

# **DPEMP SUPPLEMENT**

## **COCKED HAT HILL QUARRY, BREADALBANE**



The Development Proposal and Environmental Management Plan (DPEMP) was prepared to support a Development Application by Mt Oriel Breadalbane Pty Ltd for a Planning Permit to establish a hard-rock quarry on the property known as Mt Oriel located at 833 Hobart Road Breadalbane, in the Northern Midlands municipality.

The application sought approval for production and extraction levels of up to 200,000 m<sup>3</sup>/annum.

The quarry operation includes two activities defined within Schedule 2 of the *Environmental Management and Pollution Control Act 1994 (Tas)* (EMPCA) –

- ‘5. Extractive Industries. (a) Quarries: the extraction of any rock or gravel and producing 5 000 cubic metres or more of rock or gravel per year’ [ie. **Maximum 200,000 cubic metres per annum**]; and
- ‘6. Materials Handling. (a) Crushing, Grinding or Milling: processing (by crushing, grinding, milling or separating into different sizes by sieving, air elutriation or in any other manner) of ... (ii) rock, ores or minerals at a rate in excess of 1 000 cubic metres per year’ [ie. **Maximum 200,000 cubic metres per annum**].

Level 2 Activities must be referred by the Planning Authority (in this case, Northern Midlands Council) and to the Environment Protection Authority (the EPA), for assessment under EMPCA.

Council advertised the application for a 28-day period within which anyone could make a representation about the project. When the representation period closed, the Council forwarded all representations to the EPA.

Two public representations were received. These are identified by number only in Tables 1 and 2.

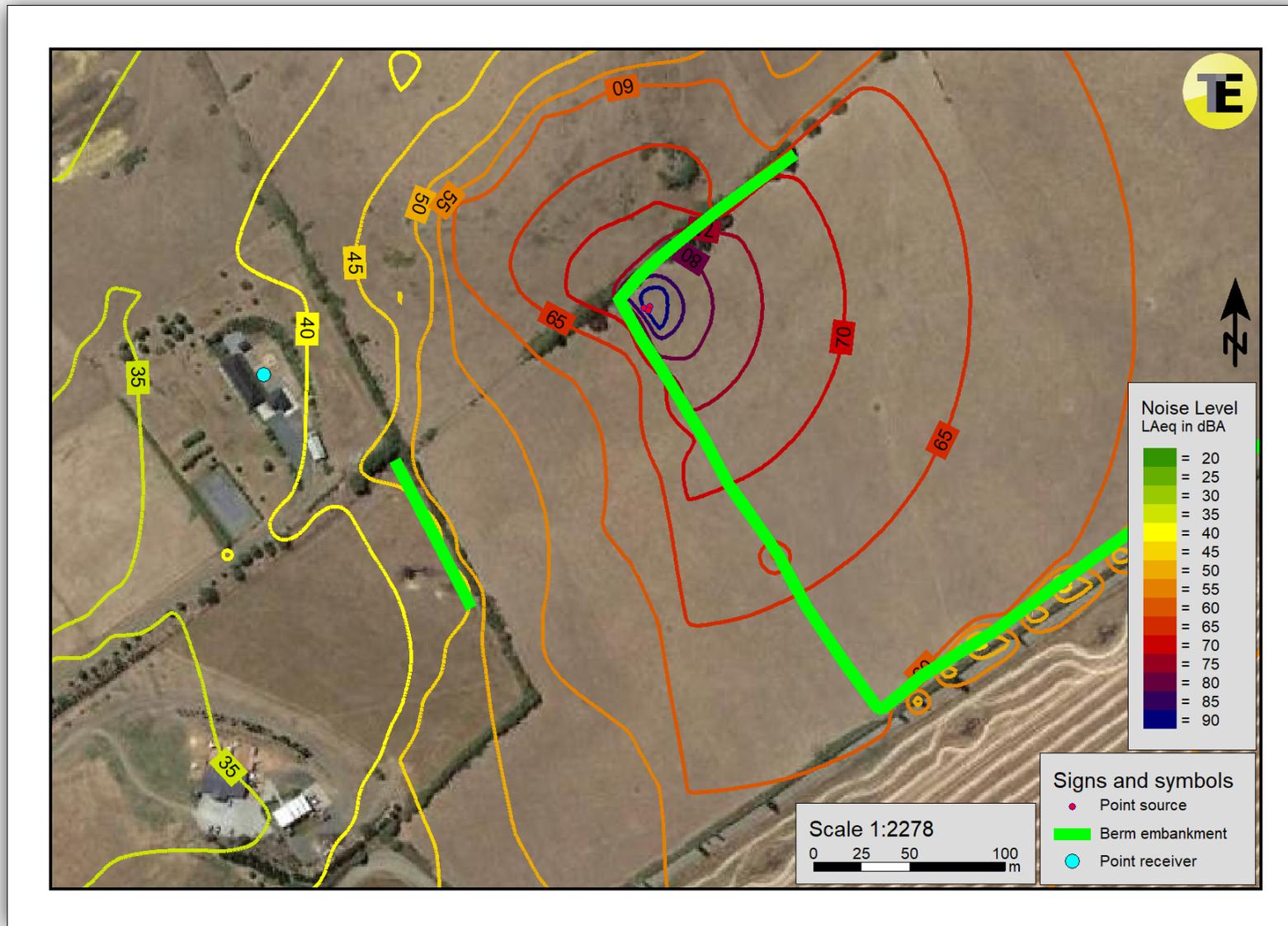
A supplementary report to the DPEMP was requested by the EPA.

Information *required* by the EPA is listed in Table 1. In addition, the EPA has encouraged the proponent to provide comment on the public and agency comments listed in Table 2.

**TABLE 1: ADDITIONAL INFORMATION REQUIRED BY THE EPA BOARD**

| Representation No. | Comments and issues                                                                                                                                                                                                                                                                    | Additional information required                                                                                                                                                                                                                                                                                           | Further Info provided by applicant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| 2                  | <p>Representor notes the DPEMP refers to ‘best practice management’ and for quarrying operations equates this to the acceptable standards and management measures contained in the Tasmanian Quarry Code of Practice 2017. Representor states proponent has ignored this document.</p> | <p>The DPEMP contains a number of references to the QCP 1999. Review the DPEMP in terms of the acceptable standards and management measures of the QCP 2017 and provide details of instances where proposed quarry operations do not or are not likely to align with or satisfy the acceptable standards of the code.</p> | <p>The documentation was prepared using the QCP 1999.</p> <p>The QCP 2017 states clearly in its purpose (emphasis added) -</p> <p>‘This document is <b>not</b> a Code of Practice for the purposes of Sections 23A(4) and 102(2)(d) of EMPCA, which refer to Codes of Practice made and approved in accordance with EMPCA regulations. Rather, the purpose of this code is to document acceptable environmental guidelines for quarrying, in order to:</p> <ul style="list-style-type: none"> <li>• .....’</li> </ul> <p>It also states –</p> <p>‘The sections of the code are not in themselves legally enforceable. They are intended to encourage operators to achieve good environmental performance without the need to resort to legislative enforcement mechanisms.’</p> <p>The QCO 2017 provides a definition for Acceptable Standard –</p> <p>‘These are commonly agreed standards which will normally ensure that acceptable environmental performance is achieved. Where a specific issue requires attention at a quarry, the acceptable standard may be modified by the approval authority for inclusion in a Permit or Environment Protection Notice.’</p> <p>The environmental management measures proposed for the Cocked Hat Hill Quarry in the DPEMP and development application supporting information are -</p> <ul style="list-style-type: none"> <li>(i) generally consistent with the Acceptable Standards of the QCP 2017; and</li> <li>(ii) where they deviate from an Acceptable Standard there is supporting evidence for the assessment process.</li> </ul> |

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| <p>2</p> | <p>Assumption that the bund will provide 17 dB attenuation is high.</p> | <p>EPA Tasmania’s Noise Specialist notes the earthen bund is critical for noise attenuation given the close (within 200 m) proximity of drilling and blasting to dwellings on Hobart Rd at 10 years and full extent of mining.</p> <p>Provide further information to clarify/ justify the magnitude of the estimate for acoustic attenuation by the proposed earthen bund, including the situation where blast hole drilling occurs at the surface within 200 m of dwellings on Hobart Rd.</p> | <p>Attenuation between noise sources within the proposed Cocked Hat Hill Quarry and the house in questions (803 Hobart Rd) isn’t provided by the earth bund alone. There is significant topography between the house and the quarry area providing a second barrier effect. The digital ground model triangulated by the modelling software from contour data for the area generates a topographic feature where the height of the house is at 198 m a.s.l, the corner of the quarry lease closest to the house (i.e. approx. 200 m away) is also at 198 m a.s.l and the slope of Cocked Hat Hill generates a topographic barrier that is at 206 m a.s.l (along the direct line of sight between the house and the corner of the lease).</p> <p>Modelling of drilling noise at this corner location within the lease generates an <math>L_{Aeq}</math> level of 39 dBA and a maximum noise level of 42 dBA. A contour map of <math>L_{Aeq}</math> emissions is provided below for visualisation.</p> <p>Source heights above ground height are as follows:-</p> <ul style="list-style-type: none"> <li>• Engine 2.5 m</li> <li>• Drill noise 0.1 m</li> <li>• Rattling noise 0.2 m</li> </ul> <p><b>NB:</b> it should also be noted that drilling at the current surface would in reality <u>not happen</u> as significant overburden removal would have occurred lowering the ground height in the quarry and increasing the barrier effect from the earth berm.</p> |
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**TABLE 2: OTHER MATTERS RAISED DURING THE PUBLIC CONSULTATION PERIOD**

| Representation No./ Agency             | Comments and issues                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Further Info Requested by the EPA? | EPA Comments                                                                                                                                                                                                               | Further Info provided by applicant |
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| Civil Aviation Safety Authority (CASA) | <p>CASA stated it is satisfied the quarry operator intends to implement sufficient risk mitigation procedures to ensure there is no impact on aviation activities. This includes a procedure between the quarry operator itself and the Launceston Tower to ensure no blasting operations occur without receiving a permission to detonate from the Launceston Tower on each occasion.</p> <p>CASA also understands from this proposal that any 'fly rock' will be contained to a maximum height of 40 m above the rock face where the blast has occurred which mitigates any risk to aviation. As such, CASA considers there is no requirement to promulgate airspace over the quarry site.</p> | No                                 | The draft Blast Management Plan (DPEMP, Attachment 4) states a 'letter of agreement will be developed and signed with the Launceston Airport which will outline the way notifications between the parties will be served.' |                                    |
| 1                                      | <p>Representor noted at least one other quarry operator (Stornoway) already uses the road proposed to access the new quarry.</p> <p>Representor stated any permit issued for the activity should ensure:</p> <ul style="list-style-type: none"> <li>• Both quarry operators contribute to the ongoing maintenance of the road.</li> <li>• The proponent of the new quarry address dangers involved as trucks pass one another by widening the road to allow safe passing of oncoming trucks.</li> </ul>                                                                                                                                                                                          | No                                 | Road maintenance and adjustments fall within the purview of Council.                                                                                                                                                       |                                    |
| 2                                      | <ul style="list-style-type: none"> <li>• DPEMP does not contain sufficient detail about stages of extraction.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | No                                 | DPEMP contains sufficient information for the Board's assessment.                                                                                                                                                          |                                    |

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|  | <ul style="list-style-type: none"> <li>Figure B-2 refers to a 'mine plan in Figure 5B', but the DPEMP does not appear to contain 'Figure 5B'.</li> </ul> | Yes | Provide a copy of the 'mine plan' referred to in Figure B-2.                                          | <p>Figure 5B is provided in the DA information provided to the planning authority.</p> <p>The equivalent in the DPEMP is Figure B-3B.</p> <p>It is important to note that the Mine Plan adopted for this application is that which has been approved by MRT for the Mining Lease.</p>                                                                                                                            |
|  | <ul style="list-style-type: none"> <li>There is no information about the likely amounts of soil and overburden removed and bench development.</li> </ul> | No  | DPEMP contains sufficient information for the Board's assessment.                                     |                                                                                                                                                                                                                                                                                                                                                                                                                  |
|  | <ul style="list-style-type: none"> <li>There are no cross-sections included to show potential visual impacts.</li> </ul>                                 | Yes | Provide a representative number of cross-sections to show potential visual impacts.                   | <p>Visual amenity is not an environmental matter and accordingly sits outside the powers afforded to the EPA by s74 of EMPCA.</p> <p>Information of relevance to the Scheme, which formed part of the application, was provided to the planning authority. It was available for public consideration at the Council chambers as per the requirements of the <i>Land Use Planning and Approvals Act 1993</i>.</p> |
|  | <ul style="list-style-type: none"> <li>Figure B-4 indicates a cross-section without a location.</li> </ul>                                               | Yes | Relate the cross-section illustrated in Figure B-4 to its location on the proposed site.              | <p>Figure B-3B clearly identifies the orientation of the cross-section shown in Figure B-4.</p> <p>The symbology used is consistent with standard engineering/technical drawing practice.</p>                                                                                                                                                                                                                    |
|  | Representor states quarry plans do not clearly show the proximity of the proposed quarry to nearby sensitive receptors.                                  | No  | Figure D-3A of the DPEMP (p47) illustrates/ identifies residences within 1 km of the proposed quarry. |                                                                                                                                                                                                                                                                                                                                                                                                                  |

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|  | <p>Representor stated quarry operations within 200m of the closest residence are likely to cause dust emissions above ‘prevailing standards’.</p> <p>Representor stated cumulative impacts associated with traffic (e.g. dust) have not been considered.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>No</p> <p>No</p>                                         | <p>DPEMP contains sufficient information for the Board’s assessment.</p> <p>Cumulative dust impacts related to traffic were considered and included in the DPEMP (Section E.1.3, p64).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
|  | <p>Representor stated quarry operations within 200m of the closest residence are likely to cause dust emissions above ‘prevailing standards’.</p> <p>Representor stated cumulative impacts associated with traffic (e.g. dust) have not been considered.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>No</p> <p>No</p>                                         | <p>DPEMP contains sufficient information for the Board’s assessment.</p> <p>Cumulative dust impacts related to traffic were considered and included in the DPEMP (Section E.1.3, p64).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
|  | <p>Representor raised a number of points relating to quarry operations and noise, namely:</p> <ul style="list-style-type: none"> <li>• Sound power levels seem on low side for proposed quarry equipment.</li> <li>• Predictions are for neutral weather – rather than worst case.</li> <li>• Predicted noise levels seem low for overburden removal with equipment operating on the surface and line of sight to receiver 9.</li> <li>• Predicted noise levels appear to be for equipment at final pit floor level and located close to the benches to provide greatest barrier effect.</li> <li>• At no stage have the impacts of quarrying at the closest house been adequately addressed.</li> <li>• Representor concludes quarry operations will not be able to meet noise limits within 200m of residences.</li> </ul> | <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> | <p>Sound power levels quoted in Attachment 7, Table 2 are considered suitable for the purpose of modelling and the Board’s assessment.</p> <p>Tarkarri Engineering Pty Ltd, engaged by the applicant’s consultant to conduct an environmental noise, ground vibration and air blast over pressure assessment for the proposed quarry states:</p> <p>“Worst case weather conditions with regard to the atmospheric attenuation/amplification during the day are not common and require vector wind speeds of &gt; 3 m/s and this would typically generate high local noise levels (worst case weather under lower wind speeds can only occur after sunset). Predicted noise levels under worst case weather conditions would be no more than 4 dB higher and remain below the project noise emission criteria.”</p> |  |

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|  |                                                                                                                                                                                                |            | <p>Predicted noise levels for overburden removal are of the order anticipated by EPA Tasmania’s Noise Specialist (noting that model scenarios include a 3m high earthen embankment between the nearest receptors along Hobart Rd and the extractive activity).</p> <p>Model scenarios consider equipment in varying locations at year one, ten and maximum extent, as illustrated in Attachment 7, figures pp 16-21.</p> <p>Measures to address potential noise impacts at the nearest residence were described in the DPEMP, p 71.</p> <p>A condition of permit will be that the extractive activity comply with prescribed noise limits at any noise sensitive premises (in other ownership) during designated day time, evening time and night time periods.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|  | <p>Representor states:</p> <ul style="list-style-type: none"> <li>Rock may be solid and competent rather than fractured, and suggests blast impacts may be understated as a result.</li> </ul> | <p>Yes</p> | <p>Provide evidence to demonstrate the approach adopted to estimate blast impacts produces realistic results, including at closest sensitive receptors. Evidence may include data from monitored blasts in similar geological settings.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>The prediction of ground vibration is based on scaled regressions developed by the Office of Surface Mining (now the Office of Surface Mining and Reclamation and Enforcement) in the USA, published in 2009. The regression used were developed from data sets for quarry production blasts with prediction for average (Av.) and upper bound (UB.) regressions.</p> <p>Data was provided from the monitoring of two blasts at McGraths Pit, adjacent to the Cocked Hat Hill lease. The measured ground vibrations levels are provided below from to two blast along with AV. and UB. predictions. The results show that the measured ground vibrations levels are within the range of the Av. and UB.</p> |

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|  |                                                                                                                                                                                                                                                                                                                                                     |           |                                                                                                                                                                                                                                                                                                                                                                                     | <p>predictions and that ground vibration levels predicted by the OSM regressions are realistic.</p> <p><u>Blast 1</u><br/> <b>93 kg charge mass:-</b><br/>                 Distance 780 m</p> <ul style="list-style-type: none"> <li>• Measured 1.0 mm/s</li> <li>• Predicted Av. 1.0 mm/s</li> <li>• Predicted UB 2.7 mm/s</li> </ul> <p><u>Blast 2</u><br/> <b>50g charge mass:-</b><br/>                 Distance 700 m</p> <ul style="list-style-type: none"> <li>• Measured 1.7 mm/s</li> <li>• Predicted Av. 0.8 mm/s</li> <li>• Predicted UB 2 mm/s</li> </ul> <p>Distance 845 m</p> <ul style="list-style-type: none"> <li>• Measured 1.3 mm/s</li> <li>• Predicted Av. 0.6 mm/s</li> <li>• Predicted UB 1.6 mm/s</li> </ul> <p>Discussion of air blast overpressure levels from the McGraths Pit data is provided in Tarkarri Engineering report 5014_AC_R in section 4.3.</p> |
|  | <p>Representor queried the suitability of the constants used to estimate air blast over pressure and ground vibration, given calculations were:</p> <ul style="list-style-type: none"> <li>• Not based on monitored data.</li> <li>• Used regression equations developed by the US Office of Surface Mining Reclamation and Enforcement.</li> </ul> | <p>No</p> | <p>EPA Tasmania’s Noise Specialist has checked predictions based on the average conditions suggested in Australian Standard AS2187. Vibration levels estimated using AS2187 were of a similar order to those presented in Attachment 7, Table 7 (predicted ground vibration).</p> <p>Therefore the predictions provided in Attachment 7 are sufficient for assessment purposes.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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|  | <p>Representor notes visual impacts have not been considered, contrary to the DPEMP general guidelines.</p> | <p>Yes</p> | <p>Provide information to demonstrate why the proposal’s potential visual impacts have not been considered / included in the DPEMP.</p> | <p>Visual amenity is not an environmental matter and accordingly sits outside the powers afforded to the EPA by s74 of EMPCA.</p> <p>The EPA have noted this in previous decisions, such as for The Gums Quarry proposed by Markarna Grazing Company Pty Ltd (Attachment 1).</p> <p>Information of relevance to the Scheme, which formed part of the application, was provided to the planning authority. It was available for public consideration at the Council chambers as per the requirements of the <i>Land Use Planning and Approvals Act 1993</i>.</p> |
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## ATTACHMENTS

Attachment S1      Extract of the Environmental Assessment Report Markarna Grazing Company Pty Ltd –  
Quarry, Whitemark, Flinders Island

**TABLE 2: OTHER MATTERS RAISED DURING THE PUBLIC CONSULTATION PERIOD**

| Representation No./ Agency | Comments and issues                                                                                                                                                                                                                                                                                                               | Further Info Requested [yes/no] | EPA Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| 1,3                        | Assertion that the public roads are not suitable for heavy trucks or prolonged use by smaller trucks.<br>Suggestion that the size of truck and the number of trucks per day be limited.                                                                                                                                           | No                              | This matter is outside the EPA Board's responsibility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 1,2,4,5,7                  | Concerns that large number of trucks using public roads will create a traffic hazard. Two representors identified the "tourist season" as a particular concern. One representor considered such high levels of traffic were inconsistent with the Planning Scheme.<br>Suggestion that speed limit for trucks would be appropriate | No                              | This matter is outside the EPA Board's responsibility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 1,2,4,5                    | Concerns that traffic along public roads associated with the quarrying operation will create a noise nuisance (or that noise is not discussed) and general loss of amenity for adjacent residences.                                                                                                                               | Yes                             | It is noted that environmental nuisance directly attributable to traffic movements associated with the proposal can be taken into account by the EPA Board in its determinations.<br><br>Road condition and use will affect the potential for the proposal to cause environmental nuisance. This is a matter which Council may consider during the planning assessment.<br><br>Provide a description of potential transport routes along public roads, residential setbacks along these routes and vehicle movements along these routes during peak production compared with during other periods to assist the EPA Board. Such information would be particularly relevant for hours of operation proposed outside of those specified in the Quarry Code of Practice. |
| 1,2,4, 5,7                 | The visual impact of the existing quarry is noted eg as a "scar on the landscape".<br>Concerns raised that the proposal will increase the extent of the visual impact.<br>On representor considers Visual impact                                                                                                                  | No                              | This matter is outside the EPA Board's responsibility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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This document has been prepared in accordance with the scope of services agreed upon between Van Diemen Consulting (VDC) and the Client.

To the best of VDC’s knowledge, the report presented herein represents the Client’s intentions at the time of completing the document. However, the passage of time, manifestation of latent conditions or impacts of future events may result in changes to matters that are otherwise described in this document. In preparing this document VDC has relied upon data, surveys, analysis, designs, plans and other information provided by the client, and other individuals and organisations referenced herein. Except as otherwise stated in this document, VDC has not verified the accuracy or completeness of such data, surveys, analysis, designs, plans and other information.

No responsibility is accepted for use of any part of this document in any other context or for any other purpose by third parties.

This document does not purport to provide legal advice. Readers should engage professional legal advisers for this purpose.

**Document Status**

| Revision | Author             | Reviewer and Organisation | Date       |
|----------|--------------------|---------------------------|------------|
| 1        | R Barnes C McCoull | RW Barnes, VDC Pty Ltd    | 23-09-2017 |
| 1        | R Barnes C McCoull | G Adams, Adams Group      | 25-09-2017 |
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