the application for a mining lease which, at the time of writing has not yet been finalised.</p>	No	Noted.
Conservation Assessments Section, NRET	<p>Threatened Flora and Fauna</p> <p>CAS notes that no threatened flora and fauna was observed within the mining lease and limited habitat potential. There are very limited records within 5000 m of the mining lease, CAS considers that there are no issues of concern in relation to the proposed Knaw quarry and threatened flora and fauna and no further action is currently recommended.</p> <p>Native Vegetation Communities</p> <p>There are no threatened vegetation communities within or adjacent to the proposed development, CAS understands that the remnant native vegetation in the southwest corner of the property, mapped as <i>Eucalyptus viminalis</i> grassy forest and woodland, will not be impacted.</p> <p>Roadkill</p>	No	CAS comments are incorporated into the evaluation on potential impacts on biodiversity and natural values (Issue 5) and weed and disease management (Issue 6).

Representation No. / Agency	Comments and Issues	Further Information Requested	EPA Comments
	<p>CAS notes the <i>Knaw Quarry, Fosters Road, Dysart - Environmental Effects Report (2022)</i> (EER) states daily truck movements at 40 per day, this is considered significant in regard to likely impacts on the Tasmanian devil (<i>Sarcophilus harrisi</i>). The EER states that daily operating hours are to be 0700 to 1900 Monday to Friday and 0800 to 1600 Saturdays. The EER states that 90% of truck movements will be during daylight hours. The Devil Guidelines constitutes night-time as the hours between one hour before dusk and hour after dawn. CAS supports the education and awareness training, and the 20 km speed limits for internal roads for roadkill management.</p> <p>If the proposal will generate an increase of night-time traffic on the nearest main access roads Sugarloaf and Fosters CAS recommends that roadkill mitigation measures be implemented in accordance with the Tasmanian Devil Survey Guidelines and Management Advice for Development Proposals (the Devil Guidelines) available at http://dpiwwe.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments.</p> <p>Weeds, Pests and Diseases</p> <p>There are numerous weeds declared under the <i>Weeds Management Act 1999</i> recorded within 5km of the mining lease boundary. CAS supports the commitment on page 67 of the EER to develop A weed an pathogen</p>		

Representation No. / Agency	Comments and Issues	Further Information Requested	EPA Comments
	<p>management plan will be developed guided by the <i>Weed and disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tas</i> (Department of Primary Industries, Parks Water and Environment, 2015.) Information about practical hygiene measures to implement can be found in Appendix 2 of the <u>DPIPWE (2015) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania</u> found here: https://nre.tas.gov.au/invasive-species/weeds/weed-hygiene/weed-and-disease-planning-and-hygiene-guidelines.</p>		
Aboriginal Heritage Tasmania, NRET	<p>Search of the Aboriginal Heritage Register concluded there is no known Aboriginal heritage recorded within or close to the proposed works area and due to the area being highly disturbed there is a low likelihood of Aboriginal heritage being present. AHT recommends a copy of the Unanticipated Discover Plan be kept on hand during ground disturbing works.</p>	No	<p>Noted and the legal obligations with respect to Aboriginal relics are noted in Schedule 3 of PCE 11112.</p>

Appendix 2: Proponent management measures

Table 1: Proponent management measures (Table 5 of EER)

No.	Description	Timeframe	EER Reference
1	Roads within the boundary of the premises will be watered or sealed to minimise the risk of environmental nuisance. Trucks will utilise proven dust control measures such as tarpaulins, load dampening when travelling by public roads and carrying loads containing a significant quantity of material that passes a 4-millimetre sieve.	Ongoing from project commencement	C.1 AIR EMISSIONS - DUST
2	Standard industry practice for dust control will be applied – <ul style="list-style-type: none"> Raw material to have a suitable water content level prior to crushing and/or to utilise the installed sprayers on the output chute to minimise dust emissions from an otherwise dry product. Water will be accessed from the sediment basin or obtained with a dedicated water tanker. Establish grass/vegetative cover on bare soil areas to minimise wind erosion. 		
3	A sediment pond of 200 m ³ capacity (a pond surface area of at least 270 m ²) will be established to receive all surface water flows from the Quarry disturbed area. The pond will be cleaned out every 5 years to maintain capacity.	Prior to the opening of the extraction face	C.2 WATER QUALITY (SURFACE, DISCHARGE AND GROUNDWATER)
4	No chemicals, fuels or oils will be stored within the pit overnight and refuelling of equipment will be carried out using a mobile tank on a trailer or by a fuel pod transported in a 4WD utility.	Ongoing from project commencement	
5	Cut-off drains and drains around and internal to the Quarry will be maintained and additional drains constructed where required to direct catchment runoff around the Quarry.		
6	Access road drains, culverts, spoon-drains, and other water shedding devices will be checked quarterly and maintained as required to minimise sediment release into stormwater.		

7	Sediment accumulation rates in the sediment ponds will be monitored and the maintenance program revised as required – conducted quarterly. Accumulated sediment will be reused as part of the saleable product or for application onto disused areas as part of site rehabilitation.		
8	Hours of operation are to be restricted to 0700 to 1900 hours, Monday to Friday, 0800 to 1600 hours, Saturdays, and No operations on Sundays or public holidays (those gazetted statewide).	Ongoing from project commencement	
9	Noise attenuating bunds will be installed using soil and other earth-based materials sourced from the Land. All noise barriers (bunds) will extend at least 3m horizontally beyond noise generating equipment and are 3m above each noise source height at all stages of the quarry development– see Figures B5-B-9, Figure B-16B in EER Supplement. The bund will be covered in pasture grass and maintained for the life of the Quarry.	Within the first 3 months of the activity	C.3 NOISE EMISSIONS
10	Access tracks and haul roads will be well maintained to prevent corrugation that contributes to truck noise, and truck drivers should be encouraged, where possible, to use access roads which have the least impact on the community.	Ongoing from project commencement	
11	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 at a permitted refuse disposal site.		
12	General refuse (e.g., food wrappers) will be collected in waste bins provided on-site for general refuse.	Ongoing from project commencement	C.4 WASTE
13	Redundant crushing consumables (e.g., screens, miscellaneous parts) will be removed for disposal/recycling.		
14	Weed spraying chemicals will be handled, used, and disposed of in accordance with the manufacturer’s directions and relevant regulations.		
15	When in the Quarry, fuel and oil containers will be contained in double skinned/bunded pods fitted with a trigger hose with automatic shut off function to avoid a large spillage. They will be located at least 10 m from any drain and the sediment pond and will be bunded (moveable bunds) to a capacity at least 1.5 times the volume of the container.	Ongoing from project commencement	C.5 ENVIRONMENTALLY HAZARDOUS GOODS

16	One hydrocarbon spill kit will be stored at the Quarry to use in the event of a spillage and will be replaced as and when required.		
17	The management approach for internal road use is – <ul style="list-style-type: none"> • Undertake education and awareness training for truck drivers accessing the Quarry, and • Limit internal road speed to 20 km/hr from dusk to dawn. 	Ongoing from project commencement	C.7 NATURAL VALUES
18	A Weed and Pathogen Management Plan will be developed and implemented as part of the quarry operation guided by the Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania (Department of Primary Industries, Parks, Water and Environment, 2015).	WPMP submitted to EPA within 60 days of permit being granted	C.6 WEEDS, PESTS AND PATHOGENS
19	A Weed Spraying Program will be developed in consultation with a weed spraying contractor who will implement the program.	Ongoing from the EPA approval of the WPMP	
20	Heavy machinery will be brought into the quarry in a clean condition; free of weed propagules, clods of dirt and vegetative matter.	Ongoing from project commencement	
21	If dust is observed to be creating a nuisance, the Proponent will use dust suppression techniques until such time as the adverse weather conditions subside.	Ongoing from project commencement	C.9 MONITORING
22	Sediment traps will be monitored to ensure the total capacity of the impoundment is not reduced by more than half. If accumulated sediment is excessive, the trap will be cleared out and the spoil set aside with overburden to be blended with product or used in future rehabilitation works.		
23	'Progressive rehabilitation' will apply at the quarrying operation for those areas that have been quarried and are no longer needed or used for the operation of the quarry.	Ongoing from project commencement	C.10 DECOMMISSIONING

24	In the event of permanent closure of the facility prior to complete extraction of the resource a detailed Decommissioning and Rehabilitation Plan (DRP) will be developed and submitted to the EPA for approval.	DRP submitted to EPA for approval within 60 days of scheduled permanent closure	AND REHABILITATION
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Appendix 3: Permit conditions – Environmental No: 11112

PERMIT PART B
PERMIT CONDITIONS - ENVIRONMENTAL No. 11112

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

Activity: **The operation of a quarry and materials handling (ACTIVITY TYPE:
Crushing, grinding, milling or separating into different sizes (rocks, ores or
minerals))
KNAW QUARRY, 475 SUGARLOAF ROAD
DYSART TAS 7030**

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: **SOUTHERN MIDLANDS**
Permit Application Reference: **DA 2021/180**
EPA file reference: **21/3381**

Date conditions approved: 03 August 2022

Signed:



DELEGATE FOR THE BOARD OF THE ENVIRONMENT
PROTECTION AUTHORITY

DEFINITIONS

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

ENVIRONMENTAL CONDITIONS

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

INFORMATION

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

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Attachments

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Attachment 2: Noise Attenuation Bund (modified: 27/07/2022 13:25)..... 1 page

Schedule 1: Definitions

In this Permit Part B:-

11,000 cubic metres is considered equivalent to 17,600 tonnes.

5,000 cubic metres is considered equivalent to 8,000 tonnes.

Aboriginal Relic has the meaning described in section 2(3) of the *Aboriginal Heritage Act 1975*.

Activity means any environmentally relevant activity (as defined in Section 3 of EMPCA) to which this document relates, and includes more than one such activity.

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

Director means the Director, Environment Protection Authority holding office under Section 18 of EMPCA and includes a delegate or 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.

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 Environment Protection Authority in May 2017, and includes any subsequent versions of this document.

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

Tasmanian Noise Measurement Procedures Manual means the document titled *Noise Measurement Procedures Manual*, by the Department of Environment, Parks, Heritage and the Arts, dated July 2008, and any amendment to or substitution of this document.

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

- 1 Mining Lease 2114P/M;

- 2 portion of Certificate of Title 169546/5; and
- 3 as further delineated at Attachment 1.

Weed means a declared weed as defined in the *Weed Management Act 1999*.

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

Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits

- 1 The activity must not exceed the following limits :
 - 1.1 5,000 cubic metres per year of rocks, ores or minerals processed.
 - 1.2 11,000 cubic metres per year of rocks, ores or minerals extracted.

General

G1 Access to and awareness of conditions and associated documents

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

G2 Incident response

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

G3 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 who will become the person responsible for the activity, before such cessation.

G5 Change of ownership

If the owner of The Land upon which the activity is carried out changes or is to change, then, as soon as reasonably practicable but no later than 30 days after becoming aware of the change or intended change in the ownership of The Land, the person responsible must notify the Director in writing of the change or intended change of ownership.

G6 Complaints register

- 1 A public complaints register must be maintained. The public complaints register must, as a minimum, record the following detail in relation to each complaint received in which it is alleged that environmental harm (including an environmental nuisance) has been caused by the activity:
 - 1.1 the date and time at which the complaint was received;
 - 1.2 contact details for the complainant (where provided);
 - 1.3 the subject matter of the complaint;
 - 1.4 any investigations undertaken with regard to the complaint; and
 - 1.5 the manner in which the complaint was resolved, including any mitigation measures implemented.
- 2 Complaint records must be maintained for a period of at least 3 years.

G7 Quarry Code of Practice

Unless otherwise required by these conditions or required in writing by the Director, the activity (or activities) undertaken on The Land must comply with the Acceptable Standards provisions of the *Quarry Code of Practice*.

Atmospheric**A1 Covering of vehicles**

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

A2 Control of dust emissions

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

A3 Control of dust emissions from 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 crushers and at all points where crushed material changes direction due to belt transfer;
 - 1.2 the installation of dust extraction equipment at all 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; or
 - 1.4 any other method that has been approved in writing by the Director.

Decommissioning And Rehabilitation**DC1 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.

DC2 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 2 hectares.

DC3 Temporary suspension of activity

- 1 Within 30 days of becoming aware of any event or decision which is likely to give rise to the temporary suspension of the activity, the person responsible for the activity must notify the Director in writing of that event or decision. The notice must specify the date upon which the activity is expected to suspend or has suspended.
- 2 During temporary suspension of the activity:
 - 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.

DC4 Notification of cessation

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

DC5 Rehabilitation on cessation

- 1 Unless otherwise approved in writing by the Director, rehabilitation upon permanent cessation of the activity must be undertaken in accordance with relevant provisions of the *Quarry Code of Practice* and in accordance with the following:
 - 1.1 rehabilitation earthworks must be substantially completed within 12 months of cessation of the activity; and
 - 1.2 rehabilitated areas must be monitored and maintained for a period of at least three years after rehabilitation works have been substantially completed, after which time the person responsible for the activity may apply in writing to the Director for a written statement that rehabilitation has been successfully completed.

Hazardous Substances**H1 Spill kits**

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

H2 Storage and handling of hazardous materials

- 1 Unless otherwise approved in writing by the Director, environmentally hazardous materials held on The Land must be:

- 1.1 stored within impervious bunded areas, spill trays or other containment systems; and
- 1.2 managed to prevent unauthorised discharge, emission or deposition of pollutants:
 - 1.2.1 to soils within the boundary of The Land in a manner that is likely to cause serious or material environmental harm;
 - 1.2.2 to groundwater;
 - 1.2.3 to waterways; or
 - 1.2.4 beyond the boundary of The Land.

H3 Handling of hazardous materials - mobile

- 1 Where mobile containment of environmentally hazardous materials is utilised for the fuelling or servicing of mobile or fixed plant on The Land, all reasonable measures must be implemented to prevent unauthorised discharge, emission or deposition of pollutants:
 - 1.1 to soils within the boundary of The Land in a manner that is likely to cause serious or material environmental harm;
 - 1.2 to groundwater;
 - 1.3 to waterways; or
 - 1.4 beyond the boundary of The Land.
- 2 Reasonable measures may include spill kits, spill trays/bunds or absorbent pads, and automatic cut-offs on any pumping equipment.

Noise Control

N1 Noise attenuation bund

- 1 Unless otherwise approved in writing by the Director, a topsoil bund, at least three (3) metres high and positioned on the western side of the site consistent with the site diagram provided at Attachment 2, must be installed within three (3) months of the date on which these conditions take effect.
- 2 The three (3) metre bund must be maintained throughout the period the quarry is in operation.

N2 Noise emission limits

- 1 Noise emissions from the activity at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed 45 dB(A) between 0700 hours and 1900 hours (Day time)(notwithstanding any limits to operating hours specified elsewhere in these conditions).
- 2 Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the background noise levels by at least 5 dB(A).
- 3 The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Director.
- 4 Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.
- 5 All methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual.

N3 Operating hours

- 1 Unless otherwise approved by the Director, activities associated with the extraction of rock, gravel, sand, clay or minerals, and loading of product, and screening/crushing must not be undertaken outside the hours of 0700 hours to 1900 hours on weekdays and 0800 hours to 1600 hours on Saturdays.
- 2 Notwithstanding the above paragraph, activities must not be carried out on public holidays that are observed Statewide (Easter Tuesday excepted).

N4 Noise complaints

In the event that a noise complaint is received in relation to the activity, the complaint must be reported to the Director within 24 hours.

N5 Noise survey requirements

- 1 Unless otherwise approved in writing by the Director, a noise survey must be completed:
 - 1.1 within 12 months of these conditions taking effect; and
 - 1.2 prior to any change to the activity which is likely to substantially alter the character or increase the volume of noise emitted from The Land; and
 - 1.3 where the Director is of the opinion that a noise survey must be completed within a specified timeframe.

N6 Noise survey method and reporting requirements

- 1 Noise surveys must be undertaken in accordance with a survey method approved in writing by the Director, as may be amended from time to time with written approval of the Director.
- 2 Without limitation, the survey method must address the following:
 - 2.1 measurements must be carried out at day, evening and night times (where applicable) at each location;
 - 2.2 simultaneous source measurements must be taken in order to compare with the noise emissions results measured at noise sensitive premises during the same time period;
 - 2.3 source noise levels and characteristics of each item of equipment of concern; and
 - 2.4 measurement locations, and the number thereof, must be specified, with one location established as a control location (noise).
- 3 Measurements and data recorded during the survey must include:
 - 3.1 operational status of noise producing equipment and throughput of the activity;
 - 3.2 subjective descriptions of the sound at each location;
 - 3.3 details of meteorological conditions relevant to the propagation of noise;
 - 3.4 the equivalent continuous (L_{eq}) and L_1 , L_{10} , L_{50} , L_{90} and L_{99} A-weighted sound pressure levels measured over a period of 10 minutes or an alternative time interval approved by the Director;
 - 3.5 a data set containing periods capturing the normal and the worst case operating conditions;
 - 3.6 A and C weighted one-third octave spectra (including low frequency) over suitably representative period of not less than 1 minute presented in tabulated and graph format; and
 - 3.7 narrow-band spectra over suitably representative periods of not less than 1 minute.

- 4 A noise survey report must be forwarded to the Director within 30 days from the date on which the noise survey is completed.
- 5 The noise survey report must include the following:
 - 5.1 the results and interpretation of the measurements required by these conditions;
 - 5.2 a map of the area surrounding the activity with the boundary of The Land, measurement locations, and noise sensitive premises clearly marked on the map;
 - 5.3 if and where required, predicted noise levels at the noise sensitive premises based on the completed commissioning source noise measurements;
 - 5.4 any other information that will assist with interpreting the results and whether the activity is in compliance with these conditions and EMPCA; and
 - 5.5 recommendations of appropriate mitigation measures to manage any noise problems identified by the noise survey.

N7 No blasting without approval

Blasting must not be carried out on The Land without the prior written approval of the Director.

Operations

OP1 Machinery washdown

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

OP2 Weed management

- 1 Within 3 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 the Director's satisfaction.
- 2 The plan must be consistent with the Weed and Disease Guidelines, or any subsequent revisions of that document.
- 3 The person responsible must not implement the Weed Management Plan until the Director has approved the Plan. Once approved the person responsible must 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.

Stormwater Management

SW1 Perimeter drains or bunds

- 1 Perimeter cut-off drains, or bunds, must be constructed at strategic locations on The Land to prevent surface run-off from entering the area used or disturbed in carrying out the activity. All reasonable measures must be implemented to ensure that sediment transported along these drains, or bunds, remains on The Land. Such measures may include provision of strategically located sediment fences, appropriately sized and maintained sediment settling ponds, vegetated swales, detention basins and other measures designed and operated in accordance with the principles of Water Sensitive Urban Design.

- 2 Drains, or bunds, must have sufficient capacity to contain run-off that could reasonably be expected to arise during a 1 in 20 year rainfall event. Maintenance activities must be undertaken regularly to ensure that this capacity does not diminish.

SW2 Design and maintenance of settling ponds

- 1 Sediment settling ponds must be designed and maintained in accordance with the following requirements:
 - 1.1 ponds must be designed to successfully mitigate reasonably foreseeable sediment loss which would result from a 1 in 20 year storm event;
 - 1.2 discharge from ponds must occur via a stable spillway that is not subject to erosion;
 - 1.3 all pond walls must be stable and treated with topsoil and vegetated or otherwise treated in such a manner as to prevent erosion; and
 - 1.4 sediment settling ponds must be periodically cleaned out to ensure that the pond design capacity is maintained. Sediment removed during this cleaning must be securely deposited such that sediment will not be transported off The Land by surface run-off.

SW3 Stormwater

- 1 Polluted stormwater that will be discharged from The Land must be collected and treated prior to discharge to the extent necessary to prevent serious or material environmental harm, or environmental nuisance.
- 2 Notwithstanding the above, all stormwater that is discharged from The Land must not carry pollutants such as sediment, oil and grease in quantities or concentrations that are likely to degrade the visual quality of any receiving waters outside The Land.
- 3 All reasonable measures must be implemented to ensure that solids entrained in stormwater are retained on The Land. Such measures may include appropriately sized and maintained sediment settling ponds or detention basins.

Schedule 3: Information

Legal Obligations

LO1 EMPCA

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

LO2 Storage and handling of dangerous goods, explosives and dangerous substances

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

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

1.2 *Explosives Act 2012* and subordinate regulations; and

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

LO3 Aboriginal relics requirements

1 Aboriginal relics, objects, sites, places and human remains regardless of whether they are located on public or private land, are protected under the *Aboriginal Heritage Act 1975*.

2 Unanticipated discoveries of Aboriginal heritage must be reported to Aboriginal Heritage Tasmania on **1300 487 045** as soon as possible.

Other Information

OI1 Waste management hierarchy

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

1.1 waste should be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;

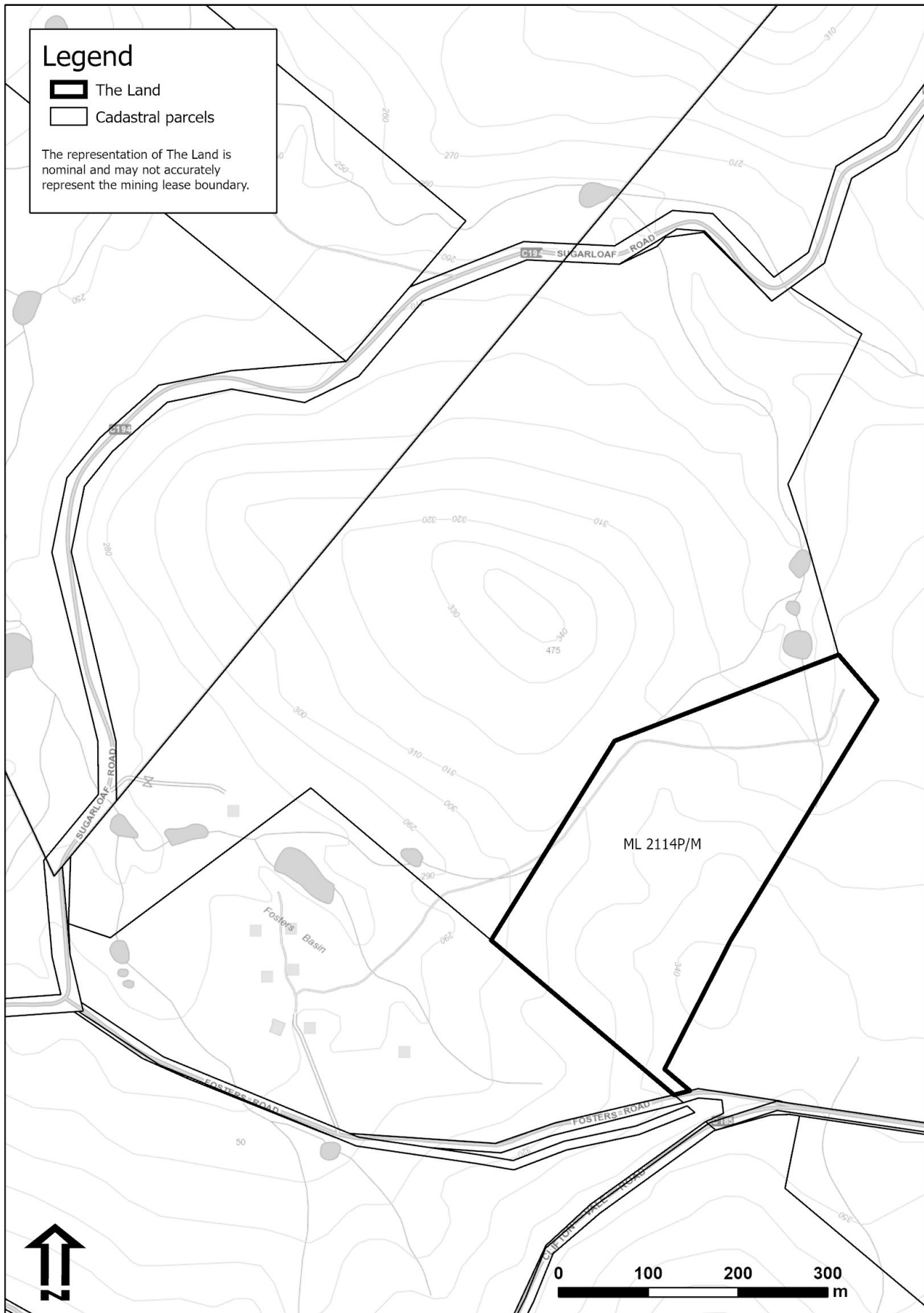
1.2 waste should be re-used or recycled to the maximum extent that is practicable; and

1.3 waste that cannot be re-used or recycled must be disposed of at a waste depot site or treatment facility that has been approved in writing by the relevant planning authority or the Director to receive such waste, or otherwise in a manner approved in writing by the Director.

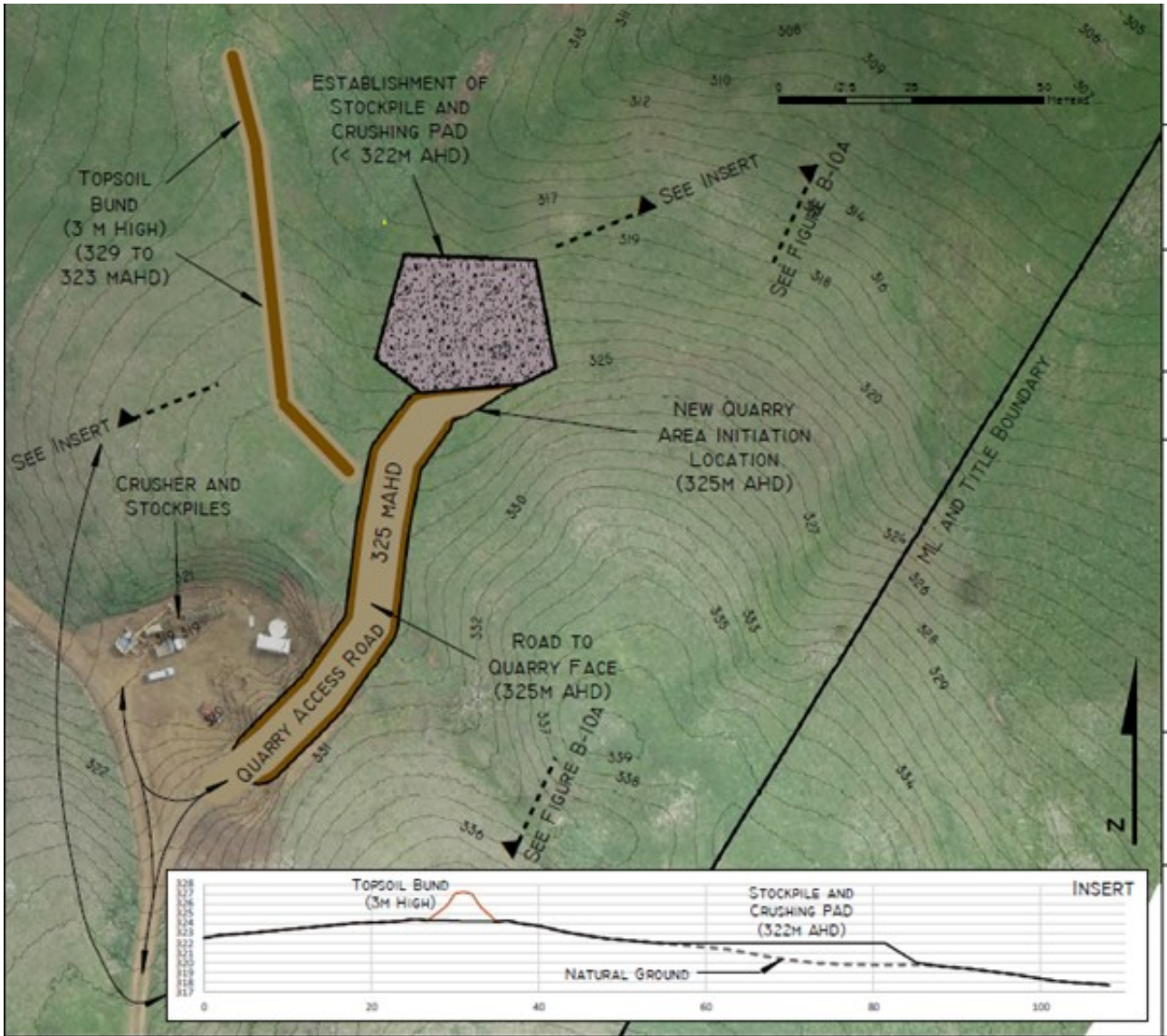
OI2 Notification of incidents under section 32 of EMPCA

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

Attachment 1: Plan of Activity



Attachment 2: Noise Attenuation Bund





ENVIRONMENT PROTECTION AUTHORITY