

Environmental Assessment Report

MSD Constructions Pty Ltd

Windsors Quarry Extension

2118 Lyell Highway, Hayes

June 2024



ENVIRONMENT PROTECTION AUTHORITY

Environmental Assessment Report

Proponent	MSD Constructions Pty Ltd
Proposal	Windsors Quarry Extension
Location	'Springfield' 2118 Lyell Highway, HAYES TAS 7140
Class of Assessment	2A
PCE no.	11439
Permit Application No.	DA 2023/011 – Derwent Valley Council
myDAS Folder No.	23/1678
myDAS Document No.	D24-149591

Assessment Process Milestones

Date	Milestone
30 January 2023	Permit Application submitted to Council
27 February 2023	Referral received by the Board
31 March 2023	Guidelines Issued
29 April 2024	Start of public consultation period
13 May 2024	End of public consultation period
6 June 2024	Date draft conditions issued to proponent
19 June 2024	Statutory period for assessment ends

Glossary/Acronyms

Term	Detail
Board	Board of the Environment Protection Authority
CAS	Conservation Assessment Section – NRE
DA	Development Application
EER	Environmental Effects Report
EIA	Environmental impact assessment
EMPCA	<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>
LUPAA	<i>Land Use Planning and Approvals Act 1993</i>
NCA	<i>Nature Conservation Act 2002</i>
NOI	Notice of Intent
NRE	Department of Natural Resources and Environment Tasmania
QCP	Quarry Code of Practice (EPA 2017)
RMPS	Resource Management and Planning System of Tasmania
SD	Sustainable development
TSPA	<i>Threatened Species Protection Act 1995</i>

Report Summary

This report provides an environmental assessment of the proposed extension of Windsors Quarry by MSD Constructions Pty Ltd.

The proposal involves the extension of the maximum extraction footprint at the existing quarry, located at 2118 Lyell Highway, Hayes. The existing annual extraction and processing (crushing/screening) volume is to be maintained at 20,000 cubic metres per year. The proposal also includes loading and carting product one hour prior to that currently approved, between 0600 hours to 0700 hours on weekdays.

This report has been prepared based on information provided in the permit application and the Environmental Effects Report (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 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.

Table of Contents

1. Approval Process.....	6
2. SD Objectives and EIA Principles	7
3. The Proposal	8
4. Project Rationale and Alternatives	13
5. Public and Agency Consultation.....	14
6. Evaluation of Environmental Issues	15
6.1 General conditions.....	15
6.2 Issue 1: Surface and ground water quality.....	16
6.3 Issue 2: Air Quality	18
6.4 Issue 3: Noise Emissions.....	20
6.5 Issue 4: Waste Management, Dangerous Goods and Environmentally Hazardous Substances	22
6.6 Issue 5: Natural Values.....	24
6.7 Issue 6: Weed and Disease Management	26
6.8 Issue 7: Decommissioning and Rehabilitation.....	27
7. Issues not assessed by the Board.....	29
7.1 Issue 1: TasNetworks Infrastructure Access.....	29
8. Report Conclusions	30
9. Report Approval.....	31
10. References.....	32
11. Appendices.....	33
Appendix 1: Summary of public and agency submissions	34
Appendix 2: Table of proponent management measures.....	35
Appendix 3: Permit Conditions – Environmental No: 11439.....	38

I. Approval Process

An application for a permit under the Land Use Planning and Approvals Act 1993 (LUPAA) in relation to the proposal was submitted to Derwent Valley Council on 30 January 2023.

Section 25(1) of the *Environmental Management and Pollution Control Act 1994* (EMPCA) 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 27 February 2023.

This proposal is defined as a 'level 2 activity' under clauses 5(c) and 6(a), Schedule 2 of EMPCA, being a quarry and materials handling facility.

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 30 March 2023. Several 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 22 April 2024.

The EER was released for public inspection for 14 days on 29 April 2024. Advertisements were placed in *The Mercury* and on the EPA website. The EER was also referred to relevant government agencies for comment. No public representations were received.

The Acting Executive Director, Environmental Assessments has determined the assessment under delegation from the Board.

2. 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 EMPCA.

The functions of the Board are to administer and enforce the provisions of EMPCA, 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 EMPCA.

3. The Proposal

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

Summary of the proposal’s main characteristics

Activity

The proposal is to increase the maximum extraction area and allow loading and carting of product between the hours of 0600 and 0700 on weekdays. The method of extraction and processing (crushing/screening) will remain unchanged as will the current 20,000 cubic metres per year limit for extraction and processing.

Location and planning context

Location	‘Springfield’ - 2118 Lyell Highway, Hayes TAS 7140 (CT 121275/1) – Shown in part B.2 and Figure B-1 of the EER.
Land zoning	Zoned as Significant Agricultural, Utilities (access only; Clause 9.7 of the Scheme applies).
Land tenure	Private Freehold.
Mining lease	1889 P/M – granted, pending renewal. 2028 P/M – under application.
Lease area	1889 P/M – approx. 4 hectares. 2028 P/M – approx. 11 hectares.
Bond	The current mining lease is pending renewal, and the new mining lease application is under assessment. The bond for each mining lease will be calculated by MRT as part of the application/renewal process.

Activity site

Land Use	The Land encompasses agricultural land, and tracks/roads. The broader property ‘Springfield’ is a mixed agricultural enterprise of livestock and some cropping. A residence is also located on the southern portion of the property.
Topography	The quarry is located on the northern side of Cider Hill (101 m AHD) which is the southern end of a minor ridgeline that extends northward to Kilderry Hill (390 m AHD). The ridge terminates to the south at the River Derwent. Shallow valleys exist immediately west and east of The Land.
Geology	The geology of the quarry is Jurassic dolerite with a thin clay-loam layer derived from in situ weathering of the bedrock. Triassic quartz sandstone, feldspathic sandstone and micaceous siltstone outcropping occurs along the access road and Johnnys Creek.
Soils	Dominant soil type in the quarry is identified as brown soils on dolerite.
Hydrology	The quarry is located immediately west of Johnnys Creek which flows in a southerly direction to the River Derwent. There are several dams located along Johnnys Creek, some of which are instream. The soils of the quarry are well draining and allow stormwater to drain through the quarry floor. During heavy and/or sustained rainfall, ponding can occur in the quarry, with infrequent surface runoff from the quarry floor.
Natural Values	The Land is predominantly classed as agricultural land. No threatened flora or fauna species were observed during onsite surveys and no threatened fauna records were identified within The Land. There is potential foraging habitat for several threatened species on The Land.

Location region

Climate	Rainfall is approximately 525 mm per annum on average. Winds in the area are typically from the north and northwest, with sub dominant winds from the west and southwest.
Surrounding land zoning, tenure and uses	<p>The quarry is surrounded by land zoned significant agricultural land. A short distance to the east and further to the north is land zoned rural resource. The surrounding land is privately owned, with the nearest exception being land owned by TasWater approximately 1.4 km south of the quarry.</p> <p>Surrounding uses are agriculture, private forestry to the north and another quarry to the south across the River Derwent. The ex-Hayes Prison Farm located to the northwest of the quarry is used as a hydroponics facility growing salads/microgreens.</p> <p>A TasNetworks transmission line runs directly above the quarry in a northwest / southeast direction. A transmission line tower is located on The Land.</p> <p>There is also a TasRail rail line that runs through the front of the property adjacent to the Lyell Highway, which must be crossed when accessing The Land.</p>

Proposed infrastructure

Major equipment	<p>The equipment will remain the same as is currently used for quarry operations. The EER states there are typically between 2 and 4 crushing / screening campaigns per year which is subject to demand for product and availability of equipment.</p> <p>The EER notes that the machinery required for a campaign includes:</p> <ul style="list-style-type: none"> • Mobile crusher unit, Terex Pegson AX 846 and Screen Vibratory Sizing Screen RD 90 (SPL – 110 to 120 dBA); • Loader (FEL) Komatsu WA350 (SPL – 102 to 106 dBA); • Excavator 3 Tonne, SK250 (SPL – 105 to 107 dBA); • Dozer Cat D6H (SPL – 107 dBA); and • Water tank truck for dust suppression.
Other infrastructure	The proposed extension will require updates to the location and size of the existing stormwater infrastructure i.e. sediment pond(s) and cut off drains / bunds.

Inputs

Water	To be sourced from offsite as required for crushing/screening dust suppression and to dampen internal roads.
Energy	Diesel powered equipment will be used on site.

Wastes and emissions

Liquid	Stormwater runoff from extraction and stockpile areas.
Atmospheric	Dust from crushing / screening, internal and external traffic, loading material and blow-off from stockpiles.
Solid	<p>General refuse including food scraps, paper, and packaging.</p> <p>Wastes associated with maintenance of plant and equipment such as small drums from motor oils / hydraulic fluids, wrapping from parts and soiled rags.</p>
Controlled wastes	Waste engine oil, brake fluid and hydraulic fluid.
Noise	From crushing and screening equipment, excavator, loader, dozer, and vehicle movements within and entering / exiting The Land.

Construction and operation

Proposal timetable	The EER states the expansion would proceed within 12 weeks of a permit being granted.
Operating hours (ongoing)	<p>Clearing, ripping, crushing, screening, stockpiling, loading, carting, and associated works: 0700 hours to 1900 hours Monday to Friday. 0800 hours to 1600 hours Saturday.</p> <p>Loading and carting of product only: 0600 hours to 1900 hours Monday to Friday.</p> <p>No activity on Sunday and public holidays.</p>

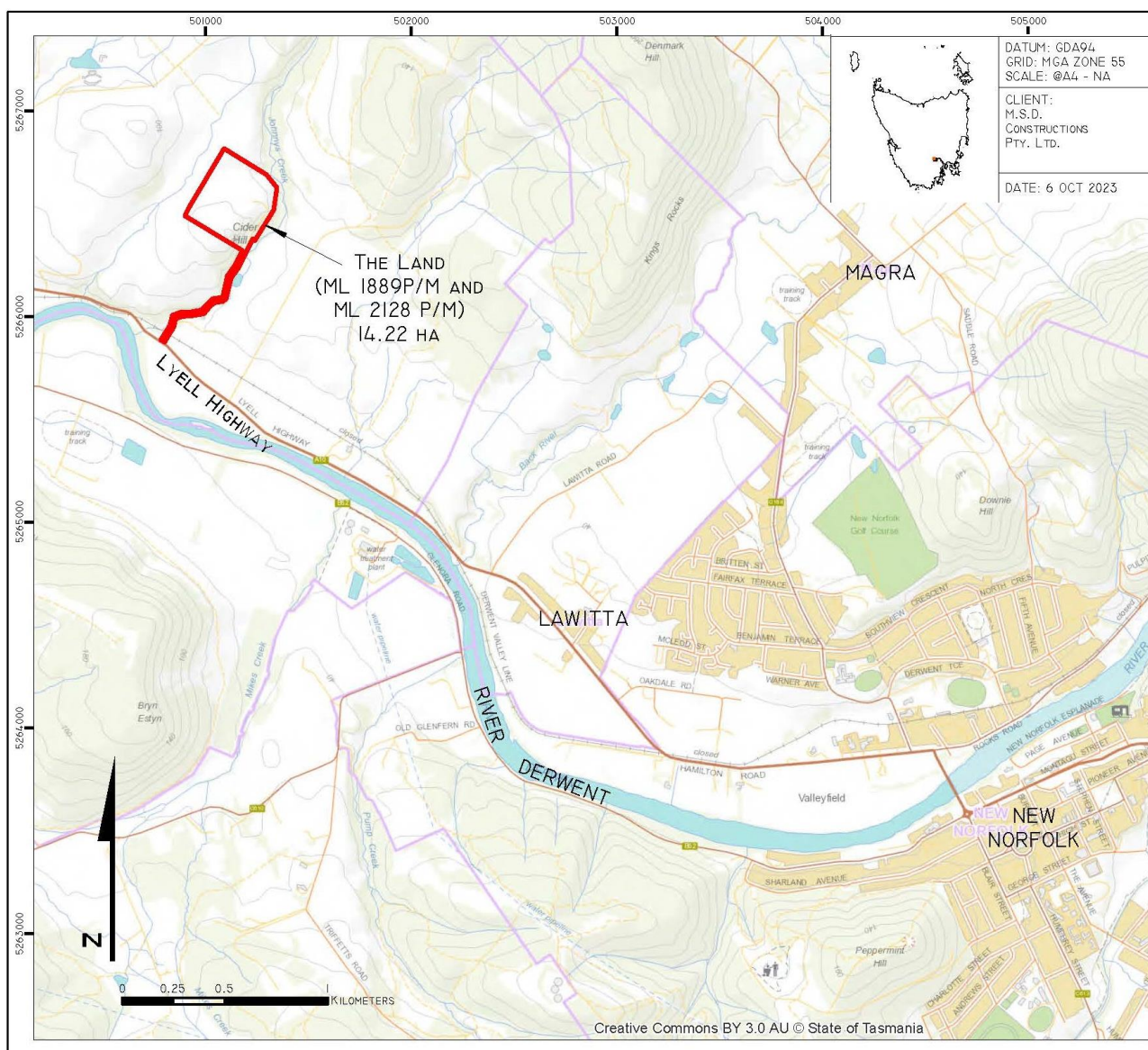


Figure 1: Proposed location (Figure B-1 of the EER).

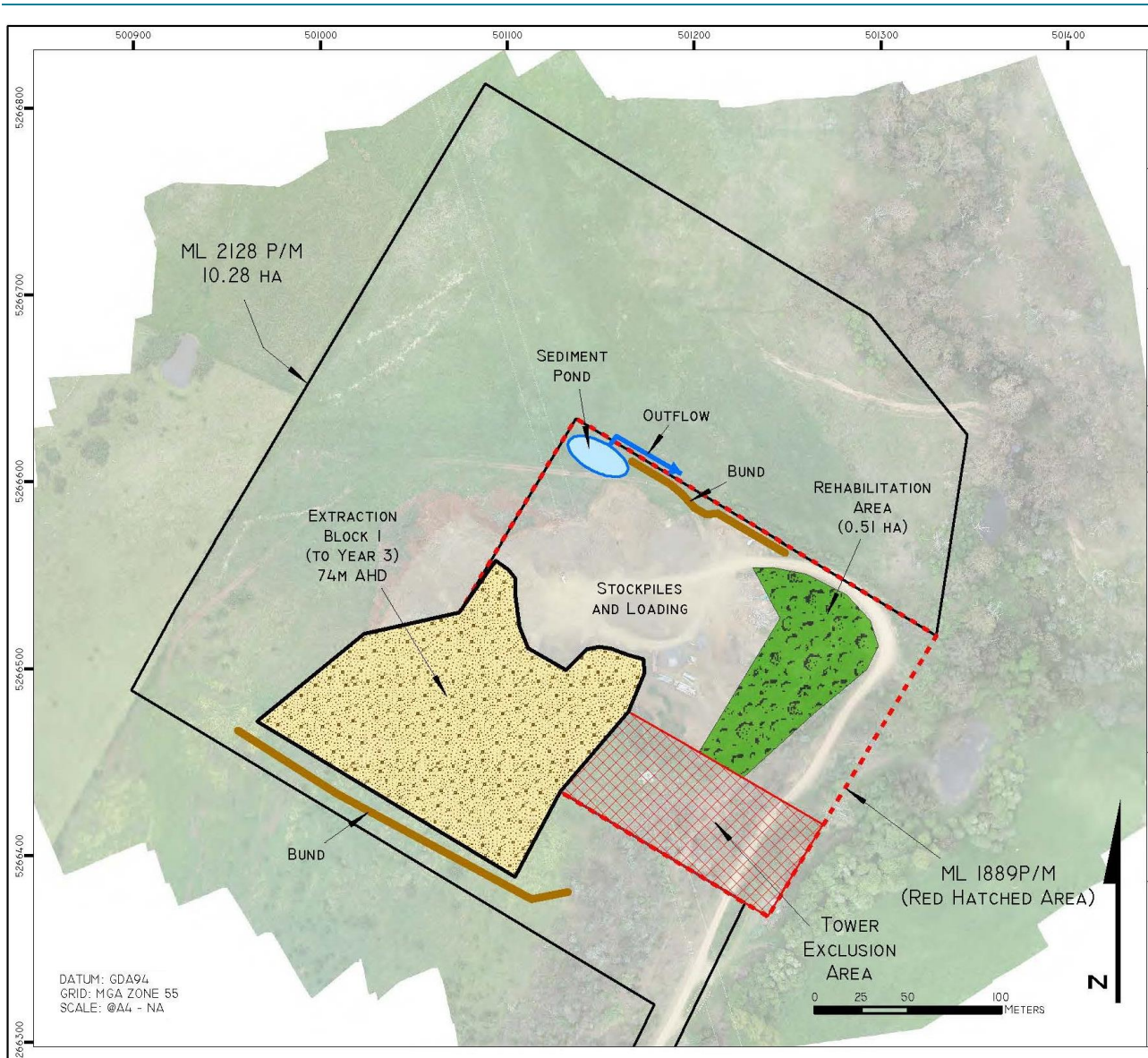


Figure 2: Extraction plan to 4.5 years (Figure B-5A of the EER).

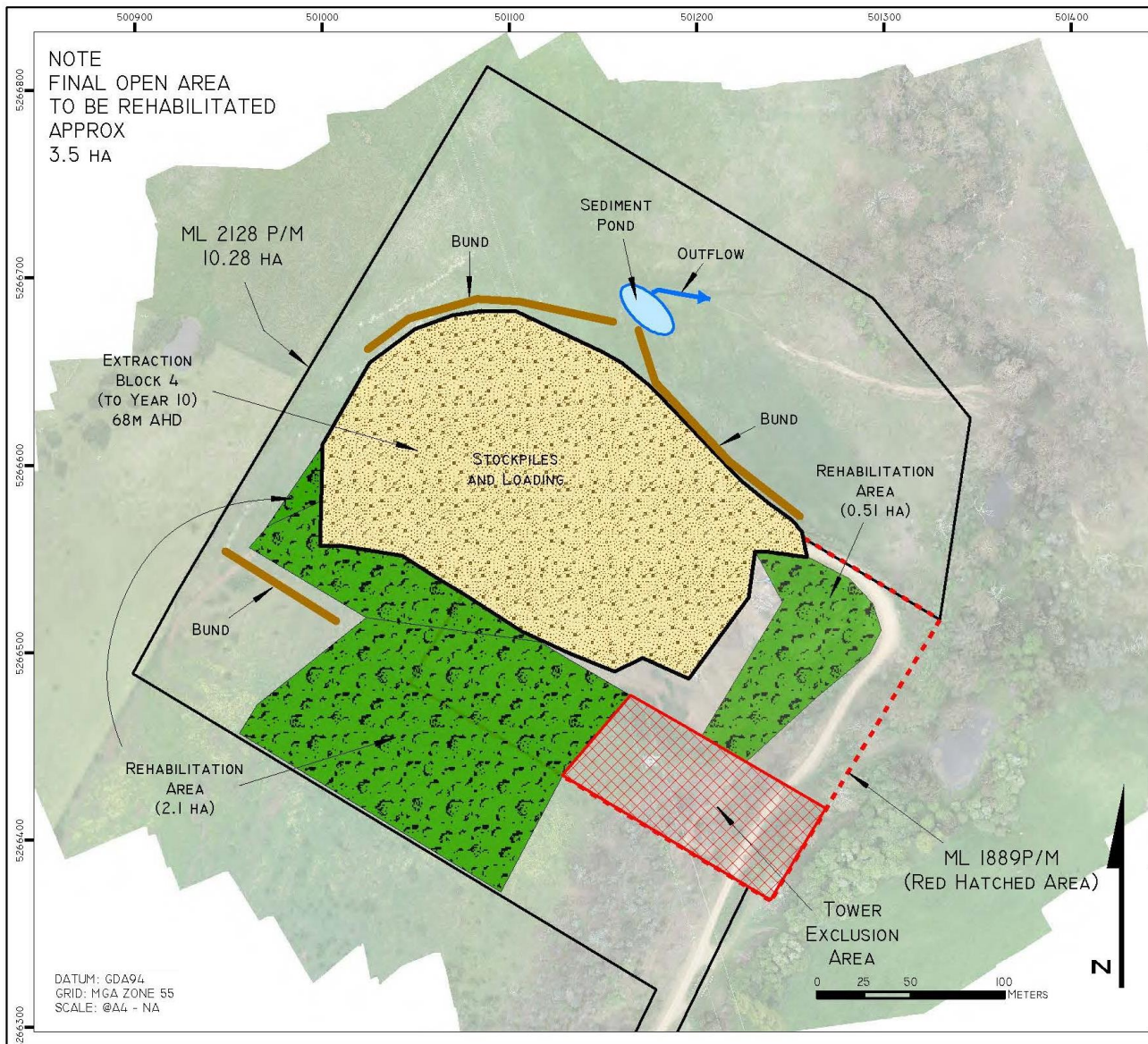


Figure 3: Extraction plan to 10 years (Figure B-7A of the EER).

4. Project Rationale and Alternatives

According to the EER, the quarry is in a strategic location relative to its existing market in the upper Derwent Valley. The EER states that MSD Constructions Pty Ltd have operated the quarry for 15 years providing high quality construction materials to regional development projects in the area. The EER notes that the resource extends beyond the current mining lease boundary and that no alternative locations were considered for the following reasons:

- The resource has sufficient volume to ensure long term production of high quality aggregate;
- The quarry is near the Lyell Highway, a major high volume road, which allows easy access to their existing markets and potential for expanding those markets;
- Limited natural values have the potential to be impacted by the extension of the existing quarry; and
- There are few sensitive receptors near the quarry.

5. Public and Agency Consultation

No public submissions were received during the public consultation period.

The EER was also referred to several government agencies with an interest in the proposal, including:

- Conservation Assessments Section, Department of Natural Resources and Environment Tasmania.
- Mineral Resources Tasmania, Department of State Growth.
- Tasmanian Networks.
- TasRail.

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 government agency submissions received.

6. Evaluation of Environmental Issues

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

1. Surface and Ground Water Quality
2. Air Quality
3. Noise Emissions
4. Waste Management, Dangerous Goods and Environmentally Hazardous Materials
5. Natural Values
6. Weed and Disease Management
7. Decommissioning and Rehabilitation

6.1 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** Proposed change to activity
- **G4** Change of responsibility
- **G5** Change of ownership
- **G6** Complaints register
- **G7** Quarry Code of Practice
- **G8** Amendment of required plans and reports
- **G9** Changes to the EMP

6.2 Issue 1: Surface and ground water quality

6.2.1 Potential impacts

The proposal involves several existing activities including excavation, crushing, screening, carting of material, stockpile creation, weed management, and refuelling / maintenance of vehicles, plant, and equipment, all of which have the potential to be sources of pollutants (e.g. sediments, fuel / oil, and other chemicals) that may impact surface or groundwater quality if not managed appropriately. In addition, the main aspect of this proposal is to increase the maximum footprint of the quarry from around 2.5 ha up to 8 ha and have an open area of 3.5 ha at any one time (excluding the access road), a 1.5 ha increase to that currently approved, which means the increased risk of sediments being entrained in stormwater may cause erosion if not managed appropriately.

The quarry is located on the northern side of a small hill and drops steeply east and southeast to Johnnys Creek (ephemeral) which runs roughly parallel to the southeastern boundary of the mining leases (1889P/M and 2128 P/M). A small unnamed ephemeral watercourse also exists further to the west of the quarry. Both watercourses drain to the southwest into the River Derwent, which is located approximately 580 m from the mining lease boundary (excluding the access road section). Refer to Figure B-12A of the EER for a map showing the local watercourses.

6.2.2 Management measures proposed in EER

The EER lists the acceptable standards under Section 7.9.2 of the QCP that are relevant and apply to the quarry in relation to water quality, sediment control and drainage.

The EER states that the existing quarry drainage and sediment pond infrastructure will continue to be maintained including the cut-off drain to the rear of the high wall, internal drains, and a sediment pond associated with the quarry floor.

The EER goes on to state that sediment contamination of stormwater is to be managed through avoidance and mitigation measures, including:

- minimisation of disturbed areas (e.g., establishment of grass / vegetative cover);
- minimisation of stormwater ingress and sediment mobilisation using perimeter drains, cut-off drains and bunding;
- maintenance of the sediment pond to capture entrained sediment in stormwater; and
- the use of a vegetated discharge zone to remove fine suspended sediment prior to water reporting to a watercourse.

The EER notes that stormwater from disturbed areas will continue to be directed to a sediment pond, noting that the pond will change location over time as the quarry development progresses. The EER also notes the sediment pond size will be adjusted to cover the additional disturbed area, or a second pond will be installed. The EER states that the volume of any new / enlarged pond(s) will be calculated by an engineer using the 'Blue Book' *Managing Urban Stormwater – Soil and Construction Volume 1* (Landcom, 2004).

6.2.3 Public and agency comment

No public representations or agency submissions were received in relation to surface and ground water quality.

6.2.4 Evaluation

The EER states that the existing sediment pond rarely receives stormwater and that it has not been observed overflowing since the quarry began operating in 2014, owing to the low rainfalls received (525 mm p.a.) and the free draining nature of the underlying substrate.

Currently, the sediment pond is located on the northern edge of the quarry footprint and will be moved further north as quarry expansion is undertaken. If the pond were to overflow during a significant rain event, discharge would be to the agricultural land / pasture to the north and would then flow east towards

Johnnys Creek. The commitment to increase the size of the sediment pond or install a second pond to cater for the increase in disturbed area is supported.

The proposed continued implementation and maintenance of perimeter cut off drains to prevent clean stormwater from entering the quarry working area is also supported. To reflect these commitments, condition **SW1** requires construction of perimeter cut off drains / bunds and any other stormwater management infrastructure required (e.g. sediment pond(s)) to ensure stormwater is managed appropriately.

In addition, condition **SW2** sets out the required minimum standards for the design and maintenance of any sediment ponds constructed for managing stormwater. To support these conditions, **SW3** is also imposed requiring all reasonable measures to be implemented to ensure solids entrained in stormwater are retained on The Land, and that any polluted stormwater discharged from The Land is first collected and treated to the extent necessary to prevent environmental harm or nuisance. It also requires that any discharge from The Land does not degrade the visual quality of any receiving waters outside The Land.

The EER states that groundwater is unlikely to be intersected in any significant volumes as it has not been encountered in the last 10 years of operation, apart from some minor seepages that have been observed in gravel bands, typically during the winter months. The EER provides mining plans from present up to 10 years, at which time they will be revised. The EER also states that the resource would allow for around 50 years of operation at maximum capacity. Given little is known about the hydrogeology at the site, it is considered appropriate to include conditions **GW1** and **GW2**.

Condition **GW1** requires that in the event groundwater is entering, or standing water is observed within the quarry as evidence of groundwater discharging, machinery must be prevented from entering the groundwater and quarried material must be used to raise the quarry floor to prevent the discharge into the quarry.

Furthermore, condition **GW2** requires the Director to be notified of any evidence that groundwater is being discharged to the quarry within 7 days and triggers a requirement for a groundwater investigation to be undertaken to ensure the activity is / does not cause environmental nuisance or harm.

As noted above, the EER lists the relevant acceptable standards of the QCP applied to the quarry in relation to water quality, sediment control and drainage, these measures are supported and condition **G7** is relevant which requires the activity to be in compliance with the acceptable standards provisions of the QCP.

Based on the information provided and commitments made in the EER, and the conditions imposed as detailed above, it is considered the potential environmental risks can be adequately managed to ensure that environmental harm or nuisance is not caused by the expansion of the quarry.

6.2.5 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
- GW1** Groundwater
- GW2** Groundwater Investigation Report

6.3 Issue 2: Air Quality

6.3.1 Potential impacts

The primary air emission of concern at the quarry is dust but may also include emission of greenhouse gases from plant and equipment that is used to undertake the activity and is powered by internal combustion engines.

Various activities are undertaken at the quarry which have the potential to produce dust, including during excavation of topsoil/rock, ripping of rock, from stockpiles, during crushing and screening, during loading and carting of product, from disturbed ground and through the use of internal gravel roads by vehicles moving on and off site. If not managed appropriately, these activities have the potential to cause environmental nuisance beyond the boundary of The Land.

The quarry is in an area predominantly surrounded by agricultural land and small scale private forestry. Prevailing wind directions are from the west and north. The nearest residences are located approximately 600 m southwest of the proposed maximum extent of extraction and another located approximately 480 m southeast of the quarry access road where it enters onto the Lyell Highway. There are no residences located within 1 km to the north, east and southeast of the proposed maximum extent of extraction. Figure B-11 C of the EER shows the location of the nearest sensitive receptors.

6.3.2 Management measures proposed in the EER

The EER lists the existing and proposed avoidance and mitigation measures in relation to dust emissions (Table I). The measures include the use of water from a water tanker to dampen road surfaces, progressive rehabilitation of stockpiles, bunds, and open areas to minimise areas of disturbed ground and the misting of crushing units and screening drop zones.

6.3.3 Public and agency comment

No public representations or agency submissions were received in relation to air quality.

6.3.4 Evaluation

The EER states that no dust complaints have been received by the Proponent and that this proposal does not propose to increase the rate of extraction or processing of material, so will not result in an increase to traffic volumes. This Proposal does, however, propose to increase the maximum footprint of the quarry to 8 ha with a 1.5 ha increase to the area that may be disturbed at any one time up to 3.5 ha.

According to the EER, the same avoidance and mitigation measures (as shown in Table I of the EER) are proposed to continue for the extended quarry to manage dust emissions.

The Proponent was asked to provide details on the speed limit of vehicles on site. While they refused to include any further details in the EER, comments made by the Proponent via email indicated that a speed limit of 40 km/hr is signposted on the access road and that the road topography means heavy vehicles are unlikely to be able to physically exceed this speed.

Greenhouse gases and climate change are addressed in section C.10 of the EER. The EER recognises that the use of plant and equipment which uses hydrocarbon based fuels contributes to greenhouse gas emissions. The EER outlines guiding principles for minimising greenhouse gas emissions which are generally supported. Principles include using more energy efficient equipment, keeping equipment well maintained, considering renewable energy supply where appropriate and optimising processes to increase recovery ratios of material.

The statement in the EER that the proposed extension of the quarry is considered unlikely to change the characteristics of dust emissions from that already produced by the existing quarry, and is thus unlikely to cause environmental nuisance, is generally supported. The proposed continued use of the avoidance and mitigation measures is also supported.

To ensure these measures continue to be implemented and remain effective, conditions **A1**, **A2**, **A3** and **A4** are imposed. Condition **A1** requires that any vehicles carrying loads of material that have the potential

to blow or spill must be equipped with effective control measures to prevent the escape of material from the vehicles when they leave The Land or travel on public roads, such as tarpaulins or load dampening.

Furthermore, condition **A2** requires that dust emissions from The Land must be controlled to the extent necessary to prevent environmental nuisance beyond the boundary of The Land.

Condition **A3** requires that dust emissions from areas of The Land used by vehicles must be limited or controlled by dampening or other effective measures, and condition **A4** requires specific measures, such as water sprays, extraction equipment or enclosures, to be implemented to control dust emissions from crushing and screening plant.

Based on the information provided and commitments made in the EER, and the standard conditions imposed as detailed above, it is considered the potential environmental risks from dust emissions can be adequately managed to ensure that environmental nuisance is not caused at any nearby residences from the expansion of the quarry.

6.3.5 Conditions

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

- A1** Covering of vehicles
- A2** Control of dust emissions
- A3** Dust emissions from traffic areas
- A4** Control of dust emissions from crushing and screening plant

6.4 Issue 3: Noise Emissions

6.4.1 Potential impacts

The following activities will occur as part of the activity and will generate noise emissions that have the potential to travel beyond the boundary of The Land and cause environmental nuisance:

- excavation and vegetation (pasture) removal;
- ripping, crushing, screening;
- loading of material into trucks;
- carting of material in and from The Land; and
- truck movements and other use of ancillary equipment associated with quarry operations.

Section C.4.2 of the EER lists the various vehicles and equipment that will be used to undertake the above activities.

One residence is located on the same land as the quarry. The nearest sensitive receptors are located approximately 600 m southwest and 780 m west of the proposed maximum extent of extraction and another approximately 480 m southeast of the quarry access road where it enters onto the Lyell Highway (see Figure B-1 IA of the EER). According to the EER the identified sensitive receptors will have topographic shielding from crushing and screening, as depicted by Figure B-1 IB of the EER which provides cross sections between the sensitive receptors and the crusher / screen location.

The EER states that the quarry will continue to crush and screen on a campaign basis with approximately 2-4 crushing / screening campaigns per year. The mobile crushing / screening unit will be transported to the site for each campaign.

The EER states that sound power levels were recorded from the equipment at the quarry in 2010 but was used in a report for another quarry as representative sound power levels. The EER notes that the same equipment is still in use at Windsors Quarry.

The EER also states that apart from loading and carting of material between 0600 hours and 0700 hours, no new noise sources will be introduced as part of the proposed quarry extension. The Proponent indicated that the quarry can functionally load 4 to 5 trucks per hour. This means the proposed extension of hours could result in 10 truck and 1 to 2 light vehicle movements between 0600 hours and 0700 hours.

6.4.2 Management measures proposed in EER

The EER lists the acceptable standards under Section 7.2.2 of the QCP that are relevant to the quarry in relation to the management of noise emissions.

The EER states that the primary mitigation measure is the operational hours of the activity. The EER states that the current operating hours, which will be maintained, are 0700 hours to 1900 hours Monday to Friday and 0800 hours to 1600 hours on Saturdays with no operation on Sundays or statewide public holidays. However, the EER states that it is proposed to add loading and carting of material from 0600 hours to 0700 hours on weekdays.

The EER also states that they will continue to use bunding and screening (topographic and manmade around plant).

6.4.3 Public and agency comment

No public representations or agency submissions were received in relation to noise emissions.

6.4.4 Evaluation

While it is understood that no noise complaints have been received in relation to the activity, this does not necessarily demonstrate that appropriate noise limits (i.e. those specified in the QCP) are being achieved at sensitive receptors. Minimal detail has been provided in relation to potential impacts of allowing loading and carting between 0600 hours and 0700 hours. Furthermore, the QCP acceptable standards (s.7.2.2.1)

suggests that a noise monitoring report should accompany an extension of hours beyond those specified in the QCP, which was not provided for this proposal.

To ensure that operational hours are adhered to, condition **N1** is imposed. In addition, condition **N2** sets the noise emission limits that are applied to the activity, which is consistent with the QCP. This includes night-time limits, which apply to loading and carting between the hours of 0600 and 0700.

Should any complaints be received, condition **N3** requires the Director to be notified within 24 hours.

Condition **N4** requires a noise survey to be undertaken if any process or equipment changes at the quarry which could substantially alter the character or increase the volume of noise emissions from The Land. The condition also specifies that a noise survey must be completed where the Director is of the opinion that a noise survey is required.

Given the sound power data provided is from machinery that is now 14 years older, which means its sound power output may have altered even if it has been well maintained and the addition of loading and carting between the hours of 0600 and 0700, it is likely that the Director will require a noise survey to be completed in the near future to verify the sound power levels and that noise limits can be met at the nearest sensitive receptors. Condition **N5** sets the minimum requirements for developing a noise survey method, which must be approved by the Director, and requires a noise survey report to be submitted to the Director once the survey has been completed.

Nevertheless, the risk of causing environmental nuisance is considered to be relatively low if the operating hours are adhered to, machinery is maintained in good working condition and appropriate bunding / shielding and screening of noisy activities are maintained.

6.4.5 Conditions

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

- N1** Operating hours
- N2** Noise emission limits
- N3** Noise complaints
- N4** Noise survey requirements
- N5** Noise Survey Method and Reporting

6.5 Issue 4: Waste Management, Dangerous Goods and Environmentally Hazardous Substances

6.5.1 Potential impacts

Solid wastes from the activity can escape into the surrounding environment, causing environmental nuisance or harm if not suitably stored or disposed of. Inappropriate storage, handling and disposal of environmentally hazardous substances including fuels and oils, has the potential to contaminate soil, surface water and groundwater.

The EER identifies two main waste streams from the operation which are general refuse (i.e. food scraps/wrappers and other wastes from the crib room), and semi-industrial wastes (e.g. small empty drums from chemicals, plastics and potentially contaminated rags associated with maintenance activities).

There are some potential sources of controlled wastes that may be generated from the activity, primarily from spills of hydrocarbon based products during refuelling or maintenance works, tyres if replacement is required, and the empty containers associated with the chemicals used. Table 2 (section C.5.4) of the EER lists the potential sources of controlled wastes for the activity and their proposed disposal method.

Use of hazardous substances, particularly liquids, is required at the quarry site. Fuel, oils and lubricants are used to operate and maintain functional machinery, none of these chemicals will be stored at the quarry and will be brought onsite when required. In addition, chemicals for weed spraying will be used at the quarry and brought onsite when required.

6.5.2 Management measures proposed in the EER

The EER states the following measures will be implemented to manage waste and minimise the risk of harm from waste or environmentally hazardous substances in accordance with the QCP:

Solid waste:

- All waste will be collected in suitably labelled containers in light vehicles present on site and later sorted according to waste category.
- Waste streams will be recycled where possible.
- Where waste cannot be recycled it is to be disposed of at an approved waste transfer station / landfill or disposed of appropriately based on its waste category.
- Waste will be removed daily from the quarry.

Environmentally hazardous substances:

- Fuel, lubricant, coolant, waste oil and waste chemicals when in the quarry will be stored in an appropriate manner.
- The EPA Tasmania *Bunding and Spill Management Guidelines 2015* are to be applied.
- Chemicals for weed spraying will be handled, used, and disposed of in accordance with the manufacturer's instructions and any relevant regulations.
- Spill prevention and clean-up procedures will be in accordance with the following principles:
 - Minimise the volume of hazardous substances kept onsite.
 - Install trays, thick plastic mats or similar beneath stationary machinery to protect soil from oil or fuel leaks and spills.
 - Install spill trays immediately to address any potential hydrocarbon leakage.
 - Ensure clean-up equipment is accessible and maintain spill kits.

Waste will be generated from occasional on-site repairs, equipment breakdowns and emergency repairs and maintenance. The EER states that waste from these occasional occurrences will be sorted based on waste category and any controlled waste will be separated from other waste streams.

The EER also acknowledges that environmentally hazardous substances are to be handled and stored in accordance with the guidelines and statutory requirements relevant to the product.

6.5.3 Public and agency comment

No public representations or agency submissions were received in relation to waste management, hazardous substances, or environmentally hazardous substances.

6.5.4 Evaluation

The quarries adherence to the QCP waste standards is supported and required through condition **G7**, however, no specific waste management conditions are considered necessary.

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 appropriately to prevent contamination of soil, groundwater, and waterways.

Standard information items **LO2** and **O11** are included to ensure the proponent is aware of legislation relating to storage and handling of dangerous goods and substances, and best practice in relation to waste management.

Based on the information provided in the EER, the management measures proposed and the inclusion of the above-mentioned conditions, it is considered that the potential risks from waste, dangerous goods and environmentally hazardous substances can be appropriately managed to limit the potential for environmental harm or nuisance to occur.

6.5.5 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
- O11** Waste management hierarchy

6.6 Issue 5: Natural Values

6.6.1 Potential impacts

Clearing vegetation and activities associated with operation of a quarry have the potential to disturb, injure or kill threatened fauna or flora species and vegetation communities if not managed appropriately. In addition, the movement of vehicles and machinery on and off-site, particularly during the night-time period, has the potential to increase the risk of injury or death of threatened fauna species.

The EER states that The Land is comprised of the existing quarry area, access road, agricultural land, a permanent powerline easement and weed infestations with occasional emergent native species. It also notes that a flora and weed survey were conducted in late 2023, along with an eagle nest search to the north of The Land. According to the EER, no threatened flora or fauna species were identified during the survey, however The Land was considered as potential foraging habitat for the following threatened fauna:

- *Dasyurus maculatus* ssp. *maculatus* (spotted-tailed quoll);
- *Dasyurus viverrinus* (eastern quoll);
- *Perameles gunnii* (eastern barred bandicoot);
- *Tyto novaehollandiae* ssp. *castanops* (Tasmanian masked owl);
- *Sarcophilus harrisii* (Tasmanian devil);
- *Aquila audax* ssp. *fleayi* (wedge-tailed eagle);
- *Haliaeetus leucogaster* (white-bellied sea-eagle); and
- *Litoria raniformis* (green and gold frog).

6.6.2 Management measures proposed in EER

The EER states that no specific avoidance or mitigation measures are proposed in relation to natural values.

6.6.3 Public and agency comment

No public representations were received in relation to natural values.

CAS requested clarification on what 'very low speed' meant in relation to roadkill mitigation. CAS recommended that a specific speed limit be set for the access road (40 km/hr) to be able to verify that measures are being taken to not increase the risk of roadkill. EPA noted that the Proponent had refused to include a specific speed limit in the EER but had indicated via email that a 40 km/hr speed limit is signposted on the access road.

6.6.4 Evaluation

Based on the information provided, there appear to be very limited natural values on, and immediately surrounding, The Land, which is mostly cleared agricultural land / pasture. No native vegetation clearance will be undertaken. The main risks from the proposed changes will be management of water (e.g. pollution of waterways from sediments, oils/fuels and other chemicals used if spilled etc.) and the risks to wildlife associated with allowing vehicle movements during the night-time period.

Roadkill

The EER stated that the proposal will not result in any additional traffic, just an expansion of when loading and carting of material can occur. The addition of loading and carting between 0600 hours and 0700 hours will mean that during the winter months any traffic movements in this period will be classed as night-time traffic. The night-time period is defined as one hour before sunset to one hour after sunrise.

The EER notes that the quarry can functionally load 4-5 trucks per hour. This means the proposed extension of hours could result in up to 10 truck and 1-2 light vehicle movements between 0600 hours and 0700 hours.

The EER goes on to state that in the 10 years the quarry has been operating under the current permit, there have been no devil or quoll interactions with vehicles and that there would be no increased risk of negative impacts to devils or quolls from the proposed extension.

As noted in Issue 2, a 40 km/hr speed limit is signposted on the access road and the road topology is considered a limiting factor for heavy vehicle speeds.

CAS were satisfied that if this speed limit is adhered to, the risk of collision with wildlife is likely to be minimised. CAS also recommended that all vehicles should yield right-of-way to wildlife where possible.

Green and gold frog

The EER notes that there is potential habitat for the green and gold frog in the Johnnys Creek catchment adjacent to the mining lease, but states that it is considered unlikely to be present due to the surrounding land uses (agriculture, stock grazing, pesticide and herbicide use etc.).

The EER goes on to state that the proposed development would not impact the green and gold frog if it were present because stormwater from the quarry is captured and treated prior to being discharged onto agricultural land, handling of hazardous substances is in accordance with best practice measures and any runoff along the access road is directed to vegetation which will filter out sediment before reporting to Johnnys Creek.

The EER states that no specific avoidance or mitigation measures are proposed in relation to natural values. The statements made in the EER are generally supported and no conditions specific to natural values are considered necessary. However, conditions relating to water quality (see Issue 1), hazardous substances (see Issue 4), and weed and disease management (see Issue 6) are considered relevant and will help manage any potential risks to the limited natural values on and surrounding The Land.

6.6.5 Conditions

No conditions relating to natural values are considered necessary.

6.7 Issue 6: Weed and Disease Management

6.7.1 Potential impacts

The movement of vehicles, plant, and equipment on and off-site associated with the quarry have the potential to introduce or spread weeds and diseases to, from or around the site if not managed appropriately. Product stockpiles can also be contaminated with weeds or diseases which may then be transported to other areas if not managed appropriately.

The EER states that The Land is comprised of the existing quarry area and access road, agricultural land, a permanent powerline easement and weed infestations with occasional emergent native species. It also notes that a weed survey was conducted in late 2023.

The EER states that blackberry (*Rubus fruticosus* agg.), slender thistle (*Carduus pycnocephalus*), scotch broom (*Cytisus scoparius*), Montpellier broom (*Genista monspessulana*), gorse (*Ulex europaeus*), and horehound (*Marrubium vulgare*) are all present within or adjacent to The Land and are either Declared Weeds under the *Biosecurity Regulations 2022* or Weeds of National Significance under the EPBC Act.

6.7.2 Management measures proposed in EER

The EER states the existing quarry has a Weed and Pathogen Management Plan in place and that the plan includes a weed spraying program and a clean machinery policy. The EER goes on to state the plan will be revised to encompass the extended quarry area within three months of a permit being granted.

6.7.3 Public and agency comment

No public representations were received in relation to weed and disease management.

CAS supported the commitment to revise the existing Weed and Pathogen Management Plan within three months of a permit being granted. CAS recommended that the Proponent refer to the [NRE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#) during the revision of the existing plan for further guidance.

6.7.4 Evaluation

The inclusion of a machinery washdown policy is supported. Condition **OPI** requires that, prior to entering The Land, machinery must be washed in accordance with the Weed and Disease Guidelines.

It is acknowledged that some weeds are already present on the site, and that ongoing management of these weeds is critical to ensure they do not spread any further due to quarrying activities. The commitment to revise the existing Weed and Pathogen Management Plan is also supported and is required to be submitted to the Director for approval under condition **OP2**. Once approved the person responsible is required to act in accordance with the approved plan.

The commitments made are considered appropriate and inclusion of the above conditions ensure they are implemented to minimise the risk of introducing or spreading weeds and diseases.

6.7.5 Conditions

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

OPI Machinery washdown

OP2 Weed Management Plan

6.8 Issue 7: Decommissioning and Rehabilitation

6.8.1 Potential impacts

Temporary or permanent cessation of quarrying operations have the potential to cause ongoing impacts to the environment if rehabilitation is not managed appropriately. Rehabilitation is necessary to ensure the long-term stability of the site, prevent erosion and sedimentation, reduce uncontrolled dust emissions, provide native flora and fauna habitat, and minimise the potential for establishment of weeds.

According to the EER the final land use, as agreed with the landowner, is to return the land to agricultural uses consistent with the current property uses.

6.8.2 Management measures proposed in EER

The EER states that in the event of permanent cessation of the quarry, a detailed Decommissioning and Rehabilitation Plan (DRP) will be developed and submitted to the EPA for approval.

The EER goes on to state that the DRP will include discussion and processes to:

- Facilitate removal of equipment and machinery.
- Establish sufficient and appropriate vegetation cover to minimise the risk of dust generation and soil erosion that is fit for intended future land use (agriculture).
- Establish a monitoring regime that assesses the success or otherwise of the rehabilitation to agreed parameters. Noting that the final landform is proposed to be a slope rather than benches to allow for agricultural uses.

The EER notes that annual inspections of rehabilitated area will be undertaken and that if any issues are identified, they will be rectified within one month and the DRP will be amended where necessary to ensure appropriate rehabilitation measures are being implemented to provide continuous improvement of the rehabilitation outcomes. Further details are provided in section C.9.3 of the EER.

6.8.3 Public and agency comment

No public representations or agency submissions were received in relation to decommissioning and rehabilitation.

6.8.4 Evaluation

It is noted the EER states that the maximum area disturbed of 3.5 ha at any one time, does not include the access road. Despite the EPA notifying the Proponent on multiple occasions in writing that for EPA's purposes the area does include the access road, the Proponent has refused to amend the area requested in the EER, meaning that the activity would likely become non-compliant with its permit conditions in the future. The standard definition used for the maximum disturbed area in the permit includes any access roads.

It is understood that the access road was in existence prior to the quarry development for access to the property by the landowner and that the access road will remain once the quarry ceases to operate.

Therefore, EPA has calculated the additional area required for including the access road and specified the total area of disturbance at any one time to be 4.25 hectares, including the access road.

The authorised activity area is defined in Attachment I of the permit, which defines the area within which extraction and processing of material may occur on The Land.

Apart from the above-mentioned issue around the maximum disturbed area, the proposed steps for developing a Decommissioning and Rehabilitation Plan are generally supported.

Condition **DCI** requires surface soils to be removed prior to opening new areas of the quarry and stockpiled separate to other overburden for future use in rehabilitation of the quarry. Furthermore, the stockpiles must be protected from erosion and other disturbance.

Condition **DC2** requires that worked out or disused areas of The Land must be rehabilitated concurrently with other extractive activities occurring on The Land in accordance with the QCP and sets the maximum area of disturbed land that is allowed at any one time at 4.25 ha.

Conditions **DC3** and **DC4** set out the requirements for when either temporary suspension or permanent cessation of quarrying activities are proposed respectively. Permanent cessation also triggers condition **DC5** which requires the submission of a Decommissioning and Rehabilitation Plan for the Director's approval. Condition **DC6** is also triggered and sets out the broad steps that must be undertaken upon permanent cessation of the activity, including the implementation of an approved DRP.

Based on the commitments made in the EER and the above conditions being imposed, it is considered that the risks associated with improper decommissioning and rehabilitation can be adequately managed to ensure environmental harm or nuisance is unlikely to occur upon temporary or permanent cessation of the activity.

6.8.5 Conditions

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

- DC1** Stockpiling of surface soil
- DC2** Progressive rehabilitation
- DC3** Temporary suspension of activity
- DC4** Notification of cessation
- DC5** DRP requirements
- DC6** Rehabilitation following cessation

7. Issues not assessed by the Board

The following issue has been raised during the assessment process, but is not the responsibility of the Board under the EMPCA and may be an issue which is more appropriately addressed by another regulatory agency.

7.1 Issue 1: TasNetworks Infrastructure Access

7.1.1 Potential impacts

During the public consultation period TasNetworks raised concerns around access to Transmission Tower 161 being negatively impacted by the proposed extension of the quarry. TasNetworks stated that access is already impeded by the current quarry and that the proposed extension would effectively mean larger vehicles, plant or equipment that may be required would not be able to access the tower.

7.1.2 Management measures proposed in EER

The EER states that the quarry face will not move any closer to the transmission tower than it already is.

7.1.3 Conclusion

The EPA, in agreement with TasNetworks, provided their advice to the Proponent and recommended the Proponent discuss the issues directly with TasNetworks as it is not a matter the Board could consider. In addition, Council indicated that they did not have grounds for imposing conditions around the quarry extension as the proposed extension is outside of the code overlay under their planning scheme.

It is anticipated that some changes to the authorised activity area may be required to ensure appropriate access can be maintained to the transmission tower. Condition **G9** (Changes to the EMP) has been included which requires the Proponent to notify the Director of any required changes to the authorised activity area as detailed in Attachment I of the permit. Furthermore, the condition allows the Proponent to apply to the Director to vary or substitute the authorised activity area and/or relevant plans detailed in the EMP (defined as the EER).

This provides some flexibility for the Proponent to be able to request changes to the authorised activity area if required to meet TasNetworks access requirements.

8. Report Conclusions

This assessment has been based on the information provided by the proponent, MSD Constructions Pty Ltd, in the permit application and the case for assessment (the EER).

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

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. 11439 appended to this report are imposed and duly complied with.

The environmental conditions in Appendix 3 are a new set of operating conditions for the entire, extended activity that will supersede the existing permit conditions.

9. Report Approval

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



Helen Mulligan

ACTING EXECUTIVE DIRECTOR, ENVIRONMENTAL ASSESSMENTS

Acting under delegation from the Board of the Environment Protection Authority

Date: 19 June 2024

10. References

Environmental Effects Report (2024) *Windsors Quarry Extension, Lyell Highway, Hayes – Environmental Effects Report* (dated 12 April 2024), prepared by Van Diemen Consulting Pty Ltd; New Town, Tasmania.

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

Landcom, (2004) *Managing Urban Stormwater: Soils and Construction, 4th Edition*, for the New South Wales Government; New South Wales.

II. Appendices

- Appendix 1 Summary of public and agency submissions
- Appendix 2 Table of proponent management measures
- Appendix 3 Permit Conditions – Environmental No. 11439

Appendix I: Summary of public and agency submissions

Table I: Matters raised during public consultation period

Representation No. / Agency	Comments and Issues	Further Information Requested	EPA Comments
TasNetworks	<p>TasNetworks raised concerns with the proposed extension of the quarry and its impact on their ability to access and work on Transmission Tower 161.</p> <p>TasNetworks stated that vehicle access and space to perform works on the tower is already limited by the quarry and topography and that the proposed quarry extension will further impede access and possibly deny access for larger vehicles / equipment if needed.</p>	No	<p>TasNetworks concerns have been passed onto the Proponent.</p> <p>The Proponent was advised to contact TasNetworks directly to discuss their concerns.</p>
Conservation Assessments Section – NRE	<p>CAS requested clarification on what ‘very low speed’ meant in relation to roadkill mitigation. CAS recommended that a specific speed limit be set for the access road to verify that measures are being taken to not increase the risk of roadkill.</p>	No	<p>EPA had requested details on the access road speed limit, which the Proponent refused to include in the EER, stating that the speed is limited by the road topology. A comment made via email from the Proponent indicated that the access road is signposted as 40 km/hr.</p> <p>CAS were satisfied that if this speed limit is observed risk to wildlife is likely to be minimised.</p>

Appendix 2: Table of proponent management measures

Table 2: Proponent management measures (Part E, Table 3 of EER)

Number	Action	Timing
C.1 Air Quality – Dust		
1	<p>General measures that will be used to suppress dust if it does occur in substantial volumes that may cause environmental harm (e.g., during periods of strong northerly and/or north-westerly winds in summer) include the following industry standard environmental practices for quarries:</p> <ul style="list-style-type: none"> • Sealing (asphalt) of high-use roads to avoid the emission of dust; • Watering of internal roads or the use of a dust suppressant as required during dry and windy conditions; • Retention of vegetation (even pasture) along the access road corridor where possible; • Covering of trucks with tarpaulins and/or load dampening; and Minimising the geographic extent of areas of exposed soil – utilise hydro mulching techniques to reduce the area of land capable of generating sediment for dust. <p>Water is to be supplied by a dedicated water tanker when the Quarry is operating.</p>	Ongoing – measures already applied at existing activity
C.2 Water – Surface Flow and Quality		
2	<p><i>Sediment pond</i></p> <p>The sediment pond will continue to be monitored and cleaned.</p> <p>As the working area expands (beyond 2 hectares of Disturbed Area), the sediment pond will be:</p> <ol style="list-style-type: none"> 1. rebuilt to be close to the disturbed area to maximise stormwater capture; and 2. the volume of the new pond(s) will be calculated by an engineer (MIEA) using the 'Blue Book' <i>Managing Urban Stormwater – Soils and Construction Volume 1</i> (Landcom, 2004) before the disturbed area exceeds 2 hectares. The new volume sediment pond will be constructed prior to the Disturbed Area exceeding 2 hectares. 	<p>Ongoing – measures already applied at existing activity</p> <p>Prior to the Disturbed Area exceeding 2 hectares.</p>
C.5 Waste		
	Waste generated by workers from general refuse (e.g., lunch wrappers) at the quarry will be removed daily.	Ongoing – measures already applied at existing activity
	<p><i>On-site Machinery and Equipment Servicing Waste – Quarry generated waste</i></p> <p>Waste will be generated at the Quarry from the occasional on-site repair of equipment breakdowns, general replacement of filters (air and oil) and conveyor belts (crushers), and/or emergency repairs/maintenance. Waste will be sorted based on the classification of the type of</p>	Ongoing – measures already applied at existing activity

Number	Action	Timing
	waste, with Controlled Waste (see Table 2) separated from all other waste streams. Waste will be removed daily from the Quarry.	
	<p><i>On-site Machinery and Equipment Servicing Waste – Mobile field service providers</i></p> <p>Mobile field service providers for machinery and equipment are a regular feature in the marketplace and often attend construction sites, quarries, and locations where machinery and equipment need to be repaired or serviced. They provide an ‘on-site’ service to facilitate a quicker turnaround time for and minimise the need to float machinery (which takes time and costs money) off a work site to a workshop location.</p>	Ongoing – measures already applied at existing activity
	<p><i>Off-site Machinery and Equipment Servicing Waste</i></p> <p>Waste generated by maintenance works, repairs and/or schedule servicing of equipment and machinery off the Quarry location will be managed by the service provider at the location where they have been engaged by the Proponent to complete the required works. This in most cases will be a machinery workshop, truck/equipment repair facility or tyre facility.</p>	Ongoing – measures already applied at existing activity
C.6 Environmentally Hazardous Materials		
	<p><i>Prevention</i></p> <p>The Proponent will prevent as far as reasonable to do so the contamination of the environment by the release of fuels, lubricants and/or hazardous materials.</p>	Ongoing – measures already applied at existing activity
	<p><i>Fuel and oil storage and handling</i></p> <p>The Proponent will ensure that all fuels, lubricants and/or hazardous materials are stored in accordance with the relevant requirements of AS 1940:2004 The Storage and Handling of Flammable and Combustible Liquids.</p>	Ongoing – measures already applied at existing activity
	<p><i>Other chemical storage and handling</i></p> <p>Chemicals for weed spraying be used and stored in the Quarry. They will be handled, used, and disposed of in accordance with the manufacturer’s directions and relevant regulations.</p>	Ongoing – measures already applied at existing activity
	<p><i>Spill and leak prevention and response</i></p> <p>The Proponent will ensure that spill prevention and clean-up equipment is readily available and accessible in the vicinity of all plant and machinery, including mobile fuel storages.</p>	Ongoing – measures already applied at existing activity
C.8 Weeds, Pests and Diseases		
	<p><i>Weed Management</i></p> <p>Revise the Weed and Pathogen Management Plan for the Quarry.</p>	Within 3 months of the approval of the permit

Number	Action	Timing
C.10 Greenhouse Gases and Climate Change		
	<p><i>Energy efficiency</i></p> <p>Machinery owned and operated by the Proponent will be well maintained, which will ensure that emissions of greenhouse gases per operating hour of machinery/equipment use will be minimised.</p>	Ongoing
	<p><i>Emissions efficiency</i></p> <p>The use of fuel-efficient trucks, loaders and light vehicles with regular maintenance schedules will work towards the goal of lower emissions per operating hour.</p>	Ongoing
	<p><i>Material efficiency</i></p> <p>The Quarry will generate various grades of material including crusher dust which is a potential low-demand product that can be used to blend with other aggregates.</p>	Ongoing

Appendix 3: Permit Conditions – Environmental No: 11439

PERMIT PART B
PERMIT CONDITIONS - ENVIRONMENTAL No. 11439

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))**
WINDSORS QUARRY, 2118 LYELL HIGHWAY
HAYES TAS 7140

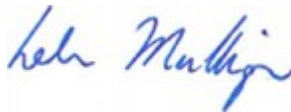
The above activity has been assessed as a level 2 activity under the *Environmental Management and Pollution Control Act 1994*.

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

Municipality: **DERWENT VALLEY**
Permit Application Reference: **DA 2023/011**
EPA file reference: **23/1678**

Date conditions approved: 19 June 2024

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.

Table Of Contents

Schedule 1: Definitions.....	5
Schedule 2: Conditions.....	7
Maximum Quantities.....	7
Q1 Regulatory limits	7
General.....	7
G1 Access to and awareness of conditions and associated documents.....	7
G2 Incident response.....	7
G3 Proposed change to activity.....	7
G4 Change of responsibility.....	8
G5 Change of ownership.....	8
G6 Complaints register.....	8
G7 Quarry Code of Practice.....	8
G8 Amendment of required plans and reports.....	8
G9 Changes to the EMP.....	8
Atmospheric.....	9
A1 Covering of vehicles.....	9
A2 Control of dust emissions.....	9
A3 Dust emissions from traffic areas.....	9
A4 Control of dust emissions from crushing and screening plant	9
Decommissioning And Rehabilitation.....	9
DC1 Stockpiling of surface soil.....	9
DC2 Progressive rehabilitation.....	9
DC3 Temporary suspension of activity.....	9
DC4 Notification of cessation.....	10
DC5 DRP requirements.....	10
DC6 Rehabilitation following cessation.....	10
Groundwater.....	11
GW1 Groundwater.....	11
GW2 Groundwater Investigation Report.....	11
Hazardous Substances.....	11
H1 Spill kits.....	11
H2 Storage and handling of hazardous materials.....	11
H3 Handling of hazardous materials - mobile.....	12
Noise Control.....	12
N1 Operating hours.....	12
N2 Noise emission limits.....	12
N3 Noise complaints.....	13
N4 Noise survey requirements.....	13
N5 Noise Survey Method and Reporting.....	13
Operations.....	13
OP1 Machinery washdown.....	13
OP2 Weed Management Plan	14
Stormwater Management.....	14
SW1 Perimeter drains or bund.....	14
SW2 Design and maintenance of settling ponds.....	14
SW3 Stormwater.....	14
Schedule 3: Information.....	16
Legal Obligations.....	16
LO1 EMPCA.....	16

LO2 Storage and handling of dangerous goods, explosives and dangerous substances..... 16

LO3 Aboriginal relics requirements..... 16

LO4 MRDA..... 16

Other Information..... 16

 OI1 Waste management hierarchy..... 16

 OI2 Notification of incidents under section 32 of EMPCA 16

 OI3 Release of Relevant Information.....

Attachments

Attachment 1: Portrait Layout 3 (modified: 17/06/2024 15:15)..... 1 page

Schedule 1: Definitions

In this Permit Part B:-

20,000 cubic metres is considered equivalent to 32,000 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.

Authorised Activity Area means the area within The Land permitted to be used for the Activity when these conditions take effect, as detailed in Attachment 1.

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

Background Noise Level ($L_{A90,T}$) is the level that is exceeded 90% of the time for each measurement interval when measured in the absence of the subject site noise.

Best Practice Environmental Management or 'BPEM' has the meaning described in Section 4 of EMPCA.

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.

Dominant or Intrusive Noise Characteristics means any noise characteristic that contributes to a noise being considered louder than would be indicated by the A-weighted sound pressure level measured, or that exacerbates nuisance or harm caused by the noise.

DRP means Decommissioning and Rehabilitation Plan.

EMP means the document titled *Windsors Quarry Extension - Lyell Highway, Hayes - Environmental Effects Report* prepared by Van Diemen Consulting Pty Ltd, dated 12 April 2024, and includes any amendment to or substitution of this document approved in writing by the Director.

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 has the meanings ascribed to it in Section 3 of EMPCA.

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

EPA Board means the Board of the Environment Protection Authority established under section 13 of EMPCA and includes a delegate or person authorised in writing by the EPA Board to exercise a power or function on the EPA Board's behalf.

Maximum Disturbed Area means the area disturbed to facilitate the activity and includes but is not limited to; vegetation disturbance, soil disturbance, access roads, hardstand, working area, vehicle parking and infrastructure (i.e. buildings, site office, sheds etc).

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.

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

Normal Ambient Noise refers to the ambient noise of the receiver location in the absence of the subject site noise. Ambient noise level is measured in L_{Aeq} .

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

Planning Authority means the Council(s) for the municipal area(s) in which The Land is situated.

Pollutant has the meaning ascribed to it in Section 3 of EMPCA.

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 runoff as a consequence of a rainfall event, whether surface flow, piped flow, or flow within conduits, including any contaminants collected by the water during its passage.

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

- 1 Certificate of Title 121275/1; and
- 2 as further delineated at Attachment 1.

Weed means a plant species that has, or is likely to have, an adverse impact on the environment because of the introduction, spread or increase in population size of the species in an area; and includes a declared weed as defined in the *Biosecurity Act 2019* and subordinate regulations.

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

Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits

- 1 The activity must not exceed the following limits :
 - 1.1 20,000 cubic metres per year of rocks, ores or minerals processed.
 - 1.2 20,000 cubic metres per year of rocks, ores or minerals extracted.

General

G1 Access to and awareness of conditions and associated documents

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

G2 Incident response

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

G3 Proposed change to activity

- 1 The person responsible must notify the Director in writing prior to implementing any change to the activity authorised by this document that may cause or increase the emission of a pollutant or which may result in environmental harm or environmental nuisance (even temporarily). A change includes, but is not limited to, any of the following:
 - 1.1 an increase in the discharge of a pollutant, or the location of its discharge.
 - 1.2 the construction, installation, alteration or removal of any structure or equipment used in the course of carrying out the activity.
 - 1.3 any clearance of native vegetation or earthworks.
 - 1.4 a change in the quantity or characteristics of materials used in carrying out the activity.
- 2 The notification must be in an approved form and include the following:
 - 2.1 details of the proposed change;
 - 2.2 an assessment of the environmental impacts that may result from the change;
 - 2.3 any relevant approvals held by the person responsible; and
 - 2.4 any advice from the relevant planning authority to the effect that approval is not required.
- 3 The person responsible must provide additional information as requested by an Authorized Officer.
- 4 The proposed change must not be implemented until the Director has confirmed in writing that they are satisfied that no other approval or variation of this document is required.

- 5 For the avoidance of doubt, a notification of a proposed change under this provision is not required if the proposed change is part of a referral to the EPA Board for assessment under sections 24, 25 or 27 of EMPCA.

G4 Change of responsibility

If the person responsible for the activity intends to cease to be responsible for the activity, that person must notify the Director in writing of the full particulars of any person who will become the person responsible for the activity, before such cessation.

G5 Change of ownership

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

G6 Complaints register

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

G7 Quarry Code of Practice

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

G8 Amendment of required plans and reports

- 1 The plans and reports required by these conditions must be amended to address any matter required by the Director, as advised by notice in writing.
- 2 Amended plans and reports must be resubmitted within the timeframe that the Director specifies.

G9 Changes to the EMP

- 1 The person responsible must notify the Director in writing of any changes to the authorised activity area as detailed in the EMP and Attachment 1.
- 2 The person responsible may apply to the Director to vary or substitute the authorised activity area and/or relevant plans as detailed in the EMP. Any variation or substitution of the authorised activity area approved by the Director, by notice in writing, replaces the earlier approval with affect from the date specified in the notice.

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 Dust emissions from traffic areas

Dust emissions from areas of The Land used by vehicles must be limited or controlled by dampening or by other effective measures.

A4 Control of dust emissions from crushing and screening plant

- 1 Dust produced by the operation of all crushing and/or screening plant must be controlled by the use of one or more of the following methods to the extent necessary to prevent environmental nuisance:
 - 1.1 the installation of fixed water sprays at all crushers and/or screening plant and at all necessary points where processed material changes direction due to belt transfer;
 - 1.2 the installation of dust extraction equipment at all crushers and/or screening plant and at all necessary points where processed material changes direction due to belt transfer;
 - 1.3 the enclosure of the crushing and/or screening plant and the treatment of atmospheric emissions by dust extraction equipment; or
 - 1.4 any other method that has been approved in writing by the Director.

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 4.25 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 The Land must be managed and monitored by the person responsible for the activity to ensure that emissions from The Land do not cause serious environmental harm, material environmental harm or environmental nuisance.
- 3 If required by the Director, a Care and Maintenance Plan for the activity must be submitted to the Director for approval, by a date specified in writing by the Director. This requirement will be deemed to be satisfied only when the Director indicates in writing that the submitted document adequately addresses the requirements of this condition.
 - 3.1 The plan must be prepared in accordance with any reasonable guidelines provided by the Director.
 - 3.2 Once approved the person responsible must act in accordance with the approved Care and Maintenance Plan.
 - 3.3 The person responsible may apply to the Director to vary or substitute the Care and Maintenance Plan. Any variation or substitution of the plan approved by the Director, by notice in writing, replaces the earlier approval with affect from the date specified in the notice.
- 4 Unless otherwise approved in writing by the Director, if the activity on The Land has substantially ceased for 2 years or more, rehabilitation of The Land must be carried out in accordance with the requirements of these conditions as if the activity has permanently ceased.

DC4 Notification of cessation

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

DC5 DRP requirements

- 1 Unless otherwise approved in writing by the Director, a Decommissioning and Rehabilitation Plan (DRP) for the activity must be submitted for approval to the Director within 30 days of the Director being notified of the planned cessation of the activity. The DRP must be prepared in accordance with any guidelines provided by the Director. This requirement will be deemed to be satisfied only when the Director indicates in writing that the submitted document adequately addresses the requirements of this condition.
- 2 The person responsible may apply to the Director to vary or substitute the DRP. Any variation or substitution of the plan approved by the Director, by notice in writing, replaces the earlier approval with affect from the date specified in the notice.

DC6 Rehabilitation following cessation

- 1 Following permanent cessation of the activity, and unless otherwise approved in writing by the Director, The Land must be rehabilitated including:
 - 1.1 stabilisation of any land surfaces that may be subject to erosion;
 - 1.2 removal or mitigation of all environmental hazards or land contamination, that might pose an ongoing risk of causing environmental harm; and
 - 1.3 decommissioning of any equipment that has not been removed.
- 2 Where a Decommissioning and Rehabilitation Plan (DRP) has been approved by the Director, decommissioning and rehabilitation must be carried out in accordance with that plan.

- 3 The person responsible may apply to the Director to vary or substitute the DRP. Any variation or substitution of the plan approved by the Director, by notice in writing, replaces the earlier approval with affect from the date specified in the notice.

Groundwater

GW1 Groundwater

- 1 Should there be evidence that groundwater is entering, or standing water is observed, within the quarrying area, the following measures must be taken:
 - 1.1 machinery is not permitted to operate in standing water; and
 - 1.2 the floor level of the extractive activity must be raised by the addition of quarried material to prevent the occurrence of groundwater discharge into the extraction footprint.

GW2 Groundwater Investigation Report

- 1 Unless otherwise specified in writing by the Director, a Groundwater Investigation Report must be submitted within 60 days of evidence that groundwater is entering, or groundwater discharge and standing water is observed, within the quarrying area.
- 2 The Director must be notified within 7 days of evidence that groundwater is entering, or standing water is observed as evidence of groundwater discharge, within the quarrying area.
- 3 The Groundwater Investigation Report must be prepared in accordance with any reasonable guidelines provided by the Director.
- 4 The Groundwater Investigation Report must include, but not necessarily be limited to, details of the following:
 - 4.1 hydrogeology of the site and surrounding region;
 - 4.2 aquifer properties and groundwater flow directions, paths, and flow rates;
 - 4.3 potential for the activity to cause groundwater contamination including proposed management measures;
 - 4.4 risk to ecological receptors in the environment, including groundwater dependant ecosystems.; and
 - 4.5 groundwater quality assessment, including identification of the water chemistry groundwater type.

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 maintained and functional 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 Operating hours

- 1 Unless otherwise approved in writing by the Director, activities associated with the extraction of rock, gravel, sand, clay or minerals; and crushing/screening, 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, the loading and carting of product is permitted between the hours of 0600 and 0700 hours on weekdays.
- 3 Notwithstanding the above paragraphs, activities must not be carried out on public holidays that are observed Statewide (Easter Tuesday excepted).

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:
 - 1.1 45 dB(A) between 0700 hours and 1900 hours (Day time); and
 - 1.2 40 dB(A) between 1900 hours and 2200 hours (Evening time); and
 - 1.3 35 dB(A) between 2200 hours and 0700 hours (Night time).
- 2 Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the background noise level by at least 5 dB(A).
- 3 The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Director.
- 4 Noise emissions from the site should not contain any dominant or intrusive noise characteristics when measured or observed at any noise sensitive premises as assessed in accordance with the *Noise Measurement Procedures Manual*. Where noise emissions from the site contain any dominant or intrusive noise characteristics at any noise sensitive premises, measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the *Noise Measurement Procedures Manual*.
- 5 All methods of measurement must be in accordance with the *Noise Measurement Procedures Manual*.

N3 Noise complaints

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

N4 Noise survey requirements

- 1 Unless otherwise approved in writing by the Director, a noise survey must be completed:
 - 1.1 within six (6) months after any change to the activity which is likely to substantially alter the character or increase the volume of noise emitted from The Land; and
 - 1.2 Where the Director is of the opinion that a noise survey must be completed within a specified timeframe.

N5 Noise Survey Method and Reporting

- 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; and
 - 2.2 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; and
 - 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 specified by the Director.
- 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 any other information that will assist with interpreting the results and whether the activity is in compliance with these conditions and EMPCA; and
 - 5.4 recommendations of appropriate mitigation measures to manage any noise problems identified by the noise survey.

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 Plan

- 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 revised 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.
- 2 The plan must be consistent with the Weed and Disease Guidelines, or any subsequent revisions of that document.
- 3 Once approved the person responsible must act in accordance with the approved plan.
- 4 The person responsible may apply to the Director to vary or substitute the plan. Any variation or substitution of the plan approved by the Director, by notice in writing, replaces the earlier approval with effect from the date specified in the notice.

Stormwater Management**SW1 Perimeter drains or bund**

- 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 industry best practice document *International Erosion Control Association (IECA), Best Practice Erosion and Sediment Control documents* (2008 or later version).
- 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 both the conditions in this document and the obligations of the *Environmental Management and Pollution Control Act 1994* (EMPCA) and subordinate regulations. The conditions of this document do not replicate legislated obligations; therefore, you should ensure you are aware of your obligations under EMPCA and subordinate regulations.

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

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

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

1.2 *Explosives Act 2012* and subordinate regulations; and

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

LO3 Aboriginal relics requirements

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

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

LO4 MRDA

Operations must be undertaken in accordance with a mining plan approved by the Director of Mines and a Mining Lease issued under the *Mineral Resources Development Act 1995* (MRDA).

Other Information

OI1 Waste management hierarchy

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

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

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

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

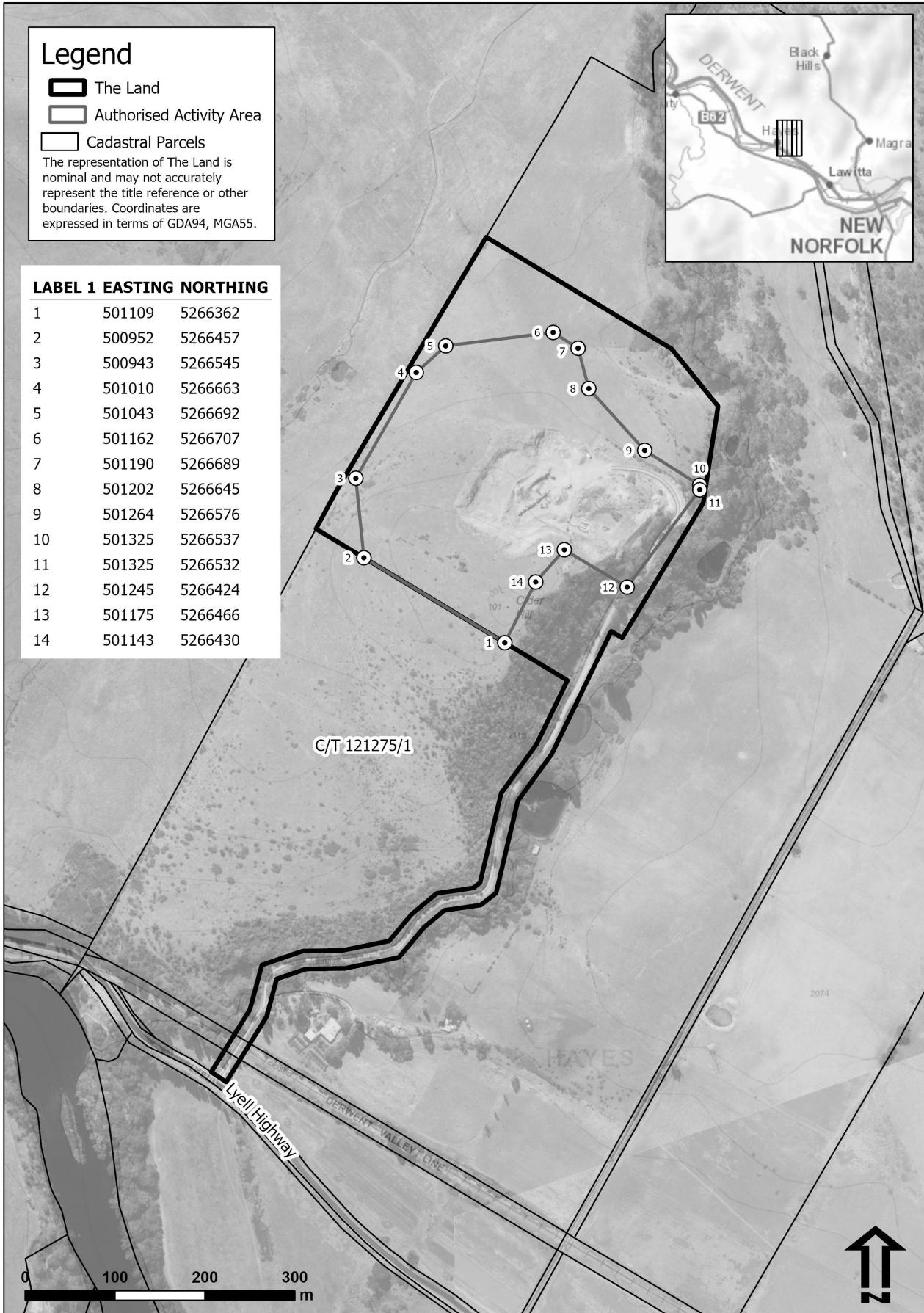
OI2 Notification of incidents under section 32 of EMPCA

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

OI3 Release of Relevant Information

Under the provisions of Section 23AA of EMPCA relevant information relating to monitoring of environmental impacts required under these conditions may be subject to publishing or public release by the Director.

Attachment 1: Portrait Layout 3





ENVIRONMENT PROTECTION AUTHORITY