

# Environmental Assessment Report

## Highclere Quarry Intensification

Off Oonah Road, Highclere

SD Groves Earthmoving Pty Ltd

May 2020



ENVIRONMENT PROTECTION AUTHORITY

## Environmental Assessment Report

Proponent	SD Groves Earthmoving Pty Ltd
Proposal	Highclere Quarry Intensification
Location	Off Oonah Road, Highclere
NELMS no.	9757
Permit Application No.	Burnie City Council
Electronic Folder No.	EN-EM-EV-DE-253305
Document No.	M645451
Class of Assessment	2A

## Assessment Process Milestones

6 September 2017	Notice of Intent lodged
18 October 2017	Class of Assessment
18 October 2017	Guidelines Issued
10 August 2018	Advised EER prepared in accordance with Board's Guidelines
31 January 2020	Permit Application submitted to Council
21 February 2020	Application/Referral received by the Board
18 March 2020	Start of public consultation period
1 April 2020	End of public consultation period
26 May 2020	Date draft conditions issued to proponent
28 May 2020	Statutory period for assessment ends

## Acronyms

Board	Board of the Environment Protection Authority
DPIPWE	Department of Primary Industries, Parks, Water and Environment
EER	Environmental Effects Report
EIA	Environmental Impact Assessment
EMPC Act	<i>Environmental Management and Pollution Control Act 1994</i>
EMPCS	Environmental Management and Pollution Control System
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>
LUPA Act	<i>Land Use Planning and Approvals Act 1993</i>
PCAB	Policy Conservation and Advice Branch, Natural and Cultural Heritage
QCoP	<i>Quarry Code of Practice 2017 (DPIPWE, 2017)</i>
RMPS	Resource Management and Planning System
SD	Sustainable Development

## Report Summary

This report provides an environmental assessment of the proposed intensification of Highclere Quarry, located off Oonah Road at Highclere, by SD Groves Earthmoving Pty Ltd.

The proposal involves increasing extraction and processing, by crushing and screening, from 20,000 to 50,000 cubic metres of rock and gravel per annum.

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

Further details of the assessment process are presented in section 1 of this report. Section 2 describes the statutory objectives and principles underpinning the assessment. Details of the proposal are provided in section 3. Section 4 reviews the need for the proposal and considers the alternatives. Section 5 summarises the public and agency consultation process. The detailed evaluation of environmental issues is contained in section 6. Other issues are discussed in section 7. The report conclusions are contained in section 8.

Appendix I contains the environmental permit conditions for the proposal. The environmental conditions in Appendix I are a new set of operating conditions for the entire, intensified activity that will supersede the existing permit conditions.

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## I Approval Process

A Notice of Intent in relation to the proposal was received by the Board of the Environment Protection Authority (the Board) on 6 September 2017.

An application for a permit under the *Land Use Planning and Approvals Act 1993* (LUPA Act) in relation to the proposal was submitted to Burnie City Council on 31 January 2020.

The proposal is defined as two 'level 2 activities' under clauses 5(a)(i) and 6(a)(ii), schedule 2 of the *Environmental Management and Pollution Control Act 1994* (EMPC Act), being a quarry including crushing and screening of the extracted materials.

Section 25(1) of the EMPC Act required Council to refer the application to the Board of the Environment Protection Authority (the Board) for assessment under the Act. The application was received by the Board on 21 February 2020.

The Board required that information to support the proposal be provided in the form of an Environmental Effects Report (EER) prepared in accordance with guidelines issued by the Board on 18 October 2017.

Several drafts of the EER were submitted to EPA Tasmania for review against the guidelines before it was finalised. The final EER was submitted to Council with the permit application. The EER was released for public inspection for a 14-day period commencing on 18 March 2020. An advertisement was placed in *The Advocate* and on the EPA website. The EER was also referred to relevant government agencies for comment. No representations were received.

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

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## 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 in the context of the objectives of the Environmental Management and Pollution Control System (EMPCS) (both sets of objectives are specified in Schedule 1 the EMPC Act). The functions of the Board are to administer and enforce the provisions of the Act, and to use its best endeavours to further the RMPS and EMPCS objectives.

The Board must assess the proposal in accordance with the Environmental Impact Assessment Principles defined in Section 74 of the EMPC Act.

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

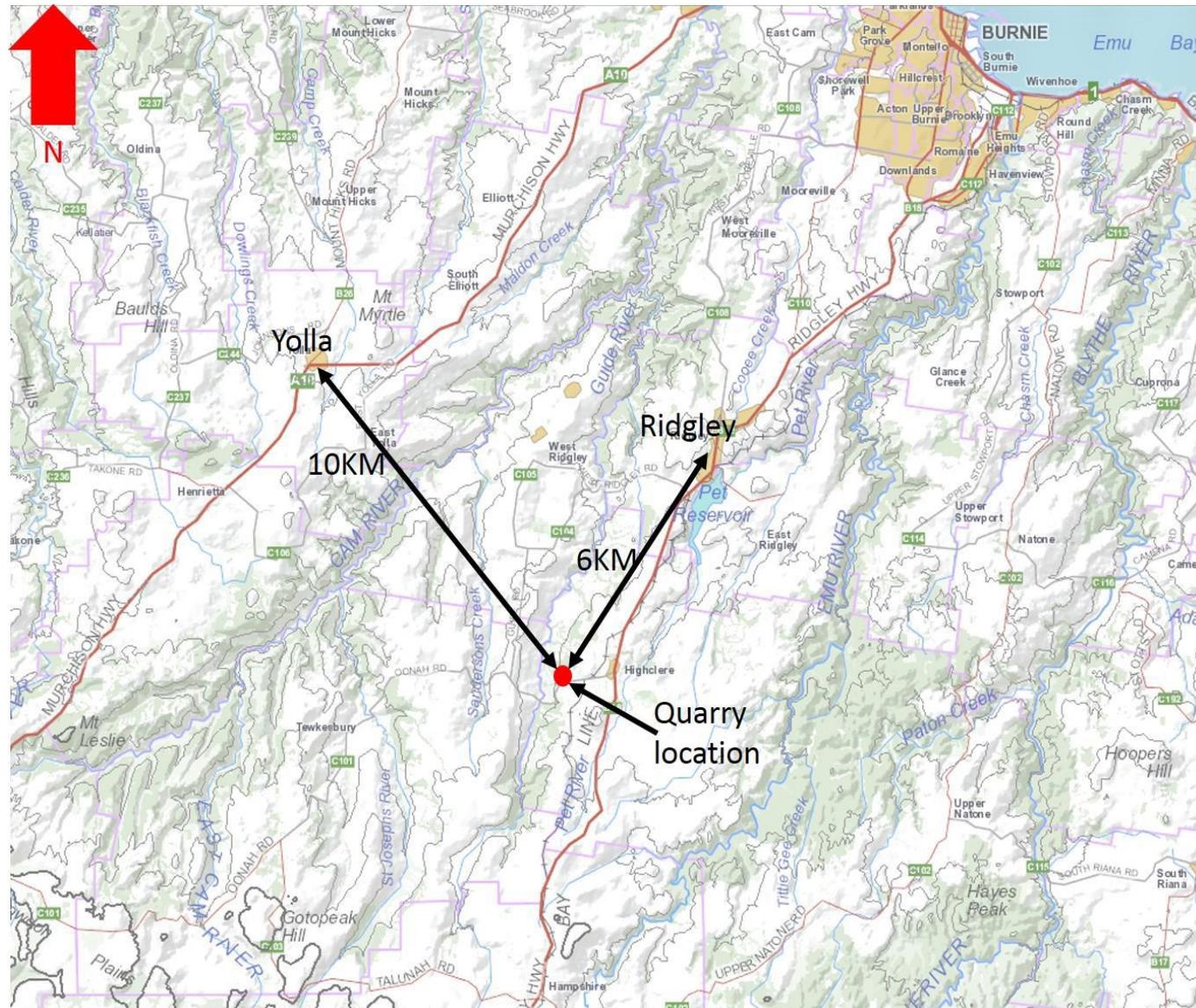
### 3 The Proposal

The main characteristics of the proposal are summarised in Table I. A detailed description of the proposal is provided in Section 2 of the EER.

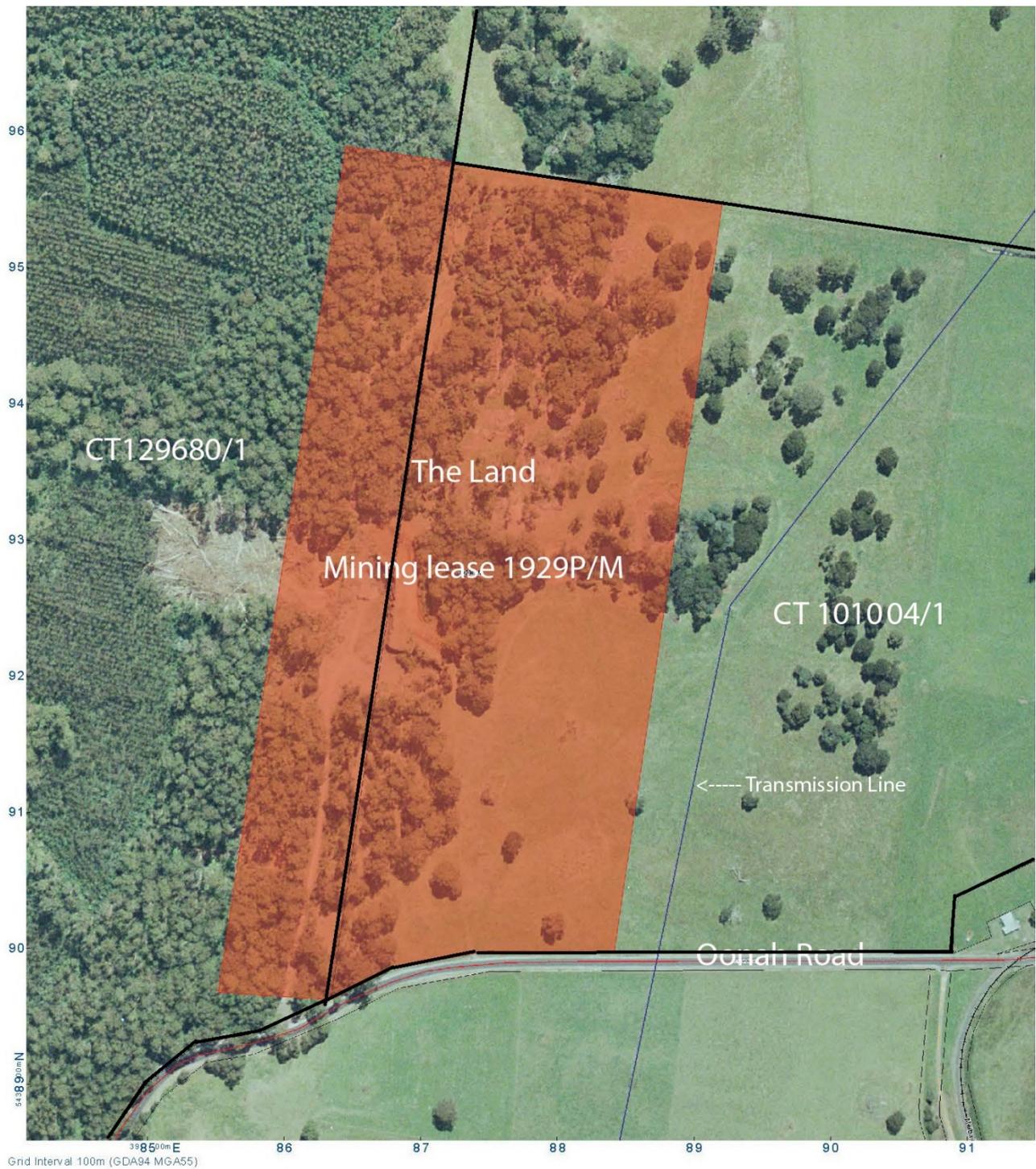
**Table I: Summary of the proposal’s main characteristics**

Activity	
Extraction, crushing and screening of a maximum of 50,000 cubic metres of rock and gravel per annum.	
Location and planning context	
<b>Location</b>	Off Oonah Road, Highclere, as shown in Figure I
<b>Land zoning</b>	Rural Resource ( <i>Burnie Interim Planning Scheme 2013</i> )
<b>Land tenure</b>	Private freehold (CTs 129680/1 and 101004/1)
<b>Mining lease</b>	1929 P/M
<b>Lease area</b>	17 hectares
<b>Bond</b>	\$7,000 – Mineral Resources Tasmania has advised that the lease is due for renewal November 2020, at which point the security bond will be revised.
Existing site	
<b>Land Use</b>	Operating quarry surrounded with private forestry land to the west and rural properties to the north, east and south.
<b>Topography</b>	The quarry is located on the eastern lip of a small north-south oriented valley. To the west of the quarry the topography rises gently before descending into the township of Highclere.
<b>Geology</b>	Tertiary basalt.
<b>Soils</b>	Soils derived from tertiary basalt. The Mining Lease is on the boundary of the West Ridgley soil association in the west, Oonah Profile in the east and the Yolla profile in the north.
<b>Hydrology</b>	A small ephemeral drainage line runs through the northern part of the lease, approximately 30 metres north of the existing workings. This serves as an overflow for a farm dam. Drainage channels have been constructed alongside and underneath the access road (Figure 6). Due to the frequently changing nature of the pit floor, there are rarely long-term dedicated drainage channels. The nearest permanent watercourse is the Guide River, approximately 530m to the west.
<b>Natural Values</b>	<p>According to the Flora and Fauna Survey (Appendix 3 of the EER):</p> <ul style="list-style-type: none"> <li>• No species of threatened fauna or flora listed under the <i>Tasmanian Threatened Species Conservation Act 1995</i> or the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> were observed during the survey.</li> <li>• No threatened vegetation communities listed under the <i>Nature Conservation Act 2002</i> were observed during the survey.</li> <li>• No wedge tailed eagle nests are within line of site of the quarry.</li> <li>• No potential nest trees were observed within or adjacent to the lease during the survey.</li> <li>• There is potential habitat for Spotted Tailed Quoll, Eastern Barred Bandicoot and Tasmanian Devil but not key habitat such as potential den sites.</li> <li>• Two species of declared weeds were observed within the area of the lease during the survey.</li> <li>• There was no symptomatic evidence observed of the presence of the plant pathogen <i>Phytophthora cinnamomi</i> during the survey.</li> </ul>
Local region	

<b>Climate</b>	Rainfall approximately 1,437mm per annum. Wind direction predominantly westerly with north and south westerlies sub-dominant.
<b>Surrounding land zoning, tenure and uses</b>	Rural resource surrounded by forestry and farmland with residences located 600 metres to the south east and 1 km to the east and north east (the latter being the township of Highclere).
<b>Species of conservation significance</b>	NA
<b>Proposed infrastructure</b>	
<b>Major equipment</b>	2x 20 tonne CAT 320DL Excavator, 966 CAT loader, Striker 112R crusher and an Atlas Copco ROC D-711 drill rig, with multiple trucks servicing the quarry.
<b>Other infrastructure</b>	Site buildings, hydrocarbon spill kit, fixed screen.
<b>Inputs</b>	
<b>Water</b>	None
<b>Energy</b>	Diesel for mobile equipment
<b>Other raw materials</b>	Explosives for blasting
<b>Wastes and emissions</b>	
<b>Liquid</b>	Stormwater runoff from extraction and stockpile areas.
<b>Atmospheric</b>	Dust from internal and external traffic, extraction including blasting, materials handling and blow-off from stockpiles.
<b>Solid</b>	General refuse including food scraps, paper and packaging. General inert wastes such as metal waste to be collected periodically.
<b>Controlled wastes</b>	Waste engine oil and grease.
<b>Noise</b>	From blasting, extraction, screening equipment, excavator on-site, and vehicles on-site and going to and from the site.
<b>Greenhouse gases</b>	Emissions from equipment and vehicles.
<b>Construction and operations</b>	
<b>Proposal timetable</b>	Already operating above 20,000 cubic metres per annum. Figure 3 shows the current bench that is being worked on, Figure 4 shows the plan for years 3 to 10 which will extend the bench in a northerly direction as well as to the east of the current bench (shown in orange).
<b>Operating hours (ongoing)</b>	0700 to 1900 hours, Monday to Friday. 0800 to 1600 hours Saturday.
<b>Other key characteristics</b>	
None listed.	



**Figure 1:** Site location (Figure 12 of the EER)



[www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)

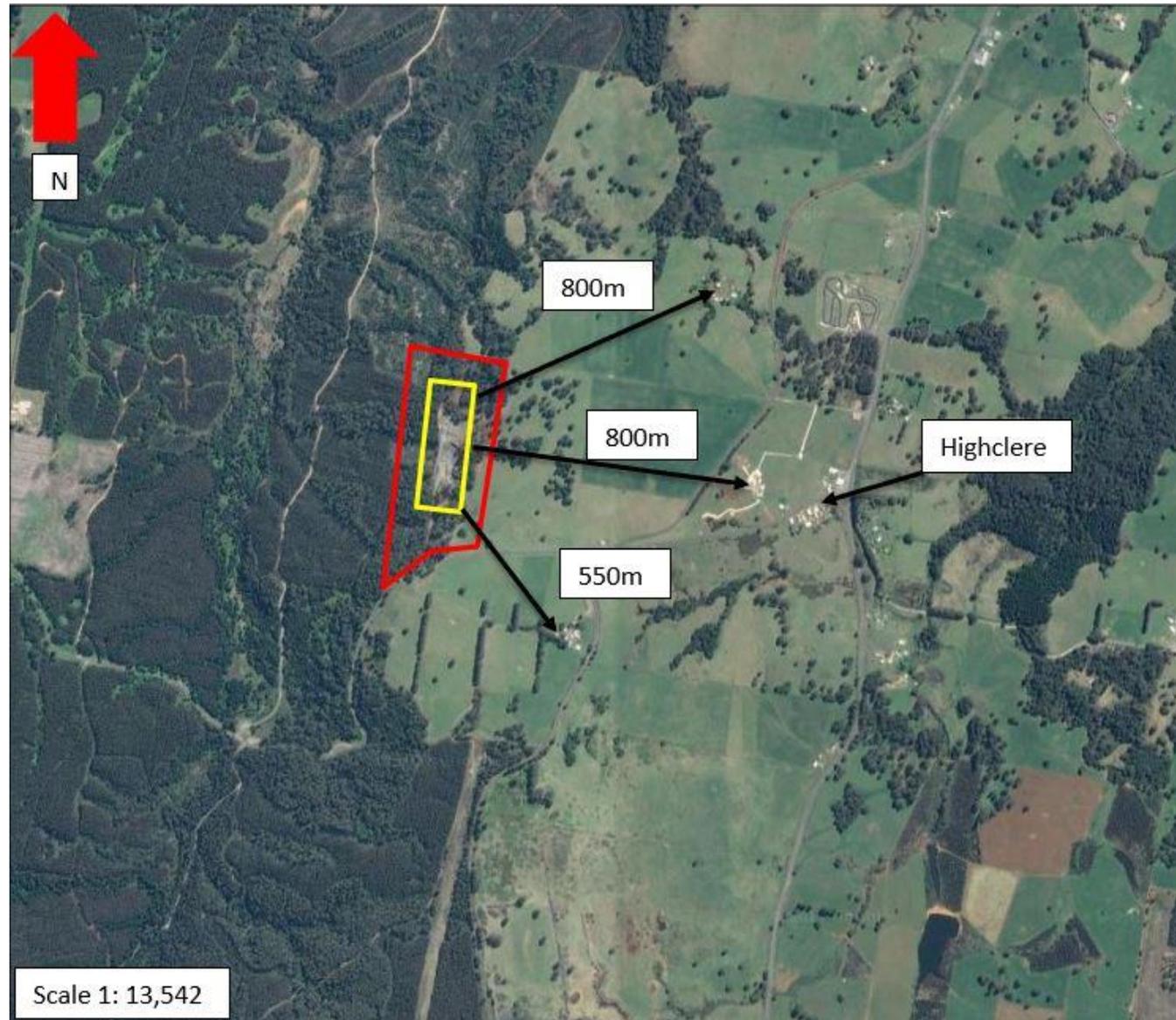
**Figure 2:** The Land



**Figure 3:** Site Plan – Current quarry layout (Figure 2 of the EER)



**Figure 4:** Site plan – 3 to 10 year plan (Figure 3 of the EER)



**Figure 5:** Nearest residences (Figure 13 of the EER)



**Figure 6:** Onsite drainage (Figure 19 of the EER)

## 4 Need for the Proposal and Alternatives

The EER states that the site was selected because it was an existing quarry, partially developed and worked by Mr. Scott Leonard before SD Groves Earthmoving Pty Ltd took over the operation of the quarry. Haul roads and a pit floor were already developed, and the quarry yielded saleable material, all of which restrict costs and environmental degradation when compared to developing a new quarry site. The EER also claims that by increasing production from the Highclere Quarry the Proponent can meet continued demand for the specific basalt product in the region, while ensuring financial security for himself.

## 5 Public and Agency Consultation

No public representations were received.

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

- Mineral Resources Tasmania, Department of State Growth
- TasNetworks
- TasRail

The following Divisions/areas of the Department of Primary Industries, Parks, Water and Environment were also consulted for advice on the EER:

- Regulatory Officer, EPA Tasmania
- Air Section, EPA Tasmania
- Water Section, EPA Tasmania
- Noise Section, EPA Tasmania
- Policy Conservation and Advice Branch, DPIPW
- Aboriginal Heritage Tasmania, DPIPW
- Heritage Tasmania, DPIPW

## 6 Evaluation of Environmental Issues

EPA Tasmania has evaluated environmental issues considered relevant to the proposal. Details of this evaluation, along with the permit conditions required by the Board, are discussed below:

The following issues are discussed:

1. Noise emissions
2. Air emissions and quality
3. Surface water quality
4. Natural values and weed and disease management
5. Waste management and environmentally hazardous substances
6. Decommissioning and rehabilitation

### General conditions

The following general conditions will be imposed on the activity:

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

<b>Issue 1: Noise, ground vibration and blast over-pressure emissions</b>
<b>Description of potential impacts</b>
<p>Noise emissions from blasting, extraction, processing and transport of material, have the potential to cause environmental nuisance to sensitive receptors. Vibrations and air blast-overpressure from blasting may also cause disturbance to nearby receptors or impacts to nearby infrastructure if not managed appropriately.</p>
<b>Management measures proposed in EER</b>
<p>Operating hours are proposed to be consistent with the Quarry Code of Practice (QCoP), namely 0700 to 1900 hours, Monday to Friday and 0800 to 1600 hours Saturday.</p> <p>A Blast Management Plan has been prepared for the proposal (Appendix 7 of the EER). This plan outlines:</p> <ul style="list-style-type: none"> <li>• The basis for ensuring safe practices and procedures are adopted at the site for managing drilling operations and blasting operations.</li> <li>• How the safety and minimisation of impact on personnel, plant and property both on-site and at any neighbouring sites from blast effects will be achieved and maintained.</li> <li>• Proposed methods of blasting to ensure compliance with nationally recognised standards for blast emissions.</li> </ul> <p>Commitment 2 of the EER states that a field noise and vibration survey will be undertaken in the event of a noise complaint.</p> <p>Commitment 3 states that a complaints register will be maintained for the operation.</p> <p>Commitment 6 states that a speed limit of 20 km/hr will be enforced on the access road.</p> <p>Commitment 7 states that trucks will avoid using engine breaks to minimise noise impacts when travelling through Highclere.</p>
<b>Public and agency comment</b>
<p>No public or agency comments were received in relation to noise, ground vibration and air-blast overpressure emissions.</p>
<b>Evaluation</b>
<p>The nearest sensitive receptors are located approximately 600 metres to the south-east and 1 km to the east and north-east of The Land. The township of Highclere is located to the east of The Land (Figure 5).</p> <p>As part of the assessment undertaken in 2016, the proponent was required to undertake a Blast Ground Vibration and Overpressure Modelling investigation. The results of both the Environmental Noise Assessment and Blast Management Plan predictions for blast noise, vibration and overpressure indicate that impacts at the nearest sensitive receptors are considered unlikely. These assessments were undertaken in accordance with current standards and based on details specific to the Highclere Quarry proposal and location, including the equipment specified in the application. EPA Tasmania's Noise Specialist considered that, based on the Environmental Noise Assessment, noise limits on the operation of the quarry, excluding blasting, are not justified. A lack of complaint history, separation distances to residences and topographic and vegetation barriers support this recommendation.</p> <p>Previous monitoring had shown that the air-blast overpressure limits specified had been exceeded 30% of the time. The Proponent has since contracted different blasting contractors who have been successful in meeting the limit specified in the current permit, which will continue to be imposed through condition <b>B4</b>.</p>

While the Blast Management Plan in Appendix 7 specifies a worst-case scenario of 7 mm/sec for ground vibration, the EER provides details to support that monitoring to date has not shown exceedance of the 5 mm/sec limit for 95% of blasts imposed by the current permit. In addition, the maximum limit of 10 mm/sec has not been exceeded. This limit will also remain in the permit as condition **B4**.

These limits are consistent with the QCoP and are expected to limit annoyance and discomfort at noise sensitive premises. Impacts to structural integrity at adjacent properties are not expected given the distance from the quarry. To ensure that these limits are being met, the proponent will be required to monitor blasting under condition **B3**. If ground vibration caused by a blast exceeds 5 mm/sec peak particle velocity and/or air blast over pressure exceeds 115 dB (Lin Peak), the Director must be notified within 24 hours of the blast under condition **B5**.

Furthermore, notification of residences within 1km of the blast site prior to blasting is required under condition **B2**, this allows the opportunity to communicate and manage any issues associated with blasting.

The EER indicates that blasting times are proposed to be between 0900 to 1700 hours, which is not consistent with current standard conditions. To ensure that the potential for environmental noise nuisance from blasting activities is limited, blasting times will be restricted to between 1000 and 1600 hours Monday to Friday under condition **B1** as required in the current permit.

Condition **G6** requires the proponent to maintain the complaints register which will allow any potential noise issues to be considered and addressed.

The EER defines the operational hours as 0700 to 1900 hours Monday to Friday and 0800 to 1600 hours on Saturday, which is consistent with the QCoP. No change in these hours is proposed for the increased extraction rate. Compliance with these hours will be required under condition **N1**. Compliance with the QCoP is required under condition **G7**.

## Conclusion

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

**B1 – Blasting times**

**B2 – Notification of blasting**

**B3 – Blast monitoring**

**B4 – Blasting – noise and vibration limits**

**B5 – Ground vibration**

**N1 – Operating hours**

<b>Issue 2: Air emissions and quality</b>
<b>Description of potential impacts</b>
<p>Air emissions in the form of dust have the potential to cause environmental nuisance or harm beyond the boundary of The Land if not appropriately mitigated or managed. Dust sources include the extraction and processing of material, stockpiles and movement of equipment and vehicles.</p> <p>According to the EER, the nature of the product and high rainfall location limits dust production. Prevailing wind direction is westerly towards the residences to the east of the quarry.</p>
<b>Management measures proposed in EER</b>
<p>The EER states that the vegetation buffer to the east of the quarry will be maintained and act as a barrier for dust emissions towards residences located approximately 600m further east of The Land.</p> <p>Commitment 4 of the EER states that trucks are to cover loads to prevent dust emissions.</p> <p>Commitment 5 of the EER states that a water cart will be utilised to wet down the access road and quarry floor in dry and / or windy conditions.</p> <p>Commitment 6 of the EER states that a speed limit of 20 km/hr will be applied to the access road.</p>
<b>Public and agency comment</b>
<p>No public or agency comments were received in relation to air emissions and quality.</p>
<b>Evaluation</b>
<p>The statement in the EER that the nature of the product and high rainfall limits the opportunity for dust emissions is supported. The commitments listed above are also supported for management of dust emissions. To ensure the proposed management measures are implemented, condition <b>A1</b> requires the Proponent to control dust emissions to the extent necessary to prevent environmental nuisance beyond the boundary of The Land. In addition, condition <b>A2</b> requires dust emissions from areas of The Land used by vehicles to be controlled by dampening or other effective measures and condition <b>A3</b> requires that vehicles carrying product loads must have effective measures in place to prevent escape of material, such as covering or dampening loads.</p>
<b>Conclusion</b>
<p>The proponent will be required to comply with the following conditions:</p> <p><b>A1 – Control of dust emissions</b></p> <p><b>A2 – Dust emissions from traffic areas</b></p> <p><b>A3 – Covering of vehicles</b></p>

<b>Issue 3: Surface water quality</b>
<b>Description of potential impacts</b>
<p>Inappropriate management of stormwater has the potential to cause the movement of sediment and other contaminants thereby impacting waterways that provide potential habitat for threatened flora and fauna species or are water sources for human and agricultural uses.</p> <p>According to the EER there are no recognised creeks on the mining lease. The nearest permanent watercourse is the Guide River, approximately 530m to the west. The nearest waterway is an unnamed, minor tributary to the Guide River approximately 140m west of the south western corner of 1929P/M. There is no dedicated storm water runoff control system in place in the quarry pit, however, drainage channels have been constructed alongside and underneath the access road (Figure 6).</p> <p>All storm water on-site will be directed towards the working face, where it will then infiltrate the highly fractured rock in the pit floor.</p>
<b>Management measures proposed in EER</b>
No specific management measures were proposed in the EER.
<b>Public and agency comment</b>
No public or agency comments were received in relation to surface water quality.
<b>Evaluation</b>
<p>Sediment control and retention will be required through the construction of perimeter drains under condition <b>E1</b>. Due to the highly fractured nature of the quarry floor, which will result in the efficient infiltration of water, a sediment pond is not considered necessary at this point in time. The proponent will be required to manage stormwater to prevent the discharge of sediment and pollutants from The Land under condition <b>E2</b>.</p> <p>Undertaking progressive rehabilitation and limiting the disturbed area as detailed in Issue 6 of this EAR is also likely to contribute to minimising potential issues from stormwater.</p>
<b>Conclusion</b>
<p>The proponent will be required to comply with the following conditions:</p> <p><b>E1 – Perimeter drains and bunds</b></p> <p><b>E2 – Stormwater</b></p>

<b>Issue 4: Natural values and weed and disease management</b>
<b>Description of potential impacts</b>
<p>Inappropriate clearance or disturbance of vegetation has the potential to impact on threatened flora, fauna or vegetation communities and result in the introduction and spread of weeds and diseases.</p> <p>Clearance of vegetation also has the potential to impact on surface water quality through increased erosion, as dealt with in Issue 3 above.</p>
<b>Management measures proposed in EER</b>
<p>A Weed and Disease Management Plan is included in Appendix 4 of the EER.</p> <p>A <i>Phytophthora cinnamomi</i> management plan forms Appendix 5 of the EER.</p> <p>Commitment I – Prepare a Forest Practices Plan if clearing more than 1ha or 100 tonnes of native vegetation per annum.</p> <p>Commitment II – Undertake weed management as stipulated in the Weed Management Plan provided as Appendix 4 of the EER.</p>
<b>Public and agency comment</b>
<p>PCAB advised that the Flora and Fauna Survey conducted in 2015 was still considered to be relevant due to the lack of threatened species recorded within the proposed development zone and that no new records have been identified to suggest threatened species are located within the development zone.</p> <p>PCAB noted that while the proposed operating hours of the quarry help minimise the night-time traffic on Oonah Road and Ridgley Highway for most of the year, night-time is classified as 1 hour before sunset and 1 hour after sunrise meaning that during winter there is potential for additional traffic to be generated during night-time and that it is unknown whether this represents an increase above 10% or not. PCAB stated that an increase of 10% or greater is considered significant in regard to the likely impacts on the Tasmanian devil. Should the night-time traffic increase by 10% or more PCAB recommends that roadkill mitigation measures be implemented in accordance with the Tasmanian Devil Survey Guidelines and Management Advice for Development Proposals (The Devil Guidelines) available at: <a href="https://dpiwwe.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments">https://dpiwwe.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments</a></p> <p>PCAB also supports the implementation of the Weed and Disease Management Plan outlined in the EER.</p>
<b>Evaluation</b>
<p>The EER states that a further 1.8 hectares of native vegetation, consisting of the Wet <i>Eucalyptus obliqua</i> forest community with <i>Eucalyptus viminalis</i> trees being co-dominant and dominating in some locations, will be cleared over the life of the quarry, as shown in Figure 4. No threatened vegetation communities were observed onsite during the survey.</p> <p>The flora and fauna survey indicated that no threatened vegetation or, flora and fauna species are likely to be impacted by the expansion of the quarry and that the current vegetation is highly modified. PCAB considered the previous Flora and Fauna Survey conducted in 2015 to still be relevant for the site given that there is unlikely to have been any significant changes since the survey was completed.</p> <p>However, PCAB did recommend that roadkill mitigation measures be implemented in accordance with The Devil Guidelines if an increase in night-time traffic of 10% or more is likely to occur. Noting that the requested increase in production is well above 10%, to ensure that the potential impacts on the Tasmanian devil are managed appropriately, condition <b>OP2</b> is imposed to restrict traffic movements to daylight hours only. The proponent may provide the Director with evidence to demonstrate that the increase in night-</p>

time traffic from the quarry is less than 10% or outline the proposed mitigation measures in accordance with the Devil Guidelines, at which time the Director may allow the activity to operate within the hours set by condition **NI** without further restriction.

Progressive rehabilitation during the ongoing operation of the activity, and rehabilitation on cessation will be required as detailed in Issue 6 of this EAR. These activities will support the ongoing management of biodiversity values on The Land.

As several declared weeds have been identified on The Land it is considered appropriate to require management through the implementation of a weed and disease management plan. The Weed and Disease Management Plan included in Appendix 4 of the EER has been updated to take the current *Weed and Disease Planning and Hygiene Guidelines* (DPIPWE, March 2015) into consideration and is required to be implemented through condition **OPI**.

### Conclusion

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

**FFI – Machinery washdown**

**OPI – Weed and Disease Management Plan**

**OP2 – Cartage hours**

<b>Issue 5: Waste management and environmentally hazardous substances</b>
<b>Description of potential impacts</b>
<p>The inappropriate use and storage of waste and hazardous substances has the potential to cause environmental nuisance or harm through discharge to The Land or nearby waterways.</p> <p>According to the EER, minor amounts of dangerous goods, including diesel and small amounts of oils and greases (10-20L), will be used on-site. Diesel will be brought onsite for refuelling of mobile equipment.</p> <p>Explosives for blasting are taken onto the site when blasts are planned and are removed when blasting is complete. Waste is expected to be limited to general refuse.</p>
<b>Management measures proposed in EER</b>
<p>Oils and greases will only be temporarily stored on-site in a trailer provided with spill containment. Diesel will be stored in a 400L tank on a bunded trailer with hydrocarbon spill kits kept on-site when works are occurring. There will be no fuels, oils or explosives permanently stored on-site.</p> <p>Commitment 8 states that spill kits will be kept on-site when works are occurring.</p> <p>The EER states that all dangerous and hazardous goods will be stored on-site in accordance with the Tasmanian <i>Quarry Code of Practice 2017</i> to minimise the risk of a spill occurring.</p> <p>A Pollution Incident Response Management Plan has been prepared for the activity (Appendix 9 of the EER).</p> <p>The EER states that general refuse is removed from the site at the end of each day and that a site wide sweep will be conducted every 3 months to ensure no waste is left on site.</p>
<b>Public and agency comment</b>
<p>No public or agency comments were received in relation to waste management or environmentally hazardous substances.</p>
<b>Evaluation</b>
<p>No explosives or fuels / lubricants are to be permanently stored at the site. Explosives will only be brought onto site during blasting activities, limiting the potential for environmental impacts from the inappropriate use or storage of these materials. Solid waste is expected to be limited. However, these materials will be on-site during the activities and have the potential to cause environmental nuisance or harm, including the potential for impacts to waterways from a hydrocarbon spill.</p> <p>To ensure that hazardous materials are appropriately managed the proponent will be required to comply with conditions <b>H2 and H3</b> and spill kits will be required under condition <b>H1</b>. These conditions reflect the commitments made in the EER.</p> <p>In the event of an incident the proponent will be required to respond appropriately under condition <b>G2</b>.</p>
<b>Conclusion</b>
<p>The proponent will be required to comply with the following conditions:</p> <p><b>H1 – Spill kits</b></p> <p><b>H2 – Storage and handling of hazardous materials</b></p> <p><b>H3 – Handling of hazardous materials – mobile</b></p>

<b>Issue 6: Decommissioning and rehabilitation</b>
<b>Description of potential impacts</b>
<p>Temporary or permanent cessation of the activity has the potential to cause on-going impacts to the environment if rehabilitation is not managed appropriately. Potential impacts include increased erosion and transport of sediment off-site to waterways, impacts to biodiversity and uncontrolled dust emissions.</p>
<b>Management measures proposed in EER</b>
<p>Commitment 12 states that the proponent will undertake rehabilitation of The Land as detailed in Section 3.16 of the EER.</p> <p>Commitment 13 states that the Proponent will provide annual progress reports on rehabilitation works for two years after cessation of operations.</p> <p>Commitment 14 states that rehabilitation monitoring will be undertaken biannually for two years after cessation of operations.</p>
<b>Public and agency comment</b>
<p>No public or agency comments were received in relation to decommissioning and rehabilitation.</p>
<b>Evaluation</b>
<p>Rehabilitation on cessation will be supported by condition <b>DC1</b> which requires surface soil to be retained for future rehabilitation and is consistent with details in the EER.</p> <p>The EER states that progressive rehabilitation is impractical given the single quarry face and room required for stockpiles, plant and manoeuvring of trucks. The EER also states that progressive rehabilitation may prevent future access to the resource should the quarry floor be dropped to a lower level than currently planned. Progressive rehabilitation is encouraged to reduce the risk of large areas of the site being left unrehabilitated should the activity cease due to lack of finances, therefore condition <b>DC2</b> will continue to be included in the permit to ensure that the Director can require any areas deemed as appropriate to be progressively rehabilitated.</p> <p>Management of temporary cessation will be stipulated under condition <b>DC3</b>. The proponent will be required to notify of cessation under condition <b>DC4</b> and undertake decommissioning and rehabilitation in accordance with conditions <b>DC5</b> and <b>DC6</b> which includes the preparation and implementation of a Decommissioning and Rehabilitation Plan (DRP). These conditions reflect commitments in the EER.</p> <p>The standard decommissioning and rehabilitation conditions are considered appropriate to ensure the potential for environmental impacts are minimised through appropriate decommissioning and rehabilitation of the site upon closure.</p>
<b>Conclusion</b>
<p>The proponent will be required to comply with the following conditions:</p> <p><b>DC1 – Stockpiling of surface soil</b></p> <p><b>DC2 – Progressive rehabilitation</b></p> <p><b>DC3 – Temporary suspension of activity</b></p> <p><b>DC4 – Notification of cessation</b></p> <p><b>DC5 – Rehabilitation following cessation</b></p> <p><b>DC6 – DRP requirements</b></p>

## 7 Other Issues

The following issues have been raised during the assessment process and are discussed briefly here. These are issues which are not the Board's responsibility under the EMPC Act, or issues which are more appropriately addressed by another regulatory agency.

1. Traffic Management
2. Aboriginal Heritage

### 1. Traffic Management

This report considers the potential noise and air emission impacts from the movement of vehicles to and from The Land. Other matters related to traffic management will be considered by Burnie City Council and the Department of State Growth (State Roads) as required under their respective regulatory requirements.

The State Roads Division of the Department of State Growth advised that the existing Ridgley Highway / Oonah Road intersection adequately caters for heavy vehicles including the proposed additional movements from this proposal.

### 2. Aboriginal Heritage

Aboriginal Heritage Tasmania advised that an Aboriginal heritage assessment was conducted by Stanin and Pedder in 2015 and that no Aboriginal heritage was identified. AHT considers there is a low potential for undetected Aboriginal heritage to be present and therefore have no objections to the proposal proceeding provided all works are guided by an Unanticipated Discovery Plan.

No management measures were proposed in relation to Aboriginal Heritage in the EER. However, all Aboriginal heritage is protected under the *Aboriginal Relics Act 1975*, which specifies the requirements in the event Aboriginal Heritage is uncovered at the site. The responsibilities under this Act are detailed in condition **LO3** under Schedule 3: Information of Permit Conditions – Environmental No 9757.

## 8 Report Conclusions

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

This report incorporates specialist advice provided by EPA Tasmania scientific specialists and regulatory staff, other Divisions of DPIPWE 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;
2. the assessment of the proposed activity has been undertaken in accordance with the Environmental Impact Assessment Principles; and
3. the proposed activity is capable of being managed in an environmentally acceptable manner such that it is unlikely that the objectives of the *Environmental Management and Pollution Control Act 1994* (the RMPS and EMPCS objectives) would be compromised, provided that the Permit Conditions - Environmental No. 9757 appended to this report are imposed and duly complied with.

The environmental conditions appended to this report are a new set of operating conditions for the entire, intensified activity that will supersede the existing permit conditions.

## 9 Report Approval

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



Wes Ford

**DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY**

**Acting under delegation from the Board of the Environment Protection Authority**

Date: 28 May 2020

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## 10 References

Samuel Smith, *Environmental Effects Report – Quarry expansion, Oonah Road, Highclere* (dated 01/05/2018), Prepared by Environmental Service & Design for SD Groves Earthmoving Pty Ltd.

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## II Appendices

### Appendix I Permit Conditions – Environmental No. 9757

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## **Appendix I – Permit Conditions – Environmental No. 9757**



ENVIRONMENT PROTECTION AUTHORITY

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**PERMIT PART B**  
**PERMIT CONDITIONS - ENVIRONMENTAL No. 9757**

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

Activity:           **The operation of a quarry and crusher (ACTIVITY TYPE: Crushing, grinding, milling or separating into different sizes (rocks, ores or minerals))**  
                          **OONAH ROAD**  
                          **HIGHCLERE TAS 7321**

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:                   **BURNIE**  
Permit Application Reference: **DA 2020/6**  
EPA file reference:           **253305**

Date conditions approved:    **28 May 2020**

Signed:



DELEGATE FOR THE BOARD OF THE ENVIRONMENT  
PROTECTION AUTHORITY

## DEFINITIONS

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

## ENVIRONMENTAL CONDITIONS

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

## INFORMATION

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

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***Attachments***

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## Schedule 1: Definitions

In this Permit Part B:-

**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.

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

**Daylight hours** means the period from one hour after sunrise to one hour before sunset.

**Director** means the Director, Environment Protection Authority holding office under Section 18 of EMPCA and includes a person authorised in writing by the Director to exercise a power or function on the Director's behalf.

**DRP** means Decommissioning and Rehabilitation Plan.

**EMPCA** means the *Environmental Management and Pollution Control Act 1994*.

**Environmental Harm** and **Material Environmental Harm** and **Serious Environmental Harm** each have the meanings ascribed to them in Section 5 of EMPCA.

**Environmental Nuisance** and **Pollutant** each have the meanings ascribed to them in Section 3 of EMPCA.

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

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

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

**Quarry Code of Practice** means the document of this title published by the Environment Protection Authority in May 2017, and includes any subsequent versions of this document.

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

**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 101004/1 and 129680/1; and
- 2 as further delineated at Attachment 1.

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

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

## Schedule 2: Conditions

### Maximum Quantities

#### **Q1 Regulatory limits**

- 1 The activity must not exceed the following limits :
  - 1.1 50,000 cubic metres per year of rocks, ores or minerals processed.
  - 1.2 50,000 cubic metres per year of rocks, ores or minerals extracted.

### General

#### **G1 Access to and awareness of conditions and associated documents**

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

#### **G2 Incident response**

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

#### **G3 No changes without approval**

- 1 The following changes, if they may cause or increase the emission of a pollutant which may cause material or serious environmental harm or environmental nuisance, must only take place in relation to the activity if such changes have been approved in writing by the EPA Board following its assessment of an application for a permit under the *Land Use Planning and Approvals Act 1993*, or approved in writing by the Director:
  - 1.1 a change to a process used in the course of carrying out the activity; or
  - 1.2 the construction, installation, alteration or removal of any structure or equipment used in the course of carrying out the activity; or
  - 1.3 a change in the quantity or characteristics of materials used in the course of carrying out the activity.

#### **G4 Change of responsibility**

If the person responsible for the activity intends to cease to be responsible for the activity, that person must notify the Director in writing of the full particulars of any person succeeding him or her as the person responsible for the activity, before such cessation.

#### **G5 Change of ownership**

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

## **G6 Complaints register**

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

## **G7 Quarry Code of Practice**

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

### **Atmospheric**

#### **A1 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.

#### **A2 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.

#### **A3 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.

### **Blasting**

#### **B1 Blasting times**

Blasting on The Land must take place only between the hours of 1000 hours and 1600 hours Monday to Friday. Blasting must not take place on Saturdays, Sundays or public holidays unless prior written approval of the Director has been obtained.

#### **B2 Notification of blasting**

All residents within a 1 km radius of the activity must be notified on each occasion prior to blasting on The Land. This notification must be given at least 24 hours before such blasting is due to occur. In the event that the blast(s) cannot take place at the time specified, the responsible person must advise all those residents within 1 km of the activity of the revised time at which blasting will take place.

#### **B3 Blast monitoring**

- 1 Unless otherwise approved in writing by the Director, blast monitoring must be undertaken for each blast that occurs on The Land.
- 2 Blast monitoring must be carried out at location(s) agreed in writing by the Director.

- 3 In the event that ground vibration and/or airblast overpressure caused by a blast exceeds a limit imposed by these conditions, the Director must be notified within seven days of the blast, or as soon as is reasonable and practicable.
- 4 Blast monitoring records must be maintained for a period of at least two years.

#### **B4 Blasting - noise and vibration limits**

- 1 Blasting on The Land must be carried out in accordance with blasting best practice environmental management (BPEM) principles, and must be carried out such that, when measured at the curtilage of any residence (or other noise sensitive premises) in other occupation or ownership, airblast overpressure and ground vibration comply with the following:
  - 1.1 for 95% of blasts, airblast overpressure must not exceed 115dB (Lin Peak);
  - 1.2 airblast overpressure must not exceed 120dB (Lin Peak);
  - 1.3 for 95% of blasts ground vibration must not exceed 5mm/sec peak particle velocity; and
  - 1.4 ground vibration must not exceed 10mm/sec peak particle velocity.
- 2 All measurements of airblast overpressure and peak particle velocity must be carried out in accordance with the methods set down in *Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration*, Australian and New Zealand Environment Council, September 1990.

#### **B5 Ground vibration**

Unless otherwise approved in writing by the Director, in the event that ground vibration caused by a blast exceeds 5 mm/sec peak particle velocity and/or air blast over pressure exceeds 115 dB(Lin Peak), the Director must be notified within 24 hours of the blast.

### **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 four hectares.

#### **DC3 Temporary suspension of activity**

- 1 Within 30 days of becoming aware of any event or decision which is likely to give rise to the temporary suspension of the activity, the person responsible for the activity must notify the Director in writing of that event or decision. The notice must specify the date upon which the activity is expected to suspend or has suspended.
- 2 During temporary suspension of the activity:
  - 2.1 The Land must be managed and monitored by the person responsible for the activity to ensure that emissions from The Land do not cause serious environmental harm, material environmental harm or environmental nuisance; and



- 2 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.

## **Flora And Fauna**

### **FF1 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.

## **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 to assist with the containment of spilt environmentally hazardous materials.

### **H2 Storage and handling of hazardous materials**

- 1 Unless otherwise approved in writing by the Director, environmentally hazardous materials held on The Land must be:
  - 1.1 stored within impervious bunded areas, spill trays or other containment systems; and
  - 1.2 managed to prevent unauthorised discharge, emission or deposition of pollutants:
    - 1.2.1 to soils within the boundary of The Land in a manner that is likely to cause serious or material environmental harm;
    - 1.2.2 to groundwater;
    - 1.2.3 to waterways; or
    - 1.2.4 beyond the boundary of The Land.

### **H3 Handling of hazardous materials - mobile**

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

## **Noise Control**

### **N1 Operating hours**

- 1 Unless otherwise approved by the Director, activities associated with the extraction of rock, gravel, sand, clay or minerals, and loading of product, and screening/crushing must not be undertaken outside the hours of 0700 hours to 1900 hours on weekdays and 0800 hours to 1600 hours on Saturdays.

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

### **Operations**

#### **OP1 Weed and Disease Management Plan**

Unless otherwise specified in these conditions, the activity must be undertaken in accordance with the Weed and Disease Management Plan, prepared by Environmental Service & Design and dated 26 April 2018, as may be amended from time to time with written approval from the Director.

#### **OP2 Cartage hours**

Unless otherwise approved in writing by the Director, cartage by heavy vehicles entering or leaving The Land must only be undertaken during Daylight hours.

28 May 2020

## Schedule 3: Information

### Legal Obligations

#### **LO1 EMPCA**

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

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

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

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

1.2 *Explosives Act 2012* and subordinate regulations; and

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

#### **LO3 Aboriginal relics requirements**

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

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

### Other Information

#### **OI1 Waste management hierarchy**

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

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

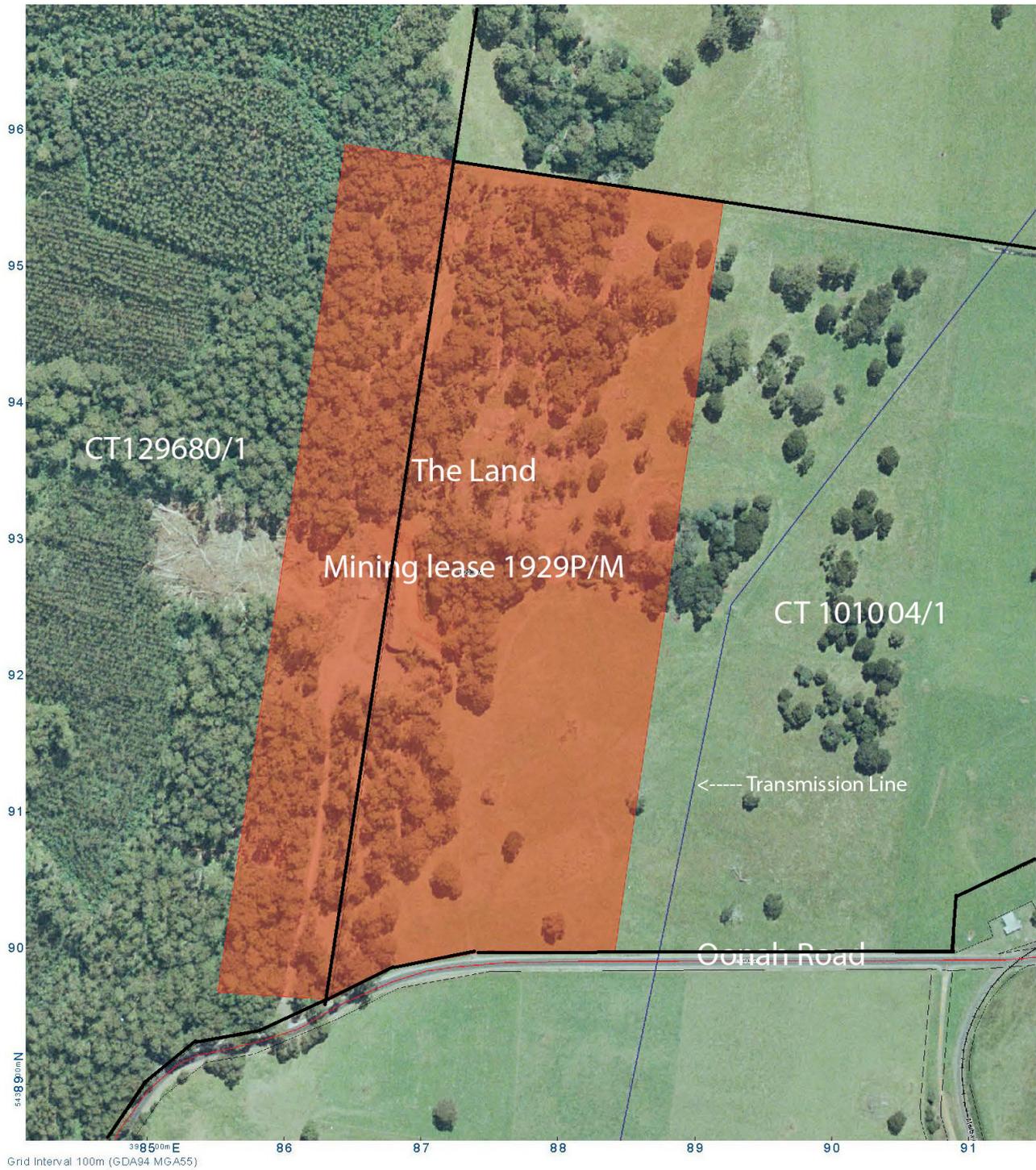
1.2 waste should be re-used or recycled to the maximum extent that is practicable; and

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

#### **OI2 Notification of incidents under section 32 of EMPCA**

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

# Attachment 1: The Land



[www.thelist.tas.gov.au](http://www.thelist.tas.gov.au)