

Environmental Assessment Report

Logie Farm Road Quarry Expansion and increase in annual production limit

*Prossers Road, Richmond and
Logie Farm Road, Orielton*

Toronto Pastoral Company

July 2018



ENVIRONMENT PROTECTION AUTHORITY

Environmental Assessment Report

Proponent	Toronto Pastoral Company
Proposal	Logie Farm Road Quarry expansion and increase in production
Location	Prossers Road, Richmond and Logie Farm Road, Orierton
NELMS no.	PCE 9577 and PCE 9604
Permit Application No.	D-2018/160 (Clarence City Council) 5.2018.87.1 (Sorell Council)
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Assessment Process Milestones

30 August 2016	Notice of Intent lodged
7 September 2016	Guidelines Issued
28 March 2018	Permit Applications submitted to Councils
29 March 2018	Referral received by the Board – Sorell
13 April 2018	Referral received by the Board - Clarence
21 April 2018	Start of public consultation period
22 May 2018	End of public consultation period
6 July 2018	Date draft conditions issued to proponent
19 July 2018	Statutory period for assessment ends

Acronyms

AHT	Aboriginal Heritage Tasmania
Board	Board of the Environment Protection Authority
CAS	Conservation Assessment Section, Natural and Cultural Heritage, DPIPWE
DPIPWE	Department of Primary Industries, Parks, Water and Environment
EER	Environmental Effects Report
EIA	Environmental impact assessment
EMPC Act	Environmental Management and Pollution Control Act 1994
EMPCS	Environmental management and pollution control system
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999 (Cth)
LUPA Act	Land Use Planning and Approvals Act 1993
NCA	Nature Conservation Act 2002
QCP	Quarry Code of Practice May 2017
RMPS	Resource management and planning system
SD	Sustainable development
TASVEG 3.0	Digital Vegetation Map of Tasmania, version 3.0
TSPA	Threatened Species Protection Act 1995
WMA	Weed Management Act 1999

Report Summary

This report provides an environmental assessment of Toronto Pastoral Company's proposal to increase the approved annual production limit and extend the footprint of Logie Farm Road Quarry.

The proposal involves increasing extraction of dolerite and gravel at the existing Logie Farm Road Quarry to a maximum of 15,000 cubic metres (24,750 tonnes) per annum, and crushing to a maximum of 5,000 cubic metres (8,250 tonnes) per annum. Expansion of the open area by approximately 150m to the south is proposed. The site is located near Richmond across two rural properties, one of which is in Clarence municipality and the other in Sorell municipality.

This report has been prepared based on information provided by the proponent in the permit application and Environmental Effects Report (EER). Relevant government agencies and the public were consulted and relevant submissions 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 and the key issues raised in that 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 1 summarises matters raised by the public and referral agencies during the consultation process. Appendix 2 contains the environmental permit conditions which, if Clarence City Council and Sorell Council approve the activity, will form part of the new Level 2 permit issued by each Council. PCE No. 9577 is issued for the component of the activity within Clarence municipality, and PCE No. 9604 is issued for the component within Sorell municipality.

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I Approval Process

A Notice of Intent for the proposal was submitted to the Board on 30 August 2016. In response, the Board issued environmental assessment guidelines, requiring that information to support the proposal be provided in the form of an Environmental Effects Report (EER). A draft of the EER was submitted to EPA Tasmania for review against the guidelines prior to finalisation, and the final EER was accepted by the Board on 13 March 2018.

The quarry is located across two properties, with a municipal boundary running along the property boundary through the quarry itself. The western property, Lot 1 Prossers Road, Richmond, is within the municipality of Clarence. The eastern property, address given as Logies Farm Road, Orielson, is within the municipality of Sorell. The proposed expanded quarry footprint also traverses the property boundary. Therefore, the proponent has lodged two permit applications simultaneously for the same proposal under the *Land Use Planning and Approvals Act 1993* (LUPA Act), one with Clarence City Council and one with Sorell Council, in late March 2018.

The current quarry operates as a Level 1 quarry under permits issued by Clarence City Council and Sorell Council in 2000. Although the EER indicates approximate volumes to be extracted and crushed in each municipality, the proposal in its entirety across the two adjoining titles is for a total of 15,000 cubic metres to be extracted and 5,000 cubic metres to be crushed per year. The proposal is defined as a 'level 2 activity' under both clause 5(a) and clause 6(a)(ii) schedule 2 of the *Environmental Management and Pollution Control Act 1994* (EMPC Act), being a quarry extracting rock producing 5000 cubic metres or more per year, and materials handling in the form of crushing and screening more than 1000 cubic metres per year of rock and gravel. Section 25(1) of the EMPC Act required the Councils to refer the application to the Board of the Environment Protection Authority (the Board) for assessment under the Act. The applications were received by the Board on 29 March 2018 from Sorell Council and on 13 April 2018 from Clarence City Council.

The EER was released for public inspection for a minimum 28-day period commencing on 21 April 2018. An advertisement was placed in *The Mercury* and a notice was placed on the EPA website. The EER was also referred to relevant government agencies for comment. No public submissions were received.

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

As two permits will be issued for the proposal under the LUPA Act, one by Clarence City Council and one by Sorell, the Board must issue two sets of conditions, one to be incorporated into each permit. The Conditions imposed by the Board must be identical, with the exception of any reference to the relevant Council, to enable cohesive regulation. The two sets of Conditions to be imposed by the Board are both appended to this report.

The EER, planning applications, this report and the proposed Conditions appended to this report all endeavour to make it clear that they are for the purpose of one activity, under which a maximum of 15,000 cubic metres of material is to be extracted and 5,000 cubic metres processed per year.

When and if approval is granted by the two Councils, EPA Tasmania has the opportunity to issue an Environment Protection Notice to combine the two components of the activity and applicable environmental conditions into one document for regulatory purposes, and clearly enable the proponent to undertake excavation and handling across the site as proposed.

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 in particular 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 proposal seeks to intensify an existing Level 1 quarry within two adjoining rural properties near Richmond. The quarry is located within an existing mining lease and an additional new adjoining lease which is yet to be finalised.

Approval is sought to extract a maximum of 15,000 cubic metres and crush a maximum of 5,000 cubic metres of dolerite and gravel per annum, expanding the existing quarry footprint to the south, utilising the existing site access and sediment basin, to a maximum open area of 1 hectare. Expansion will be to the south of the existing site.

An excavator/front loader will rip the rock from the top of the face, with material then transported to the quarry floor for collection, crushing and screening. Benches will be successively created at approximately 20-25 metres depth and 6-8 metres height. Blasting is not proposed.

Access to the site will utilise an existing private access across the Prossers Road site (CT 172561/1), approximately 1.9km in length. This access is gravel with a grassed verge.

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

Table 1: Summary of the proposal's main characteristics

Activity	
Extraction of up to 15,000 cubic metres of rock per annum, crushing and screening of up to 5,000 cubic metres per annum.	
Location and planning context	
Location	CT 172561/1 and CT 174101/3, as shown in Figure 1
Land zoning	Rural Resource under both <i>Clarence Interim Planning Scheme 2015</i> and <i>Sorell Interim Planning Scheme 2015</i>
Land tenure	Private freehold
Mining lease	1722 P/M (existing) and 2044 P/M (yet to be finalised) - conjoined
Lease area	Approx. 11 hectares total
Bond	\$10,000 (total)
Existing site	
Land Use	Existing quarry (mining lease issued in 2001), agriculture.
Topography	The quarry is located northeast of Richmond, with access from Prossers Road via a two kilometre internal access. The landscape is slightly undulating, with the quarry located at the base of a ridgeline running north-south. The southern edge of the proposed quarry extension is about 40 metres above the level of the current quarry floor.

Geology and soils	Black/brown clay up to 30cm in depth overlying dolerite (tholeiitic) and basalt. Low to moderate potential for erosion. No evidence of acid sulphate soils.
Hydrology	A minor intermittent drainage line runs north-south along the western edge of the mining lease area. A farm dam is located downslope approximately 250 metres to the southeast.
Natural Values	<p>The general area consists of grazing grassland with scattered woody vegetation. Patches of vegetation within the quarry footprint have been classified as <i>Eucalyptus viminalis</i> grassy forest and woodland (DVG – TASVEG 3.0), and as Lowland grassland complex (GCL). Neither are listed as threatened (the latter shares characteristics with a community listed under the EPBC Act, but does not meet the relevant criteria for classification).</p> <p>One flora species listed as threatened under the <i>Threatened Species Protection Act 1995</i>, rough speargrass (<i>Austrostipa scabra</i>) was detected in the proposed lease area. There is a record of two types of new holland daisy (<i>Vittadinia spp.</i>), listed as 'rare', located approximately 200 metres to the north of the quarry. There are no records of threatened fauna species within one kilometre of the quarry site.</p>
Local region	
Climate	Rainfall is approximately 500mm per annum (Richmond). Wind direction predominantly north-westerly with northerlies and westerlies sub-dominant.
Surrounding land zoning, tenure and uses	The surrounding land is private freehold, zoned Rural Resource with adjacent parcels to the north and west zoned Significant Agriculture, and adjacent titles to the southwest zoned Rural Living (approximately one kilometre away from the quarry itself). The land is used for agriculture and rural living, with degraded patches of bushland remaining.
Proposed infrastructure	
Major equipment	Excavators, front end loader, vibrating belt screen and mobile rock crushers.
Other infrastructure	Temporary self-contained chemical toilets as needed.
Inputs	
Water	No onsite water supply needed.
Energy	Diesel use for mobile plant. No onsite energy supply needed.
Wastes and emissions	
Liquid	Stormwater runoff from extraction and stockpile areas.
Atmospheric	Dust from internal and external traffic, and blow-off from stockpiles.
Solid	<p>General refuse including food scraps, paper and packaging.</p> <p>General inert wastes such as metal waste to be collected periodically.</p>
Controlled wastes	Waste engine oil; contaminated soil; putrescible waste (human).
Noise	From crushing and screening equipment, excavators and loader on site, and vehicles going to and from the site.

Greenhouse gases	The proposal will result in a localised increase in emissions during extraction work resulting from operation of diesel and petro-fuelled equipment and transport.
Construction, operation and rehabilitation	
Proposal timetable	Extraction will proceed to the south of the existing quarry floor, with benches created as work progresses. It is estimated that the quarry as proposed will operate for approximately 20 years.
Operating hours (ongoing)	0700 to 1800 hours Monday to Friday 0700 to 1200 hours Saturday

4 Need for the Proposal and Alternatives

The proposal is for intensification of extraction at an existing quarry due to increased demand, particularly for crushed materials, and to ensure ongoing economic viability of the quarry operation. If the quarry production did not increase, it would potentially need to close due to lack of viability. Existing equipment and methods are proposed to be continued, but at greater volumes than currently permitted. The EER states that the proponent has determined that the existing site is the most appropriate for increased extraction.

5 Public and Agency Consultation

A summary of government agency submissions is contained in Appendix I of this report.

No public representations were received.

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

- Mineral Resources Tasmania, State Growth
- State Roads Division, State Growth

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

- Regulator, EPA Tasmania
- Noise specialist, EPA Tasmania
- Conservation Assessment Section, Policy and Conservation Advice Branch, Natural and Cultural Heritage Division

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 Director, are discussed below:

The following issues are discussed:

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

General conditions

The following general conditions will be imposed on the activity to define maximum quantity limits approved for extraction and processing, hours of operation, and the Boards' expectations of quarry management:

- Q1 Regulatory Limits
- G1 Access to and awareness of conditions and associated documents
- G2 Incident response
- G3 No changes without approval
- G4 Change of ownership
- G5 Quarry Code of Practice

Issue 1: Natural Values
Description of potential impacts
<p>The EER states that the proposed quarry expansion will impact an area which has been previously grazed and supports sparsely scattered native woody vegetation. It is estimated that over the 20 year life of the quarry approximately 30 trees will be removed, consisting of acacia and eucalypt.</p> <p>The proposed quarry expansion will impact on thousands of individuals of <i>Austrostipa scabra</i>, as they occur at high density across much of the site.</p> <p>Limited or no habitat for threatened fauna species, and no evidence of the presence of threatened fauna species, was detected, so the proposed footprint expansion is likely to have no impact on threatened fauna.</p> <p>Increased truck movements resulting from the proposal have the potential to result in roadkill of native fauna.</p> <p>Three declared weeds were found within the quarry site. Therefore there is the potential for the proposal to increase the spread of weeds within and from the site.</p>
Management measures proposed in EER
<p>The EER states that:</p> <ul style="list-style-type: none"> a) A permit to take under the <i>Threatened Species Protection Act (TSPA)</i> is required to disturb the <i>Austrostipa scabra</i>; b) A weed management plan will be prepared and implemented with the aim of controlling the declared weed species.
Public and agency comment
<p>The Conservation Assessment Section (CAS) within the Natural and Cultural Heritage Branch, DPIPW, commented that:</p> <ul style="list-style-type: none"> c) Disturbance to the threatened species <i>Austrostipa scabra</i> should be avoided where practicable; otherwise a permit to take under the TSPA must be sought by the proponent. d) Due to the low likelihood of suitable raptor nesting habitat occurring within 1km of the quarry, there is considered to be negligible potential risk to eagles from the proposal. e) The proposal to prepare a weed management plan is supported, and should be developed in accordance with the <i>Weed and Disease Planning and Hygiene Guidelines (DPIPWE)</i>. f) Traffic should be restricted to daylight hours where traffic levels will be increased by greater than 10%, or alternatively other mitigation measures be implemented to address the potential for roadkill.
Evaluation
<p>The development area will be restricted as depicted in the mine layout (see Figure 2 above), which will constrain the extent of physical impact on natural values.</p>

The submitted Natural Values Determination (North Barker) states that, although *Austrostipa scabra* is listed as rare, it is frequently recorded in Tasmania as being present in large numbers at numerous sites, and may be overlooked in many cases as it is easily confused with other grasses. Therefore, although a large number of plants will be impacted by the proposal, in the context of its State-wide presence this impact is not considered significant. It is noted that CAS did not make any comment on the significance of the likely impact of the proposal on this species.

The potential impact of additional vehicles on wildlife is considered in the context of the Survey Guidelines and Management Advice for Development Proposals that may impact on the Tasmanian Devil (DPIPWE), which states that when a proposal results in a traffic increase of 10%, measures should be implemented to minimise roadkill. As most roadkill occurs at night, limiting cartage of material to daylight hours is an effective strategy.

The proposal will result in an approximate increase of truck movements generated by the activity from 3-4 truck movements per day to 12 movements per day. Current vehicle numbers on Prossers Road are estimated in the supplied Traffic Impact Assessment to be ~150 per day. Therefore the proposal does not result in a >10% increase in numbers on the public road.

However, there is a long internal access road, of approximately two kilometres, to be navigated by trucks leaving the site before they reach the public road. The increase in traffic onsite is >10%. Therefore it is considered justified to require that cartage of material from the site be restricted to daylight hours through condition **OP2**. It is noted that this condition will only be required during winter months, as operational hours will otherwise be in daylight.

The proposed management measures to minimise introduction and spread of weeds and soil-borne diseases are appropriate.

The preparation of a weed management plan will be required by condition **OP3**. Condition **FFI** is required to ensure adequate washdown during operation of the quarry to minimise the spread of weeds and soil-borne diseases.

Conclusion

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

- OP2** Cartage during daylight hours
- FFI** Washdown guidelines
- OP3** Weed management

Issue 2: Surface water quality
Description of potential impacts
<p>The intensifying activity will create exposed surfaces that could be vulnerable to erosion and sediment loss during rainfall events. In addition, the quarry has the potential to result in contamination of surface water from pollutants such as oils.</p> <p>An intermittent drainage line flows along the quarry to the west into an existing sediment retention basin at the base of the quarry on its northern edge. Beyond the basin are a series of small onsite dams for approximately 1 km, within the same property.</p>
Management measures proposed in EER
<p>The EER states the existing sediment trap is functional and adequate for current activities, with proposed activities being limited to 1 hectare of open area, and therefore no additional sediment control structures are proposed. Disturbance and extraction will be excluded from within 20 metres of the drainage line.</p>
Public and agency comment
<p>None</p>
Evaluation
<p>The proposed onsite management of surface water is generally consistent with the acceptable standards of the <i>Quarry Code of Practice</i> (EPA Tasmania, May 2017) (QCP) in regard to drainage and erosion control.</p> <p>Limiting the surface water quantity to be managed is an important consideration and will require maintenance of appropriately located perimeter drains or bunds (required by condition SW1).</p> <p>The existing trap will need to be adequately sized and maintained with regular cleanout to accommodate a 1 in 20 year rainfall event. Conditions SW2 and SW3 require maintenance of suitably sized sediment ponds to contain 1 in 20 year rainfall events, and implementation of other measures as needed to ensure polluted water is not discharged.</p> <p>The application of these conditions in conjunction with existing site measures is considered adequate to minimise the presence of sediment or other pollutants in stormwater being discharged from the site.</p>
Conclusion
<p>The proponent will be required to comply with the following permit conditions:</p> <p>SW1 Perimeter drains</p> <p>SW2 Design and maintenance of settling ponds</p> <p>SW3 Stormwater</p>

Issue 3: Air emissions
Description of potential impacts
<p>Dust is likely to be created by extraction, crushing and screening processes, as well as vehicle movement and high wind events blowing across the site.</p> <p>The EER states that visible dust is expected to be created but not to leave site boundaries (with the exception of the boundary which traverses through the centre of the quarry), although it is noted that there is one site boundary about 80m to the north of the quarry site, being the northern boundary of CT 174101/3 (the eastern of the two properties). Prevailing winds are from the north-west and therefore likely to carry dust towards the south and southeast, where the nearest sensitive receiver is approximately 1km from the quarry.</p> <p>Any visible dust traversing a property boundary breaches the acceptable standard for environmental dust control in the QCP.</p>
Management measures proposed in EER
<p>The EER states that stockpile volumes will kept low and located within the base of the quarry to provide protection from high wind events. No other mitigation measures are proposed.</p>
Public and agency comment
<p>None</p>
Evaluation
<p>Given the distance to the nearest sensitive receivers on other titles (approximately 700 metres to the east of the quarry site), it is unlikely that the proposal will result in dust nuisance. However, the proponent has an obligation to minimise the opportunity for dust to cross property boundaries as per the acceptable standards of the QCP. In order to ensure this, it is necessary to impose conditions requiring coverage of vehicles transporting excavated materials (A1), and containment of dust to prevent environmental nuisance beyond the quarry site (A2).</p>
Conclusion
<p>The proponent will be required to comply with the following permit conditions:</p> <p>A1 Covering of vehicles</p> <p>A2 Control of dust emissions</p>

<p>Issue 4: Noise emissions</p>
<p>Description of potential impacts</p>
<p>The EER includes a technical noise assessment undertaken for the proposal. Noise emissions from the activity have the potential to cause environmental nuisance. The EER states that no blasting will be carried out at any time (Section 1.6). Noise will be generated by excavators, a front loader, mechanical screen and mobile crusher. Some equipment, such as the wheel loader and crusher and screen, are likely to operate concurrently. Trucks entering and leaving the site will also create noise.</p> <p>The assessment concludes that noise levels at the nearest sensitive receivers during quarry operation will be well below the acceptable standard specified in the QCP of 45dBA during daylight hours, the highest being 37dBA at a residence located approximately 800 metres from the quarry to the northeast (500 Fingerpost Road, designated residence D in the submitted noise assessment).</p>
<p>Management measures proposed in EER</p>
<p>The noise assessment appended to the EER concludes with a number of recommendations, specifically:</p> <ul style="list-style-type: none"> a) Locate the mobile crushing plant as deep into the quarry and as close to the screening to the residences as possible – i.e. as far south east as possible. Screening between crushing plant and the residences is required to ensure compliance with the QCP. b) The earthen bund currently on the eastern side of the quarry is an effective noise screen, and as such the height of this bund should be maintained. If crushing plant needs to be located towards the northern end of the pit, this bund should be extended to the north to maintain screening to the residences. c) Additional top soil removal should be used to maintain or extend the height of the bund. d) If a secondary crusher is used, care should be taken to ensure it is also adequately screened from the residences. e) Operations should be restricted to the day time, i.e. between 0700 and 1900 hours. Current operating hours are inside this period. <p>The EER specifies hours of operation of 7am-6pm Monday-Friday and 7am-12pm on Saturdays. It also states that, as the quarry excavation extends further south, the mobile plant and equipment will either remain in its existing location or move further south, away from the nearest residents.</p>
<p>Public and agency comment</p>
<p>None</p>
<p>Evaluation</p>
<p>The QCP specifies a distance of 750m from an extractive activity with crushing but without blasting to the nearest sensitive receiver. The nearest existing sensitive receiver on a separate site to the quarry’s proposed expanded footprint is approximately 700m to the east (57 Logie Farm Road, designated residence A in the submitted noise assessment). The property immediately adjoining the quarry site to the north, 428 Fingerpost Road, does not currently support any dwellings or other sensitive uses, but has the potential for a dwelling to be</p>

constructed on it. Similarly, an approved and commenced subdivision within the Prossers Road property creates several 20ha lots, some of which are also within the 750m buffer and have the potential for dwellings to be constructed. Any such proposal must be assessed by Council in the context of the quarry under the provisions of the applicable planning Scheme. All such properties are partially or wholly outside the 750m buffer and so have capacity to contain dwellings without creating a conflict of use. It is noted that the properties surrounding the quarry are not zoned for residential development.

The EPA's noise specialist has recommended that, due to the proximity of the nearest residence, being less than 750 metres from the quarry, and the comments in the submitted noise assessment regarding crusher noise, noise limits as per the QCP should be imposed on the activity (**NI**).

The QCP specifies recommended operating hours of 7am-7pm Monday-Friday and 8am-4pm on Saturdays, with no operations on Sundays. The proposed operating hours are within these. **OPI** has been imposed to reflect the hours requested as per section 1.3 of the EER.

A permit condition prohibiting blasting (**BI**) is also appropriate to ensure clarity in regulation.

Conclusion

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

- NI** Noise emission limits
- BI** No blasting

Issue 5: Waste and hazardous substances
Description of potential impacts
Operation of the quarry has the potential to produce small amounts of waste such as litter. The quarry will not require any permanent storage of hazardous substances, and major repairs to plant or equipment are proposed to be undertaken offsite. Fuel for mobile equipment will be contained within vehicle mounted tanks. Spillage of any oil or fuel has the potential to result in contamination of soil and water if not adequately contained.
Management measures proposed in EER
The EER states that the quantity of fuel stored onsite at any given time will be limited, and that any minor mechanical repairs will be undertaken using fully sealed bunded containers. The EER proposes that any spillage from the transportable fuel tanks or vehicle repairs will be cleaned up using a spill kit, to be kept onsite at all times. Any waste generated by staff will be removed from the property on a weekly basis.
Public and agency comment
None
Evaluation
The proposed management measures are generally adequate to ensure that standard waste is collected from the site and appropriately disposed of, in accordance with the QCP. Permit conditions H1 and H2 require hazardous materials to be adequately managed and contained to prevent pollution, whether in a mobile handling scenario or 'non-mobile' onsite storage and handling.
Conclusion
To manage potentially hazardous materials onsite, the proponent will be required to comply with the following permit conditions: H1 Handling of hazardous materials – mobile H2 Storage and handling of hazardous materials

Issue 6: Decommissioning and rehabilitation
Description of potential impacts
Rehabilitation is necessary to ensure long term stability of the site, prevent sedimentation and erosion, provide native flora and fauna habitat, and minimise the potential for establishment of invasive flora species.
Management measures proposed in EER
<p>The EER proposes a maximum area of disturbance at any one time (open area) of 1 hectare, to accommodate the proposed expansion blocks in addition to the existing quarry floor. The stated rehabilitation objective for the quarry site is to restore it to an exotic grass grazing land community, similar to that surrounding it.</p> <p>As excavation extends to the south, it is proposed to progressively rehabilitate each completed bench, in accordance with an Extraction and Rehabilitation Plan (Appendix B – E02 in EER). The side walls of the quarry working face will also be stabilised progressively during extraction using overburden, with planting of small native trees along the western boundary of the quarry as required to stabilise the area adjacent to the drainage line.</p> <p>All benching and rehabilitation is proposed to be completed prior to quarry closure, with monitoring and maintenance.</p>
Public and agency comment
Mineral Resources Tasmania (MRT) raised concerns that the information given in the EER is not sufficient to demonstrate how progressive rehabilitation will be achieved.
Evaluation
<p>The proposed rehabilitation methodology is generally consistent with the principles and suggested measures in the QCP. The soils have a low to moderate potential for erosion, and so should be able to be readily stabilised.</p> <p>To ensure appropriate treatment of surface soil and implementation of progressive rehabilitation, condition DC1 is required.</p> <p>As one hectare is a relatively small open area, which may require tight vehicle manoeuvring, EPA Tasmania has sought confirmation from the proponent that one hectare open area is sufficient for operation of the quarry. The proponent has confirmed in writing that this is the case. Therefore the maximum open area of one hectare has been incorporated into condition DC2 as ‘the maximum disturbed area of land which may remain at any time without rehabilitation’.</p> <p>Condition DC3 is required to ensure that the site is retained in a stable condition if activity ceases temporarily, with rehabilitation required if activity substantially ceases for two years or more.</p> <p>To ensure that decommissioning and rehabilitation are considered during planning for site closure, and that rehabilitation is undertaken in a timely manner, conditions DC4 and DC5 are required.</p>

Conclusion

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

- DC1** Stockpiling of surface soil
- DC2** Progressive rehabilitation
- DC3** Temporary suspension of activity
- DC4** Notification of cessation
- DC5** Rehabilitation on cessation

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. Transport impacts

While the impact of traffic on noise levels, air emissions, and natural values (e.g. roadkill) is within the scope of the Board's assessment under the EMPC Act, the issue of increased traffic in regard to network capacity and access functionality is within the scope of the respective Councils' assessments under the applicable planning schemes. Safety and functionality of intersections with State roads is also within the purview of the Department of Stage Growth through other state legislation. Any relevant permit conditions would be applied by the respective Councils in their planning permits.

2. Historic and Aboriginal Heritage

Historic heritage is within the scope of the respective Councils' assessments under the applicable planning schemes, and within the purview of Heritage Tasmania under the *Historic Cultural Heritage Act 1995*. There are no listed historic sites or precincts in the vicinity of the proposal.

Aboriginal heritage is within the purview of Aboriginal Heritage Tasmania (AHT) under the *Aboriginal Heritage Act 1975*. A desktop review by AHT found that no on-ground survey was required. Works for the purpose of the quarry must abide by the provisions of the *Aboriginal Heritage Act 1975*, and the EER states that all persons operating machinery on site will be made aware that an Unanticipated Discovery Plan is to be utilised to protect any suspected aboriginal artefacts.

8 Report Conclusions

This assessment has been based on the information provided by the proponent, Toronto Pastoral Company, in the permit applications to Sorell Council (Application no. 5.2018.87.1) and Clarence City Council (D-2018/160), and the case for assessment (the EER).

This report incorporates specialist advice provided by EPA Tasmania scientific specialists and regulatory staff, other Divisions of DPIPW 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. 9577 and No. 9604 appended to this report are imposed and duly complied with.

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

Assuming both Councils issue planning permits for the proposal, once these permits are issued there is the potential for EPA Tasmania to issue an Environmental Protection Notice under section 44 of the EMPC Act to merge the conditions of the two PCEs into one document to facilitate regulation of the Board's conditions on the activity. It is not envisaged that this would require changing any of the permit conditions. The regulatory limits would remain as currently stated, i.e. a maximum of 15,000 cubic metres of material extracted, and 5,000 cubic metres crushed and screened for the entire activity.

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: 16 July 2018

10 References

Johnstone McGee & Gandy Pty Ltd; *Environmental Effects Report for Toronto Pastoral Company – Increase Extraction Amounts - Logie Farm Road Quarry at 326 Prossers Road, Orielton* (dated 21 February 2018), Launceston, Tasmania.

Johnstone McGee & Gandy Pty Ltd; Letter to Sorell Council accompanying planning application (dated 22 March 2018).

II Appendices

- Appendix 1 Summary of public and agency submissions
- Appendix 2 Permit conditions to be sent to Clarence Council PCE No. 9577
- Appendix 3 Permit conditions to be sent to Sorell Council PCE No. 9604

Appendix I – Summary of public representations and agency submissions

Note: No further information was requested by EPA Tasmania after advertising

Agency	EER section no.	EER Page no.	Comments and issues	EPA Comments
Conservation Assessment Section (CAS), Natural and Cultural Heritage, DPIPWE	C-1	27-30	<p>Threatened Flora</p> <p>A population of <i>Austrostipa scabra</i> (rough speargrass) was discovered within the footprint of the proposed quarry expansion during field surveys in February 2018. This species is currently listed as rare under the <i>Threatened Species Protection Act 1995</i> (TSPA) and CAS recommends that any disturbance to the population be avoided where practicable. If avoidance is not possible and plants are required to be destroyed, then the proponent will need to apply for a permit to take under the TSPA prior to works commencing. The permit application form can be found here: http://dPIPWE.tas.gov.au/conservation/development-planning-conservation-assessment/permit-to-take-threatened-species-(for-consultants-development-related-activities) .</p>	Comments noted – incorporated into report.
CAS, DPIPWE	C-1	27-30	<p>Raptors</p> <p>The nearest known raptor nest is approximately 1.5 km from the quarry site, and habitat modelling suggests that there is only a low likelihood of suitable nesting habitat occurring within 1 km of the quarry. As such, CAS considers that there is negligible potential risk to eagles.</p>	Comments noted – incorporated into report.
CAS, DPIPWE	C-1	27-30	<p>Weeds</p> <p>Three plant species that are declared weeds under the <i>Weed Management Act 1999</i> (WMA) were detected within the area of the proposed development: fennel, horehound and boxthorn. It is an offence under the WMA to transport a declared weed, in this case as propagules in quarry material or attached to vehicles or machinery. CAS supports the recommendation provided in the EER relating to weed management: Preparation and implementation of a weed management plan aimed at the control of three declared weed species. This should be developed and implemented with regard to the Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania. The guidelines can be found at: http://dPIPWE.tas.gov.au/Documents/Weed%20%2</p>	Comments noted – incorporated into report.

			Management%20and%20Hygiene%20Guidelines.pdf .	
CAS, DPIPWE	C-7	34	<p>Roadkill</p> <p>The EER states that the that current level of traffic to/from the quarry is 3-4 truck movements per day, and that the upgrade will increase this amount by 6-7 truck movements per day. In areas where traffic levels will be increased by greater than 10%, such as the internal access road and on Prosser Road, CAS recommends that appropriate mitigation measures be applied to address the potential for roadkill, if traffic cannot be restricted to daylight hours (particularly for Tasmanian devils). Roadkill mitigation measures should be implemented in accordance with the Tasmanian Devil Survey Guidelines and Management Advice for Development Proposals, available at http://dpiuwe.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments.</p>	Comments noted – incorporated into report.
State Roads Division, State Growth	C-7	34-35	State Roads Division of State Growth do not believe there will be any adverse traffic impacts to the State Road network, as truck movement to and from the quarry will be primarily using the local government roads.	Local road capacity and safety is not a matter for assessment by the Board
Mineral Resources Tasmania (MRT), State Growth	C-15	38	Page 7 second last paragraph of the DA states: “The quarry will be progressively rehabilitated in accordance with the Extraction & Rehabilitation Plan to ensure long term stability of the land is not affected (c).” Given it is progressing in an up-slope direction MRT would like more detail as to how they plan to achieve this. Further, the plan referred to as the Extraction & Rehabilitation Plan (Drawing E02) is only a cross-section of the operation and fails to set out how rehabilitation will be staged or progress as implied on page 7.	Comments noted – incorporated into report.
MRT, State Growth	D	39-40	Commitment 11 states ‘The quarry will be rehabilitated with overburden from onsite and any imported material used in rehabilitation works must be verified as clean and records kept as evidence.’ The mining plan fails to identify anything other than approximate bench locations under 2044P/M. It also fails to set out drainage/runoff controls or access routes to benches in this area. More information is needed regarding stockpile locations for top soil and overburden within 2044P/M.	Comments noted – further detail not considered necessary for EPA Board’s assessment.

Appendix 2 – Permit conditions – Environmental – PCE No. 9577 - Clarence City Council

Appendix 3 – Permit conditions – Environmental – PCE No. 9604 – Sorell Council



ENVIRONMENT PROTECTION AUTHORITY

PERMIT PART B
PERMIT CONDITIONS - ENVIRONMENTAL No. 9577

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))
LOGIE FARM ROAD QUARRY, 326 PROSSERS AND LOGIE FARM ROAD
ORIELTON TAS 7172**

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: **CLARENCE**
Permit Application Reference: **D-2018/160**
EPA file reference: **249833**

Date conditions approved: 16 July 2018

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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Schedule 1: Definitions

In this Permit Part B:-

15,000 cubic metres per year is considered to be equivalent to 24,750 tonnes per year.

5,000 cubic metres per year is considered to be equivalent to 8,250 tonnes per year.

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.

Daylight hours means the period between one hour after dawn and one hour before dusk.

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.

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.

Regulatory limits means the maximum quantities given under Condition Q1 represent the combined approved limits for the activity as defined under both PCE No. 9577 and PCE No. 9604.

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

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

- 1 Portions of CT 172561/1 within the boundaries of Mining Leases 1722 P/M and 2044P/M; and
- 2 as further delineated in Attachment 1.

Washdown 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.

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

Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits

- 1 The activity must not exceed the following limits :
 - 1.1 5,000 cubic metres per year of rocks, ores or minerals processed.
 - 1.2 15,000 cubic metres per year of dolerite/ red gravel to be 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 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.

G5 Quarry Code of Practice

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

Atmospheric

A1 Covering of vehicles

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

A2 Control of dust emissions

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

Blasting

B1 No blasting

Blasting must not be carried out on The Land.

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 one hectare.

DC3 Temporary suspension of activity

- 1** Within 30 days of becoming aware of any event or decision which is likely to give rise to the temporary suspension of the activity, the person responsible for the activity must notify the Director in writing of that event or decision. The notice must specify the date upon which the activity is expected to suspend or has suspended.
- 2** During temporary suspension of the activity:
 - 2.1** The Land must be managed and monitored by the person responsible for the activity to ensure that emissions from The Land do not cause serious environmental harm, material environmental harm or environmental nuisance; and
 - 2.2** If required by the Director a Care and Maintenance Plan for the activity must be submitted, by a date specified in writing by the Director, for approval. The person responsible must implement the approved Care and Maintenance Plan, as may be amended from time to time with written approval of the Director.
- 3** Unless otherwise approved in writing by the Director, if the activity on The Land has substantially ceased for 2 years or more, rehabilitation of The Land must be carried out in accordance with the requirements of these conditions as if the activity has permanently ceased.

DC4 Notification of cessation

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

DC5 Rehabilitation on cessation

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

Flora And Fauna**FF1 Washdown Guidelines**

Prior to entering the land, machinery must be washed in accordance with the Washdown Guidelines, or any subsequent revisions of that document.

Hazardous Substances**H1 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.

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.

Noise Control

N1 Noise emission limits

- 1 Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
 - 1.1 45 dB(A) between 0800 hours and 1800 hours (Day time); and
 - 1.2 40 dB(A) between 1800 hours and 2200 hours (Evening); and
 - 1.3 35 dB(A) between 2200 hours and 0800 hours (Night time).
- 2 Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
- 3 The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Director.
- 4 Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.
- 5 All methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual.

Operations

OP1 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 1800 hours on weekdays and 0800 hours to 1200 hours on Saturdays.
- 2 Notwithstanding the above paragraph, activities must not be carried out on public holidays that are observed Statewide (Easter Tuesday excepted).

OP2 Cartage hours

Unless otherwise approved by the Director, cartage by heavy vehicles entering, within or leaving the land must only be undertaken during Daylight hours.

OP3 Weed management

- 1 Within 30 days of the date on which these conditions take effect, or by a date otherwise specified in writing by the Director, a Weed & Disease Management Plan must be submitted to the Director for approval. This requirement will be deemed to be satisfied only when the Director indicates in writing that the submitted document adequately addresses the requirements of this condition to his or her satisfaction.
- 2 The plan must be consistent with the Washdown Guidelines, or any subsequent revisions of that document.
- 3 The person responsible must implement and act in accordance with the approved plan.
- 4 In the event that the Director, by notice in writing to the person responsible, either approves a minor variation to the approved plan or approves a new plan in substitution for the plan originally approved, the person responsible must implement and act in accordance with the varied plan or the new plan, as the case may be.

Stormwater Management

SW1 Perimeter drains

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

SW2 Design and maintenance of settling ponds

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

SW3 Stormwater

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

Schedule 3: Information

Legal Obligations

LO1 EMPCA

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

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

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

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

1.2 *Explosives Act 2012* and subordinate regulations; and

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

LO3 Change of responsibility

If the person responsible for the activity ceases to be responsible for the activity, they must notify the Director in accordance with Section 45 of the EMPCA.

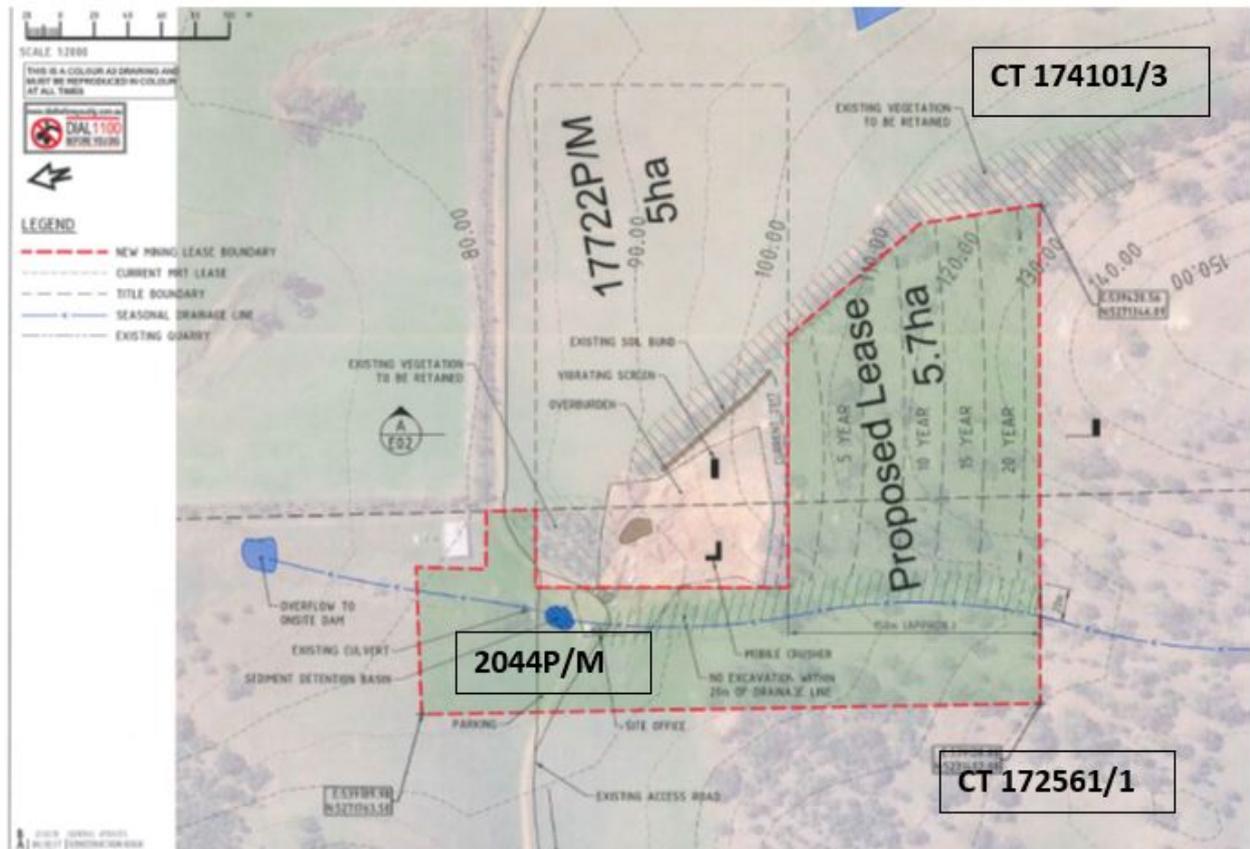
Other Information

OI1 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 - PCE No. 9577

Attachment 1: The Land – Portions of CT 172561/1 within the boundaries of Mining Leases 1722 P/M and 2044P/M (to be operated in conjunction with The Land as defined in PCE No. 9604) (image extracted from Appendix A – Mining Plan E01 in EER, JMG).



PERMIT PART B
PERMIT CONDITIONS - ENVIRONMENTAL No. 9604

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))
LOGIE FARM ROAD QUARRY, 326 PROSSERS AND LOGIE FARM ROAD
ORIELTON TAS 7172**

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: **SORELL**
Permit Application Reference: **5.2018.87.1**
EPA file reference: **249833**

Date conditions approved: 16 July 2018

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:-

15,000 cubic metres per year is considered to be equivalent to 24,750 tonnes per year.

5,000 cubic metres per year is considered to be equivalent to 8,250 tonnes per year.

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.

Daylight hours means the period between one hour after dawn and one hour before dusk.

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

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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.

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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.

Regulatory limits means the maximum quantities given under Condition Q1 represent the combined approved limits for the activity as defined under both PCE No. 9577 and PCE No. 9604.

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

The Land means the land on which the activity to which this document relates may be carried out, and includes: buildings and other structures permanently fixed to the land, any part of the land covered with water, and any water covering the land. The Land falls within the area defined by:
1 Portions of CT 174101/3 within the boundaries of Mining Leases 1722 P/M and 2044P/M; and
2 as further delineated in Attachment 1.

Washdown 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.

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

Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits

- 1 The activity must not exceed the following limits :
 - 1.1 5,000 cubic metres per year of rocks, ores or minerals processed.
 - 1.2 15,000 cubic metres per year of dolerite/ red gravel to be 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 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.

G5 Quarry Code of Practice

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

Atmospheric

A1 Covering of vehicles

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

A2 Control of dust emissions

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

Blasting

B1 No blasting

Blasting must not be carried out on The Land.

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 one hectare.

DC3 Temporary suspension of activity

- 1** Within 30 days of becoming aware of any event or decision which is likely to give rise to the temporary suspension of the activity, the person responsible for the activity must notify the Director in writing of that event or decision. The notice must specify the date upon which the activity is expected to suspend or has suspended.
- 2** During temporary suspension of the activity:
 - 2.1** The Land must be managed and monitored by the person responsible for the activity to ensure that emissions from The Land do not cause serious environmental harm, material environmental harm or environmental nuisance; and
 - 2.2** If required by the Director a Care and Maintenance Plan for the activity must be submitted, by a date specified in writing by the Director, for approval. The person responsible must implement the approved Care and Maintenance Plan, as may be amended from time to time with written approval of the Director.
- 3** Unless otherwise approved in writing by the Director, if the activity on The Land has substantially ceased for 2 years or more, rehabilitation of The Land must be carried out in accordance with the requirements of these conditions as if the activity has permanently ceased.

DC4 Notification of cessation

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

DC5 Rehabilitation on cessation

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

Flora And Fauna**FF1 Washdown Guidelines**

Prior to entering the land, machinery must be washed in accordance with the Washdown Guidelines, or any subsequent revisions of that document.

Hazardous Substances**H1 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.

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.

Noise Control

N1 Noise emission limits

- 1 Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
 - 1.1 45 dB(A) between 0800 hours and 1800 hours (Day time); and
 - 1.2 40 dB(A) between 1800 hours and 2200 hours (Evening); and
 - 1.3 35 dB(A) between 2200 hours and 0800 hours (Night time).
- 2 Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
- 3 The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Director.
- 4 Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.
- 5 All methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual.

Operations

OP1 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 1800 hours on weekdays and 0800 hours to 1200 hours on Saturdays.
- 2 Notwithstanding the above paragraph, activities must not be carried out on public holidays that are observed Statewide (Easter Tuesday excepted).

OP2 Cartage hours

Unless otherwise approved by the Director, cartage by heavy vehicles entering, within or leaving the land must only be undertaken during Daylight hours.

OP3 Weed management

- 1 Within 30 days of the date on which these conditions take effect, or by a date otherwise specified in writing by the Director, a Weed & Disease Management Plan must be submitted to the Director for approval. This requirement will be deemed to be satisfied only when the Director indicates in writing that the submitted document adequately addresses the requirements of this condition to his or her satisfaction.
- 2 The plan must be consistent with the Washdown Guidelines, or any subsequent revisions of that document.
- 3 The person responsible must implement and act in accordance with the approved plan.
- 4 In the event that the Director, by notice in writing to the person responsible, either approves a minor variation to the approved plan or approves a new plan in substitution for the plan originally approved, the person responsible must implement and act in accordance with the varied plan or the new plan, as the case may be.

Stormwater Management

SW1 Perimeter drains

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

SW2 Design and maintenance of settling ponds

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

SW3 Stormwater

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

Schedule 3: Information

Legal Obligations

LO1 EMPCA

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

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

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

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

1.2 *Explosives Act 2012* and subordinate regulations; and

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

LO3 Change of responsibility

If the person responsible for the activity ceases to be responsible for the activity, they must notify the Director in accordance with Section 45 of the EMPCA.

Other Information

OI1 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 - PCE No. 9604

Attachment 1: The Land – Portions of CT 174101/3 within the boundaries of Mining Leases 1722 P/M and 2044P/M (to be operated in conjunction with The Land as defined in PCE No. 9577) (image extracted from Appendix A – Mining Plan E01 in EER, JMG).

