ENVIRONMENTAL ASSESSMENT REPORT

Sand and Gravel Extraction and Screening

201 Pages Road, Moorleah

Scott Leonard

Report and recommendations of the Environment Division
Department of Environment, Parks, Heritage and the Arts

to the Board of the Environment Protection Authority
21 October 2008
### Environmental Assessment Report

<table>
<thead>
<tr>
<th>Proponent</th>
<th>Scott Leonard</th>
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</thead>
<tbody>
<tr>
<td>Proposal</td>
<td>Sand and gravel extraction and screening</td>
</tr>
<tr>
<td>Location</td>
<td>201 Pages Road, Moorleah</td>
</tr>
<tr>
<td>NELMS no.</td>
<td>7587</td>
</tr>
<tr>
<td>DA number</td>
<td>134/2008</td>
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<td>File</td>
<td>110768</td>
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<td>Document</td>
<td>G:\EEO_Enviro_Ops\EAS_Assessments\EAS_Projects\Leonard Flowerdale Quarry\EAR Leonard quarry</td>
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### Assessment process milestones

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>14/2/2008</td>
<td>Notice of Intent submitted</td>
</tr>
<tr>
<td>19/3/2008</td>
<td>EER Guidelines issued</td>
</tr>
<tr>
<td>20/6/2008</td>
<td>Permit application submitted to Council</td>
</tr>
<tr>
<td>26/6/2008</td>
<td>Application received by Board</td>
</tr>
<tr>
<td>12/7/2008</td>
<td>Start of public consultation period</td>
</tr>
<tr>
<td>28/7/2008</td>
<td>End of public consultation period</td>
</tr>
</tbody>
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### Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
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<tbody>
<tr>
<td>AHT</td>
<td>Aboriginal Heritage Tasmania</td>
</tr>
<tr>
<td>Board</td>
<td>Board of the Environment Protection Authority</td>
</tr>
<tr>
<td>EER</td>
<td>Environmental Effects Report</td>
</tr>
<tr>
<td>EPA</td>
<td>Environment Protection Authority</td>
</tr>
<tr>
<td>DEPHA</td>
<td>Department of Environment, Parks, Heritage and the Arts</td>
</tr>
<tr>
<td>DPIW</td>
<td>Department of Primary Industries and Water</td>
</tr>
<tr>
<td>EIA</td>
<td>Environmental impact assessment</td>
</tr>
<tr>
<td>EMPC Act</td>
<td><em>Environmental Management and Pollution Control Act 1994</em></td>
</tr>
<tr>
<td>EPBC Act</td>
<td><em>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</em></td>
</tr>
<tr>
<td>FPP</td>
<td>Forest Practices Plan</td>
</tr>
<tr>
<td>LUPA Act</td>
<td><em>Land Use Planning and Approvals Act 1993</em></td>
</tr>
<tr>
<td>QCP</td>
<td>Quarry Code of Practice</td>
</tr>
<tr>
<td>RMC</td>
<td>Resource Management and Conservation Division of DPIW</td>
</tr>
<tr>
<td>SD</td>
<td>Sustainable development</td>
</tr>
</tbody>
</table>
Recommendations

It is recommended that the Director, Environment Protection Authority, under delegation from the Board of the Environment Protection Authority:

1. Consider the Division’s evaluation of environmental issues associated with the proposal in Section 6 of this report.

2. Note that the evaluation has concluded that the proposal is capable of being managed in an environmentally acceptable manner such that it is unlikely that the RMPS and EMPCS objectives would be compromised, provided that the recommendations made in this report are satisfactorily implemented.

3. Approve the proposal subject to the conditions attached to this report.

4. In accordance with s 25(5)(a)(i) of the EMPC Act, notify Waratah-Wynyard Council that the conditions and restrictions detailed in Appendix 2 (recommended permit conditions) must be contained in a permit granted by the planning authority under the Land Use Planning and Approvals Act 1993 in respect of the proposal, if a permit is to be granted.

5. In accordance with s 25(5)(a)(ii) of the EMPC Act, provide Council with a copy of this report to outline the reasons for the conditions and restrictions.

Report approval

<table>
<thead>
<tr>
<th>Prepared by:</th>
<th></th>
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<tbody>
<tr>
<td>Adam Friend</td>
<td>Senior Assessment Officer</td>
</tr>
<tr>
<td>Date: 24/10/08</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Reviewed by:</th>
<th></th>
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<tbody>
<tr>
<td>Darryl Cook</td>
<td></td>
</tr>
<tr>
<td>Section Head, Assessments Section</td>
<td></td>
</tr>
<tr>
<td>Date: 24/10/08</td>
<td></td>
</tr>
<tr>
<td>John Langenberg</td>
<td>Senior Environmental Officer, Quarries and Mines</td>
</tr>
<tr>
<td>Date: 24/10/08</td>
<td></td>
</tr>
</tbody>
</table>

Recommendations accepted:

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Warren Jones</td>
</tr>
<tr>
<td>Director, Environment Protection Authority</td>
</tr>
<tr>
<td>Under delegation from the Board of the Environment Protection Authority</td>
</tr>
<tr>
<td>Date: 24/10/08</td>
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</tbody>
</table>
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1 Approvals process

An application for a permit under the *Land Use Planning and Approvals Act 1993* (LUPA Act) in relation to the proposal was submitted to Waratah-Wynyard Council on 20 June 2008.

The proposal is defined as a 'level 2 activity' under Schedule 2 Subsections 5(b) and 6(a)(ii) of the *Environmental Management and Pollution Control Act 1994* (EMPC Act), being a sand and gravel extraction and screening activity with a production capacity of 30,000m³ per year. 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 26 June 2008.

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

The Board required that additional information to support the proposal be provided in the form of an Environmental Effects Report (EER).

A draft of the EER was submitted to the Department of Environment Parks, Heritage and the Arts (DEPHA) for comment prior to its formal submission. A final EER was submitted to Council with the permit application. The EER was released for public inspection for a 14-day period commencing on 12 July 2008. Advertisements were placed in The Advocate newspaper and on the Environment Protection Authority (EPA) web site. Six public submissions were received.

On 19 August 2008, the Director requested that the proponent prepare an EER Supplement to address comments made by Aboriginal Heritage Tasmania (AHT) in relation to the EER. Additional information and clarification was also provided by the proponent to address public representations and government agency concerns. The EER Supplement prepared by the proponent was accepted on 9 October 2008 following review by AHT.
2 SD objectives and EIA principles

The proposal must be considered by the Director in the context of the sustainable development objectives of the Resource Management and Planning System of Tasmania (RMPS), and in the context of the objectives of the Environmental Management and Pollution Control System (EMPCS) established by the EMPC Act. The functions of the Board are to administer and enforce the provisions of the Act, and in particular to use its best endeavours to protect the environment of Tasmania, and to further the RMPS and EMPCS objectives.

The Director must undertake the assessment of the proposal in accordance with the Environmental Impact Assessment Principles defined in Section 74 of the EMPC Act.
3 The proposal

It is proposed to extract and screen up to 30,000m$^3$ per year of sand and gravel at the proponent’s property at 201 Pages Road, Moorleah, approximately 6km southwest of Wynyard. The location of the property is shown in Figure 1.

The proposal involves the redevelopment of historical pits and the development of new pits at the property. Figure 2 shows potential gravel extraction areas.

The EER states that the resource consists of fine to medium gravelly sand with unbonded gravel beds of particle sizes generally in the range of 10-40mm and up to a maximum of 100mm. The colour of sand/gravel beds may vary from grey/white, white to red and yellow/brown as a result of iron staining.

It is stated that the materials are suitable for a range of uses, these being landscaping, roadbase, fill, concrete and masonry. To meet various customer specifications a number of small pits may be open at any one time and various stockpiles of materials be maintained.

It is stated that screening of the materials will generally be necessary to remove oversize materials or fines. Some blending may also be necessary, depending on the products required by the market.

It is estimated in the EER that the expected life of the activity will be greater than 10 years.

The main characteristics of the proposal are summarised in Table 1. A detailed description of the proposal is provided in Sections 1 and 2 of the EER.

Table 1: Summary of key proposal characteristics

<table>
<thead>
<tr>
<th>Activity</th>
<th>Extraction and screening of up to 30,000m$^3$ of sand and gravel per annum.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>201 Pages Road, Moorleah, as shown in Figure 1</td>
</tr>
<tr>
<td>Land zoning</td>
<td>Primary Industries</td>
</tr>
<tr>
<td>Land tenure</td>
<td>Private property (PID 1842031) owned by the proponent with a Road Reserve running approximately north-south through the western portion of the property.</td>
</tr>
<tr>
<td>Mining lease</td>
<td>Mining lease 1857P/M. The mining lease includes a Public Reserve (Adjacent the property to the north east, coloured green in figure 1 and marked “Gravel Reserve” in figure 2) The Public Reserve was not considered as part of the proposal and is not considered in this assessment.</td>
</tr>
<tr>
<td>Lease area</td>
<td>77 Ha, including the Public Reserve</td>
</tr>
</tbody>
</table>

Existing site

| Land Use | Formerly a pig farm. Some quarrying operations have occurred in the past |
### Topography
Property located on the eastern side of the Inglis River. Approximately 1.2km long north-south by 1km wide east-west at the widest point.

The Inglis River valley floor is close to sea level. The northern part of the property is generally flat rising to the east. The southern part rises eastwards in two low east-west ridges to a height of approximately 60m above the Inglis River.

### Geology
The sand and gravel resource is located in the eastern part of the site extending along the ridge lines. An historical gravel pit is located along the top southern side of the central southern ridge line. The geology of the remainder of the site consists of schist with alluvium along the Inglis River.

### Soils
Land surveyed as class 5 and 5/6 under the Tasmanian Land Capability Classification System. The land is thus agriculturally marginal, suitable with some restriction for grazing only.

The property is located within the Land System called “Gravel Pits”. This Land System is characterised by deep gravelly sand soils that are highly erodible (Richley 1978). The Forest Practices Plan (FPP) for the property identifies soils in the southern part of the site as highly erodible.

The EER states that soils in resource areas are friable, well drained and sandy. It is stated that runoff is limited due to the high permeability of the soils. Erosion is currently not evident in drainage lines due to the presence of vegetation cover and mulch.

### Hydrology
The Inglis River runs northwards along the western boundary of the property.

Three drainage lines cross the site from west to east draining to the River. As classified in the Forest Practices Code (FPB 2000), these drainage lines are a class 3 stream along the northern boundary of the property, a class 4 drainage line through the centre and a class 3 stream bisecting the southern part of the property into 2 ridges.

Groundwater characteristics are not discussed in detail in the EER. There are no springs identified on the site. Acidic runoff is considered unlikely as the sulphide content of the sand and gravel deposits is reported as low.

### Flora
The north western corner of the property is low lying flat pasture. The remainder of the site was generally covered with *Eucalyptus obliqua* regrowth. The property is currently being logged in accordance with the FPP and is likely to be returned to pasture and hardwood plantation.

### Local region

#### Climate
Rainfall approximately 1040mm per annum. Wind direction predominantly westerly with north and south westerlies sub dominant.

#### Surrounding land and uses
Land uses in the area consist of sand and gravel extraction, agriculture (principally cattle grazing with minor cropping) and forestry. Rural residential premises are also located in the surrounding area.

The property is bordered by the Inglis River to the West. Across the river there are a number of rural residential properties. The closest premise to the boundary of the proposed extraction activity is located on the western bank of the Inglis River approximately 690m distant from the activity (refer to figure 3).

The property is bounded by Pages Road to the north with agricultural land northwards. A Crown Land Public Reserve adjoins the property in the north east. This land was formerly used for gravel extraction. It is not included in the current proposal.

The property is surrounded by Agricultural land east and south.

#### Species of conservation significance
The Inglis River and is tributaries are potential habitat for the giant freshwater crayfish, *Astacopsis Gouldii*.
### Proposed infrastructure

<table>
<thead>
<tr>
<th>Major equipment</th>
<th>22t excavators, various body trucks, small service vehicles, mobile screening plant. To be on site only during operations. Operations are expected to be intermittent.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other infrastructure</td>
<td>Access point to the site and onsite tracks may be upgraded as required.</td>
</tr>
</tbody>
</table>

### Inputs

<table>
<thead>
<tr>
<th>Water</th>
<th>Water tanker may be required occasionally for dust suppression.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy</td>
<td>Fuel for vehicles and screen. No fuel to be stored on site.</td>
</tr>
<tr>
<td>Other raw materials</td>
<td>n/a</td>
</tr>
</tbody>
</table>

### Wastes and emissions

<table>
<thead>
<tr>
<th>Liquid</th>
<th>Stormwater runoff from extraction and stockpile areas.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atmospheric</td>
<td>Dust.</td>
</tr>
</tbody>
</table>
| Solid | General litter.  
Portable chemical toilet to be used for sanitary waste when operations are being undertaken.  
General inert wastes such as metal waste to be collected periodically. |
| Noise | From screening equipment, excavator on site, and vehicles on site and going to and from the site. |

### Commissioning and operations

| Operating hours | 700 to 1900 hours, Monday to Friday  
800 to 1700 hours Saturday  
NB: similar to the operating hours detailed in the 6.2.2 Noise, Acceptable Standards of the Quarry Code of Practice (QCP) (DPIWE 1999) except operations are extended to 5pm on saturday from the recommended 4pm. |
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Project timetable</td>
<td>Expected to operate for more than 10 years.</td>
</tr>
</tbody>
</table>

### Other key characteristics

<table>
<thead>
<tr>
<th>n/a</th>
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</tr>
</thead>
</table>
Figure 1: Property location (From Figure 1 of the EER).
Property shaded red.

Figure 2: Location of potential gravel extraction areas at 201 Pages Rd. (as presented in the Aboriginal heritage survey for the site (Sainty 2008)).
Gravel extraction areas shaded red. Property boundary outlined in red.
Figure 3: 500m distance from the mobile screening plant and location of nearby residences (from Figure 6 of the EER).
Area within 500m of screening plant locations shaded red. Location of nearby residences marked as red squares.
4 Need for proposal and alternatives

The EER states that the sand and gravel resource is suitable for a range of uses, these being landscaping, roadbase, fill, concrete and masonry. It is stated that some of the materials are suitable for “high end” products, for instance, course gavels can be used for exposed gravel facings.

It is claimed in the executive summary of the EER that the site reserves contain materials unavailable elsewhere and that they are required for blending with materials from elsewhere to meet tight customer specifications. No further details are given. The EER indicates that there is a strong market for the sand and gravel resource in the region.

Alternative sights were not investigated in the EER. The proposal is located in a region from which sand and gravel has historically been extracted. There are numerous historical pits in the vicinity, including one to be reworked in the current proposal, and there are ongoing sand gravel extraction operations in the surrounding region.
5 Public and agency consultation

A summary of the public representations and government agency/body submissions is contained in Appendix 1 of this report.

Draft guidelines

Draft guidelines for the preparation of the EER were referred to the following agencies:

- Department of Health and Human Services (DHHS); and
- Resource Management and Conservation Division of the Department of Primary Industries and Water (RMC).

DHHS made no comment.

RMC recommended that surveys and studies be conducted for the giant freshwater Crayfish, Astacopsis gouldii, and for its habitat. In addition, a wetland of medium conservation value was identified on the property in the Conservation of Freshwater Ecosystem Values database. RMC recommended that this be surveyed and studied.

Public consultation

The planning application for the proposal and EER were placed on public display. Six representations were received. The main issues raised in the representations included:

- Noise from onsite activities associated with the proposal
- Dust emissions from onsite activities causing a nuisance
- Dust emissions posing a health risk via inhalation
- Dust emissions posing a health risk via ingestion through collection in drinking water tanks
- Traffic issues
- Other planning issues

On the basis of the public representations additional information was sought from the proponent. This consisted of:

- updating of Figure 6 of the EER to include the residence located 690m to the west of the proposed extraction and screening site; and
- the provision of additional details regarding wind, topography and screening plant location and characteristics, as relevant to the assessment of the potential for environmental impacts from noise and dust.
Consultation with relevant agencies

The following government agencies and Environment Division Specialists were consulted with regard to the EER:

- Aboriginal Heritage Tasmania (AHT)
- RMC (for clarification on location and status of the identified wetland and in relation to *Astacopsis gouldii* protection)
- Noise Specialist.

On the basis of comments made by AHT, an Aboriginal Heritage Survey was prepared by the proponent as a Supplement to the EER.

Consultation with Council

Council indicated that it required no further information in relation to the traffic impact assessment included with the EER. No other comment was made by Council in relation to the EER.

Road safety and other planning issues, such as visual amenity, raised by representors are not considered further in this assessment. These issues may be considered by Waratah-Wynyard Council in its determination in relation to the planning application for the proposal.
6 Evaluation of environmental issues

The environmental issues considered relevant to the proposal have been evaluated by the Environment Division. Details of this evaluation, along with recommended permit conditions, are shown in the table below.

Table 2 Assessment of environmental issues

<table>
<thead>
<tr>
<th>Issue 1</th>
<th>Noise</th>
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<tbody>
<tr>
<td><strong>Description of potential impacts</strong></td>
<td>Noise may be generated by excavators, vehicles onsite, and sand and gravel screening operations. No blasting or crushing is proposed. The EER states (as amended following public consultation) that the nearest residence is located at least 690m to the west of the proposed extraction area. This exceeds the minimum distance of 500m for extractive pits involving screening operations suggested in section 5.1.2 of the QCP. The EER states in addition that the nearest residence is screened both topographically and by vegetation from the gravel screening operations. Winds predominantly blow from the west and therefore away from the nearest residence.</td>
</tr>
<tr>
<td><strong>Management measures proposed in EER</strong></td>
<td>Operational hours are to be restricted to 0700 to 1900 hours, Monday to Friday, and 0800 to 1700 hours Saturday.</td>
</tr>
<tr>
<td><strong>Public and agency comment</strong></td>
<td>Representors are concerned that the activity could occur close to the western boundary of the property and thus close to their residences. A representor was concerned that noise may be channelled towards their residence at the top of a gully westwards of the site. Representors are also concerned that quarrying activities may occur for a number of years and thus any noise nuisances may occur over long periods.</td>
</tr>
</tbody>
</table>
| **Evaluation and recommendation** | Representor concerns cite noise arising from recent logging activity on the land. It is noted that extractive activities will be confined to a much smaller area than the logging operation and that some topographic and vegetative screening is present. Experience demonstrates that the separation distances set out in the QCP are generally sufficient to prevent unreasonable impacts without the need for special mitigative measures. Provided excavation and screening activities do not occur within 500m of any residence and operating hours are restricted, it is unlikely that a significant noise nuisance will be caused by the activity. The Environment Division Noise Specialist considered the propagation of excessive noise over distances exceeding 500m to be unlikely, due to site-specific topographical features. It is recommended that the operating hours be restricted to the Acceptable Standard detailed in Section 6.2.2 of the QCP. This is to 1600 hours on Saturdays rather than the proposed time of up to 1700 hours on Saturdays. Additionally, operations on Sundays and public holidays should be restricted (standard condition N1). It is recommended that excavation and screening operations on the land be restricted such that they do not occur within 500m of the nearest residence (condition N2). This condition conservatively protects surrounding residences from noise because it restricts both screening and extractive operations (the QCP allows extraction without screening no closer than 300m from residences). It is recommended that the proponent be required to maintain a complaints register (standard condition G7). It is recommended that an EMP Operations be required within 15 months of any permit being
granted (condition G8). This would take into account the history of the operation over first 12 months and any issues arising. The EMP Operations should clearly depict the actual location of access tracks, screening plant, extractive areas, etc.

### Issue 2

**Dust**

**Description of potential impacts**

Dust may be generated by extraction, screening and cartage operations and from exposed extraction areas, stockpiles and road surfaces.

The distance to the nearest residence is significantly greater than that suggested in the QCP for extraction (300m) and screening operations (500m). The EER states that the proportion of clay and silt fines in the deposit is very low.

**Management measures proposed in EER**

Dust is to be minimised on site by wetting plant and surfaces as necessary. A water tanker will be made available if required. Truck loads are to be covered unless the material is moist or otherwise unlikely to emit dust.

**Public and agency comment**

Representors are concerned that dust may cause a nuisance. Representors are also concerned that dust may pose a health risk via deposition in potable water collected in household tanks or directly via inhalation.

DHHS is responsible for determination in relation to public health impacts. The Director of Public Health did not require that the assessment include an assessment of the impact of the activity on public health (under s. 74(5) of the EMPC Act).

**Evaluation and recommendation**

Given the particle size distribution of the sand/gravel resource outlined in the EER, it is unlikely that significant dust will be generated by the activity, because the portion of fines is very low (sand particles tend to settle out over a shorter distance than finer silt or clay particles).

Discussions with DHHS regarding the public health concerns raised by representors concluded that while dust from the operation was unlikely to present a public health risk, dust issues should be reviewed after approximately 12 months of operations. This should be incorporated into the EMP Operations (condition G8)

Provided management practices recommended in the EER are put in place and provided the separation distance between the activity and the nearest residence is maintained at greater than 500m (condition N2) it is unlikely that dust emissions from the site will cause an environmental nuisance.

It is recommended that the proponent comply with the management measures detailed in the EER (covered by standard condition G2). Condition A2 is recommended to require control of dust from roads, stockpiles and disturbed areas on the premises (for example by watering of problem areas during dry, windy conditions). It is recommended that the proponent be required to ensure all loads be covered to prevent dust emissions or load spillage from vehicles travelling from the site (standard condition A1)

The maintenance of a separation distance to the nearest residence, as recommended in relation to noise (condition N2) is expected to also ameliorate dust concerns associated with the activity.

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**Issue 3**

**Wastes**

**Description of potential impacts**
Small amounts of general metal waste and general refuse will be generated on site.
Oily wastes may potentially be produced as a result of accidents or machinery malfunction.
There are to be no permanent toilet facilities on site.

**Management measures proposed in EER**

A mobile toilet will be used during operations and the sewage will be removed to an appropriate disposal facility.
Any oil waste generated will be removed from the site the day it is generated.
Metal waste will be collected and removed from site every 6 months and recycled if possible.
General wastes will be collected in bins and removed from the site and disposed of at landfill at least weekly.

**Public and agency comment**

None

**Evaluation and recommendation**

The recommended management measures are appropriate. It has been recommended that compliance with the EER be required (standard condition G1).
To ensure spills of environmentally hazardous materials are contained and cleaned up it is recommended that the presence of spill kits be required (standard condition OP2). Requiring best practice waste management is also recommended (standard condition WM1).

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**Issue 4**

*Stormwater*

**Description of potential impacts**

Stormwater runoff from extraction areas, stockpiles and roads may cause erosion and result in sediment discharge to receiving waters.
Stormwater may become contaminated with fuels and oils through vehicle and plant accidents or malfunctions and through spillages
The proposed extraction areas are located on ridgelines and thus have a small stormwater catchment as well as no natural drainage lines through the extraction areas. The EER describes soils and subsurface materials as highly permeable and thus significant runoff is not expected.
The EER found that due to the nature of soils and the presence of vegetation there is no significant erosion in drainage lines. The FPP however identifies soils in the southern part of the site as highly erodible.

**Management measures proposed in EER**

In pit sumps are proposed down gradient of the operations. These are to consist of sediment traps and small wetlands.
It is proposed to clear no more than 1ha of land at any one time.
Vegetation buffers of 40m from watercourses and 10m from other drainage lines are proposed

**Public and agency comment**

One representative concerned about discharge of sediment to the Inglis River
### Evaluation and recommendation

It is accepted that soils and subsurface materials are likely highly permeable and thus runoff will be limited except during heavy rainfall. It is recommended that best practice stormwater control measures be required. These include the establishment of cut off drains to prevent stormwater entering disturbed areas, the establishment sediment settling ponds to prevent the discharge of sediment and to capture any minor oil spill where an incident occurs, and the maintenance of these drainage controls (standard conditions E1, E2 and E3). It is recommended that progressive rehabilitation be required so that no more than 1ha of land is left disturbed at any one time (standard condition DC3). It is also recommended that a vegetation buffer of 40m along all watercourses be required to capture discharged sediment, prevent bank erosion and protect downstream water quality, in line with suggested measures in the QCP (condition E4).

<table>
<thead>
<tr>
<th>Issue 5</th>
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<tbody>
<tr>
<td><strong>Flora and Fauna</strong></td>
</tr>
<tr>
<td><strong>Description of potential impacts</strong></td>
</tr>
<tr>
<td>The giant freshwater crayfish, <em>Astacopsis gouldii</em>, is known to inhabit the Inglis River and its tributaries. No other threatened species were identified within the area of potential impacts. No threatened native vegetation communities were identified. A wetland habitat of medium conservation significance is identified by the CFEV database. The identified area however, as mapped by RMC, was found to be a previous gravel extraction area with some regrowth. The area was not specifically identified under the FPP and has been substantial cleared of vegetation. The area is outside of resource areas identified in the EER.</td>
</tr>
<tr>
<td><strong>Management measures proposed in EER</strong></td>
</tr>
<tr>
<td>The EER states that management of flora and fauna was addressed by the FPP.</td>
</tr>
<tr>
<td><strong>Public and agency comment</strong></td>
</tr>
<tr>
<td>RMC recommended that a survey for <em>Astacopsis gouldii</em> habitat be conducted.</td>
</tr>
<tr>
<td><strong>Evaluation and recommendation</strong></td>
</tr>
<tr>
<td>The CFEV database uses predictive methods and is not ground truthed in every instance. No wetland was found in the identified location and accordingly no further specific consideration of the area is necessary. The Giant Crayfish is considered in the FPP. The proposed life of the quarrying operation, however, is greater than 10 years and thus may result in more permanent disturbance to potential habitat.</td>
</tr>
<tr>
<td>Where watercourses are present, requiring a vegetation buffer of 40m has been recommended (condition E4). In addition, sediment and stormwater control requirements have been recommended (standard conditions E1, E2, E3).</td>
</tr>
<tr>
<td>Nevertheless, as requested by RMC, it is recommended that the proponent be required to conduct a survey for <em>Astacopsis gouldii</em> and its habitat and to develop a habitat protection plan as necessary (special condition FF1). This will ensure baseline data regarding crayfish habitat is available and that works that may disturb habitat, such as roadworks, are conducted appropriately.</td>
</tr>
</tbody>
</table>
### Issue 6

**Weeds**

**Description of potential impacts**

The EER states that infestations of weeds such as blackberry and thistle are present on access road verges but have not yet invaded the extraction areas. Land disturbance has the potential to introduce and spread weeds.

**Management measures proposed in EER**

The EER recommends that weed control activities be carried out as part of normal operations. Where infestations are detected, it is recommended that they be specifically controlled by spraying with non-persistent herbicide, or by other appropriate means.

**Public and agency comment**

None

**Evaluation and recommendation**

It is recommended that weed control measures be required (standard condition OP1).

### Issue 7

**Aboriginal Heritage**

**Description of potential impacts**

The Survey for Aboriginal Heritage conducted as a supplement to the EER states that a number of Aboriginal sites have been recorded throughout the area. No Aboriginal sites, however, were identified at 201 Pages Road by the Survey.

**Management measures proposed in EER**

The supplementary report concludes that the proposal may proceed subject to compliance with the Aboriginal Relicts Acts 1975.

**Public and agency comment**

AHT were satisfied with the recommendation made in the supplementary report.

**Evaluation and recommendation**

To ensure the proponent is aware of their responsibilities under the Aboriginal Relicts Acts 1975 it is recommended that these responsibilities be detailed (refer to Information Schedule LO4).

### Issue 8

**Decommissioning and Rehabilitation**

**Description of potential impacts**

Large areas of unrehabilitated disturbed land pose significant risk of sedimentation and erosion. Ongoing environmental impacts can occur as a result of poor decommissioning and rehabilitation practices.
Management measures proposed in EER

Progressive rehabilitation of land disturbance is proposed. This is to include the former pit sites. Soil stockpiles will be maintained for rehabilitation. Final plans will be developed once final site conditions are known. The site will be returned to pasture or forest depending on desired ongoing use. Final landform is expected to be similar to the current landform.

Public and agency comment

None

Evaluation and recommendation

The conceptual rehabilitation plans outlined in the EER are accepted. It is recommended that the proponent be required to comply with the QCP (standard condition G6) and with standard decommissioning and rehabilitation requirements (standard conditions DC1, DC2, DC3, DC4 and DC5). These include a requirement that no more than 1ha of land may remain disturbed at any one time.

Issue 9

Off-site issues associated with transport to and from the activity

Description of potential impacts

Dust and noise may be emitted during vehicular movements associated with the activity, which may impact residences in proximity to the access route. Access to the proposed activity is via Pages Road, a winding, dual lane sealed road. Currently no speed limit is specified for Pages Road (i.e. 100 km/h). The mining lease can be accessed via one of two existing gravel tracks (one of which traverses land in other ownership and is therefore subject to negotiation).

Management measures proposed in EER

The traffic assessment attached to the EER estimates that in the order of 300 vehicles per day use Pages Road, while the proposed activity is assessed as generating up to 12 loaded trucks per day (24 movements) and 10 light vehicle movements.

Public and agency comment

Representors cited a number a number of concerns about noise, dust, safety and sedimentation/landslips associated with access to and from the proposed activity. Residents of Snares Road, Moorleah, raised specific concerns about use of an access track adjacent to their property.

Evaluation and recommendation

The suitability of Pages Road for servicing the proposed activity is a matter for the consideration of Waratah-Wynyard Council. Recommendations regarding site access made by Terry Eaton in the traffic assessment are matters for the consideration of Council.

Pages Road is a sealed road and therefore unlikely to generate significant dust emissions. Sedimentation and or landslip risk associated with Pages Road and the Inglis River crossing are matters for the consideration of Council.

There are no residences on either of the gravel access tracks to the site and the access track most likely to be used is entirely located on land owned by the proponent.

It is not necessary to use Snares Road for access to the proposed activity.

Condition A2 requires covering of loads exiting the site.
7 Conclusions

The Environment Division is of the view that:

(i) the RMPS and EMPCS objectives have been duly and properly pursued in the assessment of the proposal; and

(ii) the assessment of the proposal has been undertaken in accordance with the Environmental Impact Assessment Principles; and

(iii) the recommendations set out in this report accord with the Board’s responsibilities in relation to these objectives and principles.

This assessment has been based upon the information provided by the proponent in the permit application, EER and EER Supplement.

This assessment has incorporated specialist advice provided by Divisions of DEPHA and DPIW in relation to a number of key issues.

It is concluded that the proposal is capable of being managed in an environmentally acceptable manner such that it is unlikely that the RMPS and EMPCS objectives would be compromised, provided that the recommendations made in this report are satisfactorily implemented.
8 References

Department of Primary Industries Water and Environment (1999) Quarry Code of Practice, DPIWE, Hobart, Tasmania


Sainty R (2008) A survey for Aboriginal Heritage at Pages Road Flowerdale for Environmental Services and Design Pty Ltd.
## Summary of appendices

<table>
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<tr>
<th>Appendix</th>
<th>Description</th>
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<tr>
<td>Appendix 1</td>
<td>Summary of issues raised by public and agency submissions</td>
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<td>Appendix 2</td>
<td>Proposed permit conditions</td>
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</table>
Appendix 1  Summary of issues raised by public and agency submissions
## A. Relevant Public Submissions

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Issue</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENVIRONMENTAL ISSUES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Noise</td>
<td>Close to property boundaries</td>
<td>Concerns that a noise nuisance will be caused by on site operational activities due to the closeness of the boundary of the representors property to the boundary of 201 Pages Road.</td>
</tr>
<tr>
<td></td>
<td>Residence closer than estimated in the EER</td>
<td>Residence located at approximately 690m from the proposed sand and gravel extraction site. This is significantly closer than the closest property identified in the advertised EER, which was at 880m from the proposed extraction and screening area. Representor thus concerned impact of noise at their property not adequately addressed.</td>
</tr>
<tr>
<td></td>
<td>Topographic effects</td>
<td>Representors residence on a hill overlooking a gully and is concerned noise will be funneled towards the residence.</td>
</tr>
<tr>
<td>Dust</td>
<td>Close to property boundaries</td>
<td>Concerns that a nuisance will be caused by dust generated by on site operational activities due to the closeness of the boundary of the representors property to the boundary of 201 Pages Road.</td>
</tr>
<tr>
<td></td>
<td>Potable water contamination</td>
<td>Concerned that particulates will collect in drinking water collection tanks.</td>
</tr>
<tr>
<td></td>
<td>Residence closer than estimated in the EER</td>
<td>Residence located at approximately 690m from the proposed sand and gravel extraction site. This is significantly closer than the closest property identified in the advertised EER, which was at 880m from the proposed extraction and screening area. Representor thus concerned impact of dust at their property not adequately addressed.</td>
</tr>
<tr>
<td>Health risk</td>
<td></td>
<td>Concerned dust poses a health risk.</td>
</tr>
<tr>
<td>Topographic effects</td>
<td></td>
<td>Representors residence on a hill overlooking a gully and is concerned dust will be funneled towards the residence.</td>
</tr>
<tr>
<td>Water</td>
<td>Sediment contamination</td>
<td>Concerns regarding sediment runoff to the Inglis River.</td>
</tr>
</tbody>
</table>
### Planning Issues

<table>
<thead>
<tr>
<th>Traffic</th>
<th>Traffic Noise</th>
<th>Concerns regarding increased noise from traffic to and from the site.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unsuitable road</td>
<td>Considers Pages Road unsuitable for increased heavy vehicular traffic.</td>
<td></td>
</tr>
<tr>
<td>Site access</td>
<td>Access points to 201 Pages Road dangerous.</td>
<td></td>
</tr>
<tr>
<td>Zoning</td>
<td>Incompatible activity</td>
<td>Representor concerned recording business will be affected by noise from the activity</td>
</tr>
<tr>
<td>Planning Scheme</td>
<td>Incompatible activity</td>
<td>Does not believe proposal supports objective specified in clause 2.1.1(i)(d) of the Planning Scheme.</td>
</tr>
</tbody>
</table>

#### B. Referral Agency Comments

Aboriginal Heritage Tasmania required an Aboriginal Heritage Assessment be conducted by and Aboriginal Heritage Officer.

#### C. Council

Council required no further information in relation to the Traffic Impact Assessment and otherwise had no comment in relation to the EER.
Appendix 2  Proposed permit conditions
PERMIT PART B
PERMIT CONDITIONS - ENVIRONMENTAL No. 7587

Issued under the Environmental Management and Pollution Control Act 1994

Applicant: Leonard, Scott M
ABN 23 047 156 503
54 MOUNT HICKS RD
WYNYARD TAS 7325

Activity: The operation of an extractive pit and materials handling (screening) activity
_ACTIVITY TYPE: Crushing, grinding, milling or separating into different
sizes(rocks, ores or minerals))
201 PAGES RD
FLOWERDALE TAS 7325

The above activity has been assessed as a level 2 activity under the Environmental Management
and Pollution Control Act 1994 under delegation from the Board of Environment Protection
Authority.

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: WARATAH/WYNYARD
Permit Application Reference: DEPHA file reference: 109520

Date conditions approved: 24 October 2008

Signed: [Signature]
DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

DIRECTOR, 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

Attachment 1: Mining Lease 1857 P/M (modified: 13/10/2008 15:58)

1 pages
Schedule 1: Definitions

In this Permit Part B:-

Aboriginal Relic has the meaning described in section 2(3) of the Aboriginal Relics Act 1975

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

Authorized Officer means an authorized officer under section 20 of EMPCA

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

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

EMP means the Environmental Effects Report and Environmental Management Plan prepared by Environmental Services and Design Pty Ltd, dated 8 August 2008

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

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

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

Quarry Code of Practice means the Quarry Code of Practice, June 1999, published by the Tasmanian Department of Primary Industries, Water and Environment, Hobart, Tasmania, and includes any amendments to this document or subsequent versions of this document.

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

1 Mining Lease 1857 P/M excluding the public reserve of potential PID 2240681 located within the boundaries of the Mining Lease, situated at 201 Pages Road in the State of Tasmania, being the land shown at Attachment 1 excluding the parcel of land labeled "gravel reserve" located towards the north eastern corner of the lease area (this being the public reserve)

Waste has the meaning ascribed to it in Section 3 of EMPCA

watercourse means, for the purpose of these conditions, the Inglis River and the two Class 3 streams on The Land, as identified in Forest Practices Plan number BRM0395

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
Schedule 2: Conditions

**Maximum Quantities**

**Q1 Regulatory limits**

1. The activity must not exceed the following limits:
   1.1 30,000 cubic metres/year of rocks, ores or minerals processed. (Annual permit and inspection fees are derived from this figure.)

**General**

**G1 Access to and awareness of conditions**

A copy of these conditions and any associated documents referred to in these conditions must always be held in a location that is known and accessible to the person responsible for the activity. The person responsible for the activity must take all reasonable steps to 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 Compliance with EMP and BPEM**

The Land must be developed and used, and the activity on The Land must be carried out and monitored, in accordance with the environmental management measures set down in the Environmental Management Plan ('EMP'), and in accordance with best practice environmental management, unless otherwise specified in these conditions or contrary to EMPCA.

**G3 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.

**G4 No changes without approval**

1. The following changes, if they may cause or increase the emission of a pollutant that is not authorised by these conditions or otherwise result in material environmental harm, must only take place in relation to the activity if a new permit has been issued by the relevant planning authority (where the authority determines that a permit is required) or, if no such permit is required, the prior written approval of 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 nature of materials used in the course of carrying out the activity.

**G5 Change of responsibility**

1. If the person who is or was responsible for the activity will cease or ceases to be responsible for the activity, then, as soon as reasonably practicable, but no later than 30 days after that cessation, that person must:
   1.1 notify the Director in writing of that fact;
   1.2 provide the Director with full particulars in writing of any person succeeding him or her as the person responsible; and
   1.3 notify any such person of the requirements of any relevant permit, environment protection notice or other environmental management obligations.

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
G6 Quarry Code of Practice
Unless otherwise required by these conditions or required in writing by the Director, the activity (or activities) undertaken on The Land must comply with the Acceptable Standards provisions of the Quarry Code of Practice.

G7 Complaints register
1 A public complaints register must be maintained and made available for inspection by an Authorized Officer upon request. 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 time at which the complaint was received;
   1.2 contact details for the complainant;
   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.

G8 EMP Operations
1 Within 15 months of the commencement of the activity, or by a date specified in writing by the Director, an Environmental Management Plan Operations ('EMP Operations') must be submitted to the Director.
2 The EMP Operations must include prescriptions, consistent with these conditions, for the prevention and/or mitigation of environmental harm and environmental nuisance arising from the activity.
3 In preparing the EMP Operations the person responsible must take into account any environment related complaints, incidents and changes to the activity.
4 The EMP Operations must include plans clearly showing the actual location of all infrastructure associated with the activity including buildings, machinery, roads, stockpiles and drainage controls. These plans must also depict the current and proposed future extent of disturbance associated with the activity.
5 The EMP Operations, as amended from time to time with the written agreement of the Director, must be implemented to the satisfaction of the Director.

Atmospheric

A1 Covering of vehicles
Vehicles carrying loads containing material which may blow or spill must be equipped with effective control measures to prevent the escape of the materials from the vehicles when they leave The Land or travel on public roads. Effective control measures may include tarpaulins and load dampening.

A2 Control of dust emissions
Dust emissions from roads, disturbed areas, storage heaps, and machinery on The Land must be controlled to the extent necessary to prevent environmental nuisance.

Decommissioning And Rehabilitation
DC1 Notification of cessation
The person responsible for the activity must notify the Director in writing of any event or decision which is likely to give rise to the permanent cessation of the activity within 14 days of becoming aware of that event or decision. The notice must specify the date upon which the activity is expected to cease.

DC2 Stockpiling of surface soil
Prior to commencement of extractive activities on any portion of The Land all surface soils must be removed and stockpiled for later use in rehabilitation of The Land. Topsoil must be kept separate from other overburden and protected from erosion or other disturbance.

DC3 Progressive rehabilitation
Worked out or disused sections of The Land must be rehabilitated concurrently with extractive activities on other sections of The Land. Progressive rehabilitation must be carried out in accordance with the relevant provisions of the Quarry Code of Practice, unless otherwise approved in writing by the Director. The maximum disturbed area of land which may remain, at any time, without rehabilitation, is one hectare.

DC4 Rehabilitation on cessation
1 Unless otherwise approved in writing by the Director, rehabilitation upon permanent cessation of the activity must be undertaken in accordance with relevant provisions of the Quarry Code of Practice and in accordance with the following:
   1.1 rehabilitation earthworks must be substantially completed within 12 months of cessation of the activity; and
   1.2 revegetation must be monitored and maintained for a period of at least three years after the cessation of the activity after which time the person responsible for the activity may apply in writing to the Director for a written statement that rehabilitation has been successfully completed.

DC5 Suspension of activity
1 During temporary suspension of the activity The Land must be managed and monitored by the person responsible for the activity to ensure that emissions from The Land do not cause serious environmental harm, material environmental harm or environmental nuisance.
2 Unless otherwise approved in writing by the Director, if there has been no extractive activity on The Land for a period greater than 2 years rehabilitation of The Land must be carried out in accordance with the requirements of these conditions as if the activity has permanently ceased.

Effluent Disposal

E1 Perimeter drains
1 Perimeter cut-off drains must be constructed at strategic locations on The Land to prevent surface run-off from entering the area used or disturbed in carrying out the activity. All reasonable measures must be implemented to ensure that sediment transported along these drains remains on The Land. Such measures may include provision of strategically located sediment fences, and appropriately sized and maintained sediment settling ponds.
2 Drains must have sufficient capacity to contain run-off that could reasonably be expected to arise during a 1 in 20 year rainfall event. Maintenance activities must be undertaken regularly to ensure that this capacity does not diminish.

E2 Stormwater
1 Polluted stormwater that will be discharged from The Land must be collected and
treated prior to discharge to the extent necessary to prevent serious or material
environmental harm, or environmental nuisance.

2 Other stormwater that is released to the downstream environment must be visibly free of
oil, grease and unnatural discolouration and must not be visibly more turbid than the
receiving waters.

3 All reasonable measures must be implemented to ensure that solids entrained in
stormwater are retained on The Land. Such measures may include provision of
strategically located sediment fences, and appropriately sized and maintained sediment
settling ponds.

E3 Maintenance of settling ponds
Sediment settling ponds must be periodically cleaned out to ensure that the pond design
capacity is maintained. Sediment removed during this cleaning must be securely deposited
such that sediment will not be transported off The Land by surface run-off.

E4 Distance to watercourses
Unless otherwise approved by the Director, sand and gravel extraction, screening or
stockpiling operations on The Land must not occur within 40 metres of any watercourse.

Flora And Fauna

FF1 Astacopsis gouldii Habitat Protection Plan

1 Prior to the commencement of the activity on The Land, or by a date specified in
writing by the Director, an Astacopsis gouldii Habitat Protection Plan must be submitted
to the Director. This requirement will be deemed to be satisfied only when the Director
indicates in writing that the submitted document adequately addresses the requirements
of this condition to his or her satisfaction.

2 The plan must be prepared in accordance with any reasonable guidelines provided by
the Director.

3 Without limitation, the plan must include details of the following:
  3.1 the results of a survey of The Land for Astacopsis gouldii and its habitat;
  3.2 where habitat or potential habitat is found to be present, an assessment of the
      potential impact of the activity on that habitat;
  3.3 recommended measures to mitigate any potential impact; and
  3.4 a table containing all of the major commitments made in the plan.

4 The plan, as amended from time to time with the written agreement of the Director,
must be implemented to the satisfaction of the Director.

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 Sundays and
public holidays that are observed Statewide.

N2 Distance to nearest residence
Sand and gravel extraction, screening or stockpiling operations on The Land must not occur
within 500 metres of any residence in other ownership

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
Operations

OP1 Weed management
The person responsible for the activity must ensure that The Land is kept substantially free of weeds using weed control measures to the satisfaction of the Director.

OP2 Spill kits
Spill kits appropriate for the types and volumes of materials handled on The Land, and which may include relocatable (temporary) bunds, must be kept in appropriate locations to assist with the containment of spilt environmentally hazardous materials.

Waste Management

WM1 Waste management hierarchy

1 The generation of waste must be avoided as far as practicable in accordance with Best Practice Environmental Management.

2 Wastes must be managed in accordance with the following hierarchy of waste management:
   2.1 waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is practicable, having regard to best practice environmental management;
   2.2 waste must be re-used or recycled to the maximum extent that is practicable; and
   2.3 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 Director to receive such waste, or otherwise in a manner approved in writing by the Director.

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
Schedule 3: Information

Legal Obligations

LO1 Notification of incidents under s.32 of EMPCA

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

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

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

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

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

6 This notification can be faxed to the Director on 62 333 800, or delivered by hand.

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

8 For the purposes of subsections (1), (2) and (3):
   8.1 a person is not required to notify the Council or the Director of such an incident if the person has reasonable grounds for believing that the incident has already come to the notice of the Council or Director or any officer engaged in the administration or enforcement of this Act; but
   8.2 a person is required to notify the Council or the Director of such an incident despite the fact that to do so might incriminate the person or make the person liable to a penalty.

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

LO2 EMPCA

The activity must be conducted in accordance with the requirements of the Environmental Management and Pollution Control Act 1994 and Regulations thereunder, and in accordance with the principles of Best Practice Environmental Management. The requirements of this permit must not be construed as an exemption from any of those requirements or principles.

LO3 Storage and handling of Dangerous Goods

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
1 The storage, handling and transport of dangerous goods must comply, as a minimum standard, with the requirements contained in the relevant State Acts and Regulations, and any subsequent amendments, including:

1.1 Dangerous Goods Act 1998;
1.2 Dangerous Goods Regulations 1998;
1.3 Workplace Health and Safety Act 1995; and
1.4 Workplace Health and Safety Regulations 1998

LO4 Aboriginal relics requirements

1 The Aboriginal Relics Act 1975, provides legislative protection to Aboriginal heritage sites in Tasmania regardless of site type, condition, size or land tenure. Section 14(1) of the Act states that; Except as otherwise provided in this Act, no person shall, otherwise than in accordance with the terms of a permit granted by the Minister on the recommendation of the Director:

1.1 destroy, damage, deface, conceal or otherwise interfere with a relic;
1.2 make a copy or replica of a carving or engraving that is a relic by rubbing, tracing, casting or other means that involve direct contact with the carving or engraving;
1.3 remove a relic from the place where it is found or abandoned;
1.4 sell or offer or expose for sale, exchange, or otherwise dispose of a relic or any other object that so nearly resembles a relic as to be likely to deceive or be capable of being mistaken for a relic;
1.5 take a relic, or permit a relic to be taken, out of this State; or
1.6 cause an excavation to be made or any other work to be carried out on Crown land for the purpose of searching for a relic.

2 If a relic is suspected and/or identified during works then works must cease immediately and the Tasmanian Aboriginal Land and Sea Council and the Aboriginal Heritage Office be contacted for advice before work can continue. In the event that damage to an Aboriginal heritage site is unavoidable a permit under section 14 of the Aboriginal Relics Act 1975 must be applied for. The Minister may refuse an application for a permit, where the characteristics of the relics are considered to warrant their preservation.

3 Anyone finding an Aboriginal relic is required under section 10 of the Act to report that finding as soon as practicable to the Director of National Parks and Wildlife or an authorised officer under the Aboriginal Relics Act 1975. It is sufficient to report the finding of a relic to the Aboriginal Heritage Office to fulfil the requirements of section 10 of the Act.
Attachment 1

Mining Lease 1857 P/M