Environmental Assessment Report

Inert Landfill Area Expansion

Forthside

Treloar Transport

March 2022

EPA TASMANIA

ENVIRONMENT PROTECTION AUTHORITY

Environmental Assessment Report	
Proponent	Treloar Transport Co.
Proposal	Inert landfill expansion
Location	Mining lease 1704 P/M, 547 Forthside Road, Forthside 7310
Class of Assessment	2A
PCE no.	10044
Permit Application No.	PA.2021.0193 (Devonport City Council)
MyDAS Folder No.	EN-EM-EV-DE-256500-001
MyDAS Document No.	D22-79966

Assessment Process Milestones	
26 October 2018	Notice of Intent lodged
4 December 2018	Guidelines Issued
29 January 2021	Permit Application submitted to Council
8 December 2021	Application received by the Board
12 January 2022	Start of public consultation period
25 January 2022	End of public consultation period
24 February 2022	Date draft conditions issued to proponent
8 March 2022	Statutory period for assessment ends

Glossary/Acronyms	
AHD	Australian Height Datum
Board	Board of the Environment Protection Authority
EER	Environmental Effects Report
EIA	Environmental impact assessment
EMPC Act	*Environmental Management and Pollution Control Act 1994*
EMPCS	Environmental management and pollution control system
LUPA Act	*Land Use Planning and Approvals Act 1993*
NOI	Notice of Intent
NRE	Department of Natural Resources and Environment Tasmania
PC	*Phytophthora cinnamomi*
RMPS	Resource Management and Planning System of Tasmania
SD	Sustainable development

Report Summary

This report provides an environmental assessment of the proposed increase in area at the inert landfill at Forthside, by Treloar Transport Co.

The proposal involves the expansion of the land area of an existing inert landfill, currently permitted (PCE No. 7694) to receive up to 15,000 tonnes of inert waste per annum, located within an existing mining lease 1704 P/M at 547 Forthside Road, Forthside. There is no application being made to increase the annual amount of waste received.

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

Appendix 1 contains details of matters raised by the public and referral agencies during the consultation process.

Appendix 2 contains a table of the proponent's proposed management measures.

Appendix 3 contains the environmental permit conditions for the proposal.

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1 Approval Process

The Board of the Environment Protection Authority (the Board) received a Notice of Intent in relation to this proposal on 26 October 2018.

An application for a permit under the *Land Use Planning and Approvals Act 1993* (LUPA Act) in relation to the proposal was submitted to Devonport City Council on 29 January 2021.

This proposal is defined as a 'level 2 activity' under clause 3(b), Schedule 2 of the *Environmental Management and Pollution Control Act 1994* (EMPC Act), being a waste depot (landfill).

Section 25(1) of the EMPC Act required Council to refer the application to the Board for assessment under the Act. The application was received by the Board on 8 December 2021.

The Board required that information to support the proposal be provided in the form of an Environmental Effects Report (EER), prepared in accordance with the Guidelines issued by the Board on 4 December 2018. Several drafts of the EER were submitted to EPA for review against the Guidelines prior to finalisation and acceptance on behalf of the Board on 15 February 2021.

The EER was released for public inspection for a 14-day period commencing on 12 January 2022. Advertisements were placed in *The Advocate* and on the EPA website. One representation was received.

The assessment has been undertaken by the Executive Director, Environmental Assessments under delegation from the Board.

2 SD Objectives and EIA Principles

The proposal must be considered by the Board in the context of the objectives of the Resource Management and Planning System of Tasmania (RMPS), and the Environmental Management and Pollution Control System (EMPCS). Both sets of objectives are specified in Schedule 1 of the EMPC Act.

The functions of the Board are to administer and enforce the provisions of the EMPC Act, and to use its best endeavours to further the RMPS and EMPCS objectives. The Board must assess the proposal in accordance with the Environmental Impact Assessment Principles defined in Section 74 of the EMPC Act.

3 The Proposal

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

Table 1: Summary of the proposal's main characteristics

Activity	
The proposal is for an increase in the area permitted for landfill use at an existing inert landfill (currently regulated by the EPA, PCE No. 7694). The landfill is located within a mining lease, and adjacent to quarrying operations. The amount of space used to operate the landfill to accommodate recycling and reuse has been exhausted, requiring expansion of the landfill area to the north. No increase in the existing annual limits of waste permitted to be received by the landfill (15,000 tonnes received at the site in total per annum, with a 12,000 tonne limit for the landfill, leaving 3,000 tonnes to be received for recycling or reuse) is being sought.	
Location and planning context	
Location	547 Forthside Road, Forthside, 7310, approximately 5.1km southeast of the township of Forth, as shown in Figure 1. Property ID 6382521 Title Reference 242032/1 The landfill is located within mining lease 1704 P/M (noting that the area of land for the landfill will likely be excised from this mining lease). The activity is co-located with a quarry operation (operating under two mining leases 1704 P/M and 8M/2015; refer to EPN 10142/1 for most recent environmental conditions associated with quarrying activities) – refer to Figure 2 below.
Land zoning	Rural Resource (*Devonport Interim Planning Scheme 2013*). The proponent was required to submit a development application for the activity, as 'recycling and waste disposal' is a discretionary use within the zone.
Land tenure	Private freehold. Land tenure area of land on which the landfill is located is for the lease is a mixture of private freehold owned by JR and AR Treloar, and Crown Land (Sustainable Timber Tasmania, STT). The expanded landfill operation will be wholly within the private freehold portion of the lease.
Activity site	
Land Use	The landfilling area and surrounds have been used for quarrying since the 1950s and the current extractive activities are a merging of quarries previously operated over a combination of freehold and Crown land. The western portion of the mining lease 1704 P/M is now used for quarrying, with the landfill operating on the south-eastern portion of the lease, to be expanded northwards, which will reduce the current extractive footprint. Sections of the mining lease have been used as a landfill site for construction, demolition, and solid inert wastes since 2010.

Topography	The landfill operation is positioned on the crest of Porcupine Hill at 260 metres elevation AHD, which slopes away in all directions. The landfilling area slopes away to the south, with settlement ponds located at about 200 metres elevation AHD (refer to Figure 3 below). The site is heavily modified by previous extractive operations, with unstable landforms (steep, erodible slopes), erosion gullies, siltation of existing sediment control structures, and relatively large areas of unrehabilitated disturbed ground.
Geology	Precambrian – Forth metamorphics – Dominantly Quartzite.
Soils	Soils are moderately well drained formed from Precambrian quartzite. A dark grey sapric sandy loam overlies a greyish brown loamy sand and a massive, bleached sand densipan. There are abundant quartzite stones throughout the profile. Erodibility is rated as Moderate to High.
Hydrology	Drainage from the site drains towards Goldie Creek which has its headwaters on the mining lease. Flows only occur in the creek during periods of high rainfall. Goldie Creek reports to the Forth River. Settlement ponds are in place to detain water before it leaves The Land (refer to Figure 3 below).
Natural Values	Vegetation on the lease is *Eucalyptus amygdalina* coastal forest and woodland, with 90% of the planned landfill area already cleared or disturbed. No threatened flora or fauna species were identified on site.
Local region	
Climate	Mean annual rainfall at the nearby Forthside Research Station is approximately 960 mm per annum, with a dominant winter rainfall pattern. There is greater than 1 mm of rain on 35% of days. Winds throughout the year are predominantly from the south-west. Mean maximum temperatures range from 11.5 degrees Celsius in July to 21.1 degrees Celsius in February. Mean minimum temperatures range from 3.6 degrees C in July to 11.6 degrees C in February.
Surrounding land zoning, tenure and uses	The extractive and landfilling operations are surrounded by dry eucalypt forest and woodland, with Crown forest (Permanent Timber Production Zone land) to the north, east and west of the mining lease, private freehold to the south. There is a casement directly to the south (private access road). The Porcupine Hill Regional Reserve is located further to the west and south of the mining leases, managed by the Parks and Wildlife Service (NRE). There are several residences between 500 metres and one kilometre of the mining lease boundary.
Species of conservation significance	Two raptor nests have previously been recorded approximately 600 – 800 metres to the north-east of the site, on another mining lease. Declared weeds such as pampas grass, Spanish heath, and environmental weeds such as radiata pine have been observed on and near the site. *Phytophthora cinnamomi* (root rot) has been identified on site. To the south and east of the mining leases are areas mapped of the threatened native vegetation community (*Eucalyptus amygdalina* forest and woodland on sandstone (listed under Schedule 3A of Threatened native vegetation communities of the *Nature Conservation Act* (2002)).

Proposed infrastructure	
Major equipment	Movement, placement. compaction of material by excavator or wheel loader. Transport of material by trucks.
Other infrastructure	Settling ponds and drainage infrastructure. There are no permanent on-site amenities; transportable amenities are installed on site during extraction campaigns at the quarry.
Inputs	
Water	Use of watercart for dust suppression.
Energy	Fuels (diesel/petrol) for powering vehicles and plant.
Other raw materials	Wastes received (approximately 50% from Treloar Transport civil construction projects, and 50% from other civil contracting firms and building contractors): 70% soil, rock, earth, clay 20% concrete, bricks (generally stored for reuse) 8% timber 2% steel, metal (diverted to recycling)
Wastes and emissions	
Liquid	Stormwater runoff from landfilling areas.
Atmospheric	Dust from internal traffic and machinery movements, and blowing from areas without vegetation/unrehabilitated areas.
Solid	It is estimated that up to approximately 20% of the waste received can be recycled for reuse, particularly concrete rubble. Typically 5 – 10% is reused. General refuse including food scraps, paper and packaging from workers are removed daily. Machinery repairs are done offsite, no solid metal/machinery related wastes are generated on site.
Controlled wastes	Portable staff toilet facilities are brought on site during extraction campaigns at the quarry.
Noise	Truck movements to and from site. Use of loader and excavator to sort, move, compact and place material in the landfill.
Greenhouse gases	Use of fossil fuel powered plant and vehicles generates direct greenhouse gas emissions.
Construction and operations	
Proposal timetable	The proposed operation has a 10 year life (receiving approximately 120,000 tonnes in total), although the landfill potentially has a longer life. Treloar estimates that approximately 60% of disposal occurs during the summer months.

Operating hours (ongoing)	As per the existing extractive operations: 0700 to 1700 hours Monday to Friday 0800 to 1200 hours Saturday No operations on Sundays or public holidays except in exceptional circumstances and when short-term permission is provided.

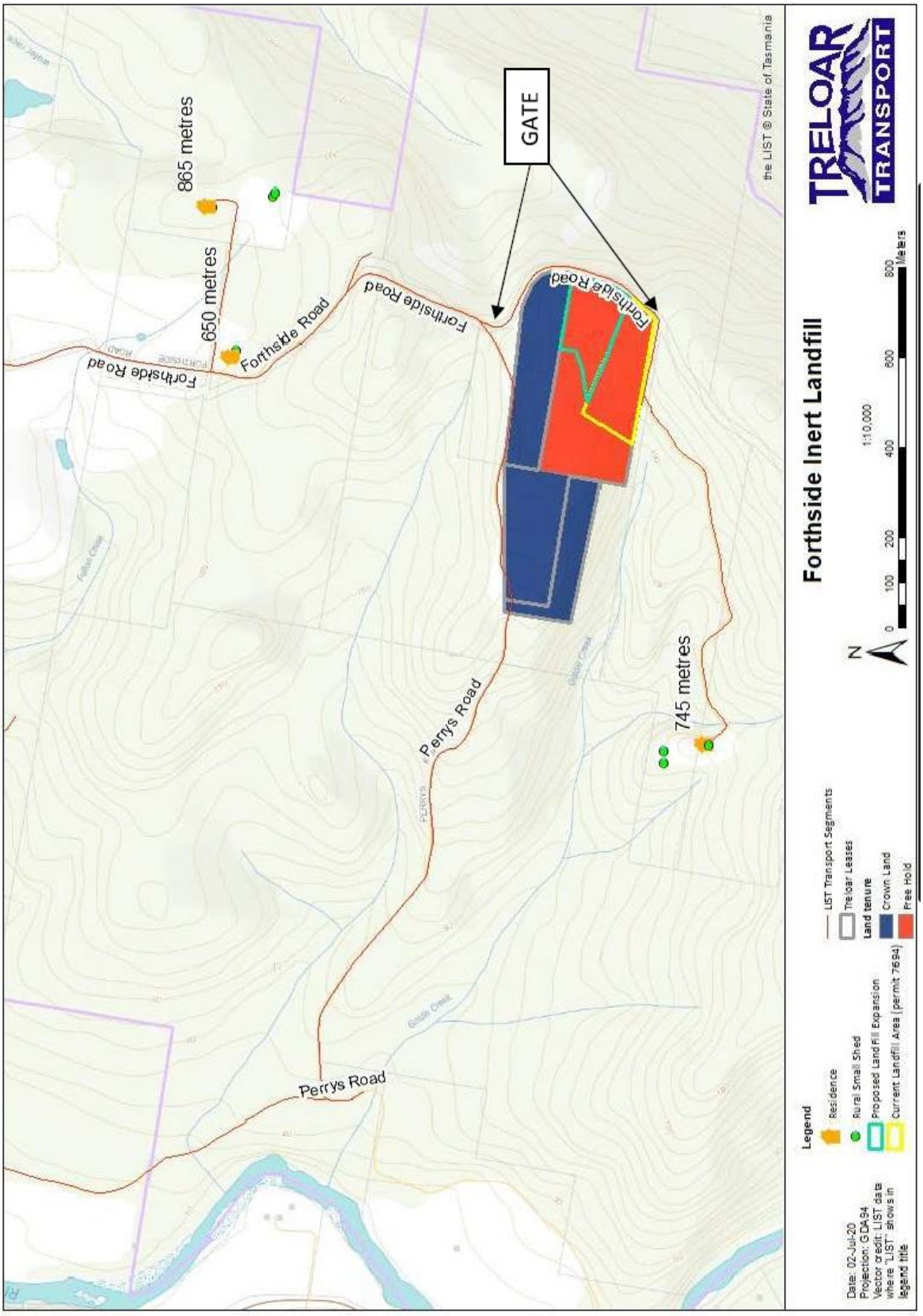


Figure 1: Proposal location showing mining leases and landfilling areas at 527 Forthside Road, Forthside , and nearby residences (Figure 1 of the EER).

Figure 2: Map showing defined area of the landfill (existing and proposed extension) – 'The Land' (Figure 5 of the EER).

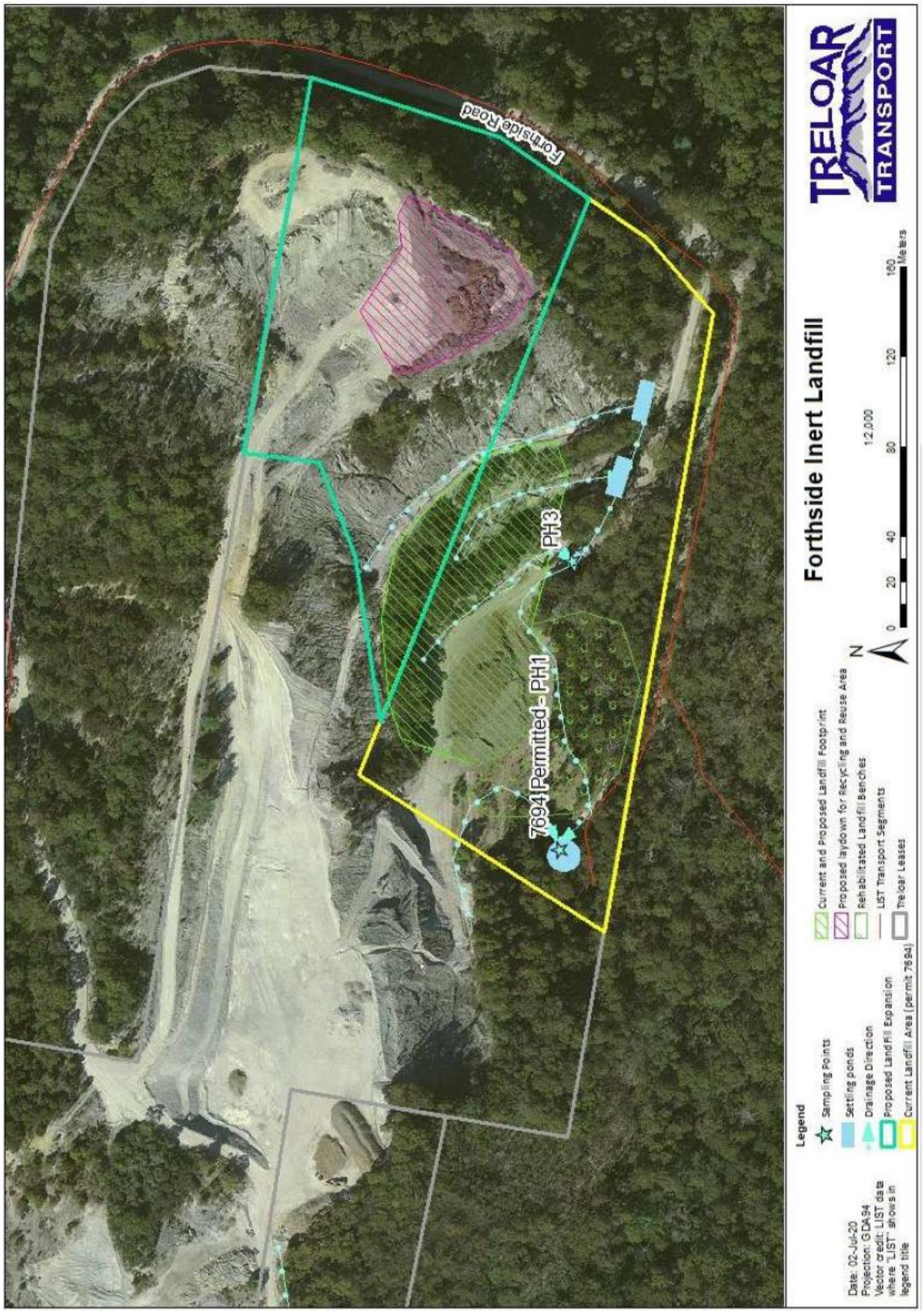


Figure 3: Site plan showing existing and proposed extended landfilling area, and proposed reuse/recycling/sorting area, settlement ponds and current water sampling location (PH1) (Figure 6 of the EER).

4 Project Rationale and Alternatives

Treloar Transport Co. are planning to incorporate reuse and recycling activities into their existing inert landfill operations, which requires an increase of 50% in the land area used by the landfill. The amount of space used to operate the landfill and to accommodate recycling and reuse has been exhausted.

It is estimated that approximately 20% of material received at the landfill can be reused or recycled, although in the case of concrete recycling, this is only undertaken if the client covers the cost of using recycled material.

The landfill expansion will reduce the area of extractive activity within the mining lease.

The site was chosen due to the existing landfill and adjacent quarrying activities. The proposed expansion of the land size does not sterilise any resource for the quarrying activity, as the additional area will be used as a recycling and sorting area. The lower part of the landfill does need this increase in land size; however, the growth of the landfill is over an area of the quarry from which the marketable material has been removed. The construction of the landfill against the steep and eroded bank will improve drainage and erosion outcomes for the site over the life of the quarry. According to Treloar, the existing landfill is assisting to stabilise the slopes from previous quarrying operations and has been placing material which is far more suitable for rehabilitation than what is currently present on site. The lower portion of the landfill already rehabilitated has returned to self-sustaining native vegetation.

5 Public and Agency Consultation

One public submission was received during the public consultation period. The main issues raised were:

- Surface water management: adequacy and quality of the proposed/existing settling pond system given the extension to the landfilling area, and risk of impacts to Goldie Creek.
- *Phytophthora cinnamomi* (PC) risks: Concerns regarding the status of PC in the landfill area, particularly given the confirmed presence of PC in the adjacent quarry, and vehicles moving past PC-affected areas.
- Final land shape: Reference is made to plans outlined in the EER from 2010, and to the 2020 EER, and concerns that terraces are not wide enough and slopes too steep to allow for adequate stability, rehabilitation, and erosion control.
- Recycle/re-use area: Insufficient information regarding the use of the proposed area on the western edge of the expanded landfill area (proposed laydown area for recycling and reuse, marked in Figure 4 of the EER), and traffic flows.
- Wedge-tailed eagle: Notes that the bird is often observed flying in the area and that the North Barker survey is potentially outdated, having been undertaken in 2017.
- Public consultation: Representor questions why no letter was sent by the proponent to representor (a local resident) in relation to discussions and consultations of the proposed landfill extension.
- Representor states that they do not oppose the landfill extension but are looking for better environmental outcomes than what has been seen at the landfill up to now.

The proposal was also referred during the guideline-preparation stage to several government agencies with an interest in the proposal. Submissions were received from the following:

- Department of State Growth, Mineral Resources Tasmania (MRT) – MRT advised that they were not supportive of the proposed landfill extension on a mining lease, as the landfill would effectively prevent use of the land for mining operations. Therefore, MRT would require the proponent to partially surrender the proposed landfill area and excise it from the mining lease 1704 P/M, and any rehabilitation requirements would come under the regulatory responsibility of the landfill.

The following individuals also provided specialist advice on the proposal:

- Regulatory Officer, Environment Protection Authority
- Scientific Officer (Noise), Environment Protection Authority

Appendix 1 of this report contains a summary of the public submissions received.

According to the EER, the proponent undertook discussions and consultation with the following surrounding residences and agencies:

- Local residents by site visit or letter where properties weren't accessible;
- Sustainable Timber Tasmania as land manager of the Crown land on the western side of the lease;
- Environment Protection Authority;
- Department of State Growth – Mineral Resources Tasmania (MRT); and
- Devonport City Council.

6 Evaluation of Environmental Issues

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

1. Surface water management
2. Dust
3. Noise
4. Waste received for landfilling
5. Natural values
6. Weed and pathogen management
7. Dangerous goods and environmentally hazardous materials
8. Decommissioning and rehabilitation

General conditions

The following general conditions will be imposed on the activity:

- **Q1.** Regulatory limits
- **G1.** Access to and awareness of conditions and associated documents
- **G2.** Incident response
- **G3.** No changes without approval
- **G4.** Change of responsibility
- **G5.** Change of ownership
- **G6.** Complaints register
- **G7.** Authorised filling area
- **G8.** Permitted waste types
- **G9.** Non-permitted waste types

Issue 1: Surface water management
Potential impacts
Rainfall runoff from the mostly cleared, disturbed, and unvegetated landfilling site may leave the landfill and surrounding areas contaminated with sediments, litter, and other pollutants. This runoff may negatively impact on downslope land areas and/or stream water quality. Inadequate management of surface water runoff can also contribute to erosion and slope instability at the landfill. The headwaters of Goldie Creek, which flows during times of high rainfall only, are located within the mining lease, to the south-west of the landfilling area. Goldie Creek ultimately reports to the Forth River.
Management measures proposed in EER
The EER states that the site was heavily disturbed, and improvements have been made to drainage control, sediment retention, and rehabilitation, and these would remain. The series of settling ponds generally remain dry for much of the summer. Monitoring of the surface waters detained in the settlement ponds is undertaken on a 6 monthly basis for various parameters in line with the *Landfill Sustainability Guide (2004)* requirements for an inert landfill. The EER states that settling ponds will be inspected and cleaned out regularly.
Public and agency comment
The representation received from a member of the public questioned the adequacy of the proposed and existing settlement pond system, given the extension to the landfilling area. Concerns were raised regarding the quality of the existing settlement pond system and the ability of the system to receive large flows, and the risk of impacts to Goldie Creek.
Evaluation
Advice from the EPA's regulatory officer is that there have been some failures in the existing settlement ponds, and design improvements to the settlement ponds are currently being planned. This will be an area of focus for ongoing regulation of the site to ensure captured surface waters are adequately treated prior to any discharge from The Land. Conditions relating to adequate surface drainage, settlement, and treatment will be included in the permit/environmental conditions. Continuation of existing monitoring of surface waters in line with standard requirements for inert landfills is recommended, and conditions have been included in the permit requiring 6 monthly monitoring (with annual reporting) for waters in the settlement pond (prior to discharge) for a variety of parameters. A requirement to report monitoring results within 21 days should a trigger level for turbidity be met (50 NTU for dry weather discharge, or 100 NTU for wet weather discharge, which is defined in the *Landfill Sustainability Guide (2004)* as the recommended maximum turbidity level for discharge for all landfill types) has been included. This will alert regulatory officers to any potential problems with the landfill or the landfill's sediment detention systems, and enable an investigation if necessary. Following advice from the EPA's regulatory officer, due to fires recently being experienced at other nearby landfill facilities, the standard condition regarding treatment/removal of firefighting wastewater has also been included in the conditions.

Conditions
The proponent will be required to comply with the following conditions: **E1** Perimeter drains or bunds **E2** Design and maintenance of settlement ponds **E3** Stormwater discharge **E4** Contamination of stormwater **E5** Firefighting wastewater **M1** Samples and measurements for monitoring purposes **M2** Settlement pond water monitoring requirements **M3** Signage of monitoring points

Issue 2: Dust
Potential impacts
Working areas in the quarry and landfill are unsealed and dust may be generated from heavy vehicles moving around the site, from stockpiles, and from the unloading, sorting and compacting of waste materials. Dust can create nuisance for nearby residences either blowing directly from the site, or as vehicles pass on unsealed roads.
Management measures proposed in EER
The EER states that dust nuisance is likely to be minimal due to the distance between the nearest residence, and the presence of vegetation on the edge of the landfill/quarry and between the landfill and residence, acting as a screen. The moderately high rainfall of the area will also reduce the risk of dust nuisance. During periods of high dust emissions, Treloar state that a watercart will be used for dust suppression to dampen road surfaces and loads of material. Vehicular traffic will also be limited to 30 km/hr on unsealed road surfaces to minimise dust from traffic movements. This is reflected in EER Management Commitment no. 7.
Public and agency comment
No comments received.
Evaluation
The management measures described in the EER are considered adequate given the distances to nearest residences and the presence of the surrounding vegetation. Standard conditions in relation to dust management are included in the permit conditions. Ongoing rehabilitation of areas where landfilling is completed should be undertaken to ensure there is a minimal amount of exposed unsealed areas.
Conditions
The proponent will be required to comply with the following conditions: **A1** Control of dust emissions **A2** Covering of vehicles

Issue 3: Noise
Potential impacts
Noise from heavy vehicles delivering waste and leaving the landfill, as well as excavators and loaders sorting, depositing, and compacting waste material at the landfill, can create noise nuisance for nearby residents and sensitive receptors. The EER states that there are 5 residences located within 500 – 1000 metres of the site. The nearest residence is located approximately 600 metres to the south-west of the boundary of the landfill area. The residence to the north is likely to be the least affected due to the topographical screening of Porcupine Hill as the quarry and landfill are worked on the southern slopes of the hill. A noise survey was undertaken in 2014 and revised in 2017 (Appendix B of the EER), in relation to the adjacent quarrying activities (including use of jaw crusher, loader and excavator). This survey estimated that the measured ambient noise levels plus the quarry operating would be 44 dB(A) at the gate of the nearest neighbour.
Management measures proposed in EER
EER Management Commitment no. 5 states that the landfill will only be operated in the approved hours of operation, and approval to be sought from the EPA and Council if deemed necessary to operate these hours due to exceptional circumstances. Operating hours are proposed to be 0700 to 1700 hours Monday to Friday, and 0800 to1200 hours on Saturdays only.
Public and agency comment
No comments received.
Evaluation
It is noted in the EER that a complaint was made in March 2019 regarding truck and machine movements in the quarry and landfill in the early morning, prior to permitted start times (0700 hours). The proposed operating hours are considered suitable and are more restrictive than the acceptable standard times recommended by the *Landfill Sustainability Guide (2004)*. Conditions are included restricting operating hours to those proposed, and in relation to reporting complaints. The EER for the landfill is reliant on the noise survey undertaken for proposed changes to quarrying operations in 2017, and states that the quarry is operating within the recommendations of the *Quarry Code of Practice (2017)* (i.e. 45 dB(A) for daytime operations), at the nearest sensitive use, and that these limits will continue to be complied with. Measurements of background and quarry-operating noise were not able to be taken at the nearest residence, so were taken at the access gate to that property, which is closer to operations than the residence itself. It may be difficult to distinguish any potential causes of noise nuisance between the quarry and the landfill's operations, although it can be assumed that the contribution of the landfill to noise nuisance would be less than the quarry's operations by nature of the intermittent use of the landfill, and the use of loader and excavators only to move and compact waste materials (no crusher or drilling as at the quarry). To maintain daytime noise emission limits (45 dB(A)) which have already been imposed on the quarry's operations, the EPA's noise specialist advises that the landfill would need to have a daytime operating limit of 35 dB(A) at the nearest sensitive use (or 5 dB(A) above background levels). These limits have been included in the permit conditions, however, a requirement for a survey to be undertaken within 6 months of these conditions being imposed (and/or on request) has also been included in the permit conditions, to confirm the adequacy and reasonableness for

both the nearby residents and for the ongoing simultaneous operation of the landfill with the quarry. As no changes to the landfill's operations are being proposed (e.g. increases in waste received, etc) beyond a wider area of land being affected, it is considered unlikely that any increased noise nuisance will occur as a result of the landfill's area extension. It is considered that the restriction of operating hours to those proposed is a more reliable control on creation of noise nuisance.

It is noted that the noise survey report recommends the use of atonal/broadband reversing alarms on machinery to reduce the potential nuisance for neighbours from tonal 'beeper' style reversing alarms. This recommendation is supported.

Conditions

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

N1 Noise emission limits

N2 Noise survey requirements

N3 Noise survey method and reporting requirements

N4 Noise complaints

OP1 Hours of operation

Issue 4: Waste received for landfilling
Potential impacts
The type of material received at a landfill for disposal determines the levels of environmental management and controls that must be in place to ensure protection of the environment from contamination and from nearby residents experiencing nuisance odours, dust, etc from the operation. The landfill is proposed to continue as a Category A landfill, receiving solid inert materials for disposal or recycling only. Materials received are confined to rock, clay, earth, soils, road bases and gravels, and demolition rubble (bricks, concrete). Receiving materials which are putrescible or otherwise unstable or hazardous could result in contamination of soil, water, and air and may create nuisance odour and dust for nearby sensitive receptors. Poor disposal methods for the landfill can lead to poor compaction and rehabilitation outcomes, and unsafe/unstable surfaces, particularly in the longer term.
Management measures proposed in EER
The landfill is proposed to continue to operate as an inert landfill (EER Management Commitment no. 1), with the EER indicating that part of the expanded area will be set aside to allow for sorting of material for reuse/recycling, as appropriate, with aims to maximise the reuse/recycling of material. It is estimated that approximately 20% of material received is suitable for reuse or recycling. Controls are in place to ensure the security of the landfill so that materials received are adequately assessed prior to deposition in the landfill (EER Commitment no. 2 and no. 3). The EER states that approximately half the material received comes from Treloar projects so is under the control of the company from source to disposal. Non-Treloar loads are inspected either on arrival at the landfill, or at the Treloar head office site in Sheffield prior to delivery. Each load is recorded using a manual docket system, which is then later entered into electronic databases at head office for record keeping and billing purposes. The EER states that material received for the landfill will be dumped into 2 metre high 'lifts' and compacted using wheel loaders, trucks, and rollers if necessary.
Public and agency comment
No comments received.
Evaluation
The management measures included in the EER are considered adequate and reflect the requirements of the existing permit conditions and those of the *Landfill Sustainability Guide (2004).* Conditions have been included to ensure standard requirements of the *Landfill Sustainability Guide (2004)* will be met, in relation to landfilling area (restricted to the areas shown in Attachments 1 and 2 of the permit conditions), height of 'lifts' (layers of deposited waste), types of waste permitted and not permitted, signage regarding the landfill's permitted operations, staffing of the site, how materials received for recycling are handled, waste capping, and litter management. Reporting of waste tonnages received, for disposal, or recycling, and the sources of the waste, is required to be provided annually, as a continuation of the current reporting practices of the existing permit for the landfill.

Conditions
The proponent will be required to comply with the following conditions: **G7** Authorised filling area **G8** Permitted waste types **G9** Non-permitted waste types **M4** Reporting of waste tonnage **OP2** Site staff **OP3** Signage **OP5** Materials received for recycling **OP6** Waste capping **OP8** Litter management

Issue 5: Natural values
Potential impacts
Expansion of the area for landfilling may require removal of vegetation. Use of heavy machinery on site may disturb local fauna (e.g. Wedge-tailed eagle nesting). Appendix A of the EER contains a flora/fauna and habitat assessment of the quarry and landfill site which states that the lease area contained no threatened plant species, communities, and generally only foraging habitat for any potential threatened fauna species.
Management measures proposed in EER
The EER states that the expansion of the landfilling area is proposed for areas already disturbed by previous quarrying activities and will not result in the removal of native vegetation, only of some poor-quality regrowth. No threatened flora or fauna or habitats were found onsite. No specific management measures aside from commitments to undertake rehabilitation (discussed at Issue 8 of this Environmental Assessment Report) were proposed.
Public and agency comment
The representation received from a member of the public noted that Wedge-tailed eagles are often observed flying over the area and queried whether the survey undertaken in 2017 was potentially outdated.
Evaluation
The expanded operations of the landfill (with no clearance of native vegetation onsite and no additional changes to landfilling processes) are considered unlikely to impact on potential nesting of the Wedge-tailed eagle nearby, nor on any significant native flora, fauna or habitat. Two eagle nests known to have been in the area in 2008 (800 m to 1000 m to the north-east) were unable to be found during the 2017 surveys as described in Appendix A of the EER. The consultant's report stated that vegetation in the vicinity of the mining leases/landfill was of suboptimal potential nesting habitat. Further eagle surveys were not recommended by the Policy and Conservation Assessments Branch at the time of providing guidelines to the proponent for the proposed landfill area expansion. Advice was sought from the Policy and Conservation Assessments Branch at the time of developing guidelines for the proposed landfill area expansion, and no additional eagle surveys were required. The activities of the landfill are not expected to significantly impact on the wedge-tailed eagle – there are no trees on the property to be removed which would accommodate nests. Aside from an increase in area of landfilling, operations at the landfill are unlikely to change significantly, and it is considered unlikely that any potential sensitive wildlife would be further affected by the proposed landfill area expansion.
Conditions
No conditions in relation to natural values management have been imposed.

Issue 6: Weed and pathogen management
Potential impacts
Vehicles moving into and out of the landfill area may assist in the spread of weeds and pathogens such as *Phytophthora cinnamomi* (PC) to and from the site. Two declared weeds (Spanish heath, and pampas grass), and three environmental weeds (radiata pine, blue periwinkle, and arum lily) have been identified on or near the site (Appendix A of the EER). The adjacent quarry is a confirmed site for PC.
Management measures proposed in EER
The quarry and landfill site have an existing weed and PC-management plan in place (dated 2018), which was provided at Appendix D of the EER. Treloar has a company-wide plan for control of spread of PC with an adviser regularly assisting in management actions, as there is an aim to provide PC-free certified product from the quarry. EER Management Commitment no. 6 refers to the adoption of the *Tasmanian Washdown Guidelines* for vehicles being brought to the site, and avoidance of accepting weed infested or PC-contaminated materials. Washdown of vehicles with fungicide is undertaken at the Treloar head office site in Sheffield.
Public and agency comment
The representation received from a member of the public raised concerns regarding the PC status of the landfill area given the confirmed presence in the adjacent quarry, particularly in relation to vehicles moving past PC-affected areas.
Evaluation
The flora/fauna report provided as part of the EER, confirming the presence of PC at the quarrying area to the west, includes a copy of the Forestry Tasmania PC assessment from 2017, and further assessment and a weed/disease plan from 2018 for the quarry, submitted to EPA Tasmania as part of the quarry's operations. As much of the landfilling operation is undertaken on already cleared areas with minimal vegetation growth, the focus for weed and disease spread control for the landfilling operation is largely for vehicles moving into and around the site, particularly past areas of the quarrying operations which are under continued management for PC. The commitment to undertake machinery washdown is supported and is reinforced with the inclusion of the standard condition relation to machinery washdown. Weed management, especially for Spanish Heath, is indicated to be part of the overall management for PC. The *Weed and Pathogen Management Plan, Porcupine Hill Quarry, prepared by Treloar Transport, 21 August 2018* (submitted to EPA Tasmania in 2018) is considered an appropriate plan for the site as a whole (quarry and landfill) and a condition has been included requiring the landfill to operate in accordance with this plan for weed and pathogen management.
Conditions
The proponent will be required to comply with the following conditions: **OP4** Weed and Pathogen Management Plan **OP7** Machinery washdown

Issue 7: Dangerous goods and environmentally hazardous materials
Potential impacts
Spills of dangerous goods and environmentally hazardous materials used on site can contaminate soils and waterways. Some examples of these materials used on site include fuels and machinery oils, and chemicals used in weed and pathogen management.
Management measures proposed in EER
The EER states that there will be no storage of fuels and oils on site, with fuels/oils being transported on site each day by light vehicle (maximum 420 litre in a ute-mounted tank). Each vehicle is equipped with spill kits and employees are trained in their use. Chemicals used in weed and pathogen management will be brought on site by contractors during the annual weed management program, with contractors assessed prior to commencement of works to ensure chemicals are stored appropriately. No controlled wastes are stored or brought to the site. EER Management Commitment no. 8 states that no fuel or dangerous goods are stored on site.
Public and agency comment
No comments received.
Evaluation
The management measures proposed in the EER are considered appropriate for the level of risk of spills or accidental release of environmentally hazardous materials. Standard conditions in relation to mobile refuelling, spill kits, and storage and bunding of these materials are included in the permit conditions.
Conditions
The proponent will be required to comply with the following conditions: **H1** Storage and handling of hazardous materials **H2** Spill kits **H3** Handling of hazardous materials - mobile

Issue 8: Decommissioning and rehabilitation

Potential impacts

Inadequate decommissioning, rehabilitation and ongoing after-care of a landfill site can result in unstable landforms, erosion, exposure of waste, and poor potential future land use outcomes.

Management measures proposed in EER

EER Management Commitment no. 10 states that rehabilitation and after-care will be undertaken as described in section 16 of the EER.

Previous extractive operations have resulted in a steep and heavily disturbed terrain. Treloar state that the quarry component of the site will be worked so as to terrace the existing steep slopes, with the landfill at the toe of the quarry. The landfill will also consist of a series of 7 m wide terraces, backsloped at 1:20 into the hillside at 5 metre vertical intervals, with slopes at 1v:3H. This will result in a final overall slope angle of 15 degrees, comparable to the existing natural terrain and much flatter than the existing quarry disturbance which has slopes greater than 45 degrees in places.

The footprint of the landfill after 10 years of operation will be 6000 square metres. Completed landfill sections will be covered with 0.8 metres of clean fill and topsoil (sourced from delivered materials) in accordance with the Landfill Sustainability Guide (2004) requirements for inert waste landfills. Progressive rehabilitation will commence from the western edge of the bottom bench as soon as the tipping face allows a sufficient area to be reshaped. It is estimated that approximately 2000 square metres of landfill will be rehabilitated on a yearly basis. Advice will be sought from Sustainable Timber Tasmania on suitable local species to be spot planted as well as a suitable cover crop to quickly develop a suitable erosion-preventing ground cover.

Final land use options are limited due to the steepness of the site with the most appropriate use likely to be wildlife habitat.

Landfill after-care monitoring will consist of maintaining the landform until acceptable levels of stability are reached (e.g. remedying slumps, repairing erosion, maintaining drains and settling ponds), maintaining vegetation (replanting losses, weed control), and monitoring of surface runoff in settling ponds.

Public and agency comment

The representation received from a member of the public raised the issue of final land shape for the landfill, referring to plans outlined in the EER from 2010, and to the 2020 EER, with concerns that terraces are not wide enough and slopes too steep to allow for adequate stability, rehabilitation, and erosion control.

Evaluation

The proposed progressive rehabilitation and post closure plans for the landfill as described in the EER are considered adequate for the landfill. The ongoing management of the landfill during operations, and in particular, the progressive rehabilitation and actions to ensure slope stability and adequate drainage management, should be an area of focus for the operator.

It is noted that Mineral Resources Tasmania indicated that the portion of the mining lease being used for landfilling would need to be excised from the existing mining lease, and rehabilitation actions undertaken under the requirements for the landfill, rather than as part of long-term quarry rehabilitation. Standard landfill decommissioning, closure, and rehabilitation conditions have been included in the permit conditions.

Conditions
The proponent will be required to comply with the following conditions: **DC1** Progressive rehabilitation **DC2** Temporary suspension of activity **DC3** Decommissioning and Rehabilitation Plan **DC4** Notification of cessation **DC5** Rehabilitation upon cessation **DC6** Post-Decommissioning and Rehabilitation Report

7 Issues not assessed by the Board

The following issues have been raised during the assessment process but are not the Board's responsibility under the EMPC Act. These may be issues which are more appropriately addressed by another regulatory agency.

A. Heritage

B. Traffic

Issue A: Heritage
Potential impacts
Excavation and land disturbance of during landfilling processes may destroy Aboriginal or European historical and cultural heritage.
Management measures proposed in EER
According to Section 13 of the EER, the heritage register was consulted, and no cultural heritage features are known to be in the vicinity of the landfill and mining lease area. Nearest features are in the Forth township approximately 5km away. The online Aboriginal Heritage Property Search did not identify any registered Aboriginal relics or apparent risk of affecting Aboriginal relics. An Unanticipated Discovery Plan will be kept on record by Treloar to ensure it complies with the legislative requirements. EER Management Commitment no. 9 states that work will cease if potential Aboriginal heritage items are found, and Aboriginal Heritage Tasmania advised.
Public and agency comment
No comments received.
Conclusion
Treloar must comply with the requirements of the *Aboriginal Heritage Act 1975* and should ensure that staff and contractors working onsite are familiar with the Unanticipated Discovery Plan and its requirements.

Issue B: Traffic
Potential impacts
Large trucks and heavy machinery travelling on local roads can impact on road conditions and safety, in addition to noise and dust impacts (addressed in Section 6 of this report). The EER states that Forthside Road is the only access to the site, which is surrounded by steep, heavily forested terrain, precluding any other access. Traffic flows on this road are minimal as it is a 'No Through Road' with only one residence beyond the site/mining lease. The entrance to the site off Forthside Road is secured by a locked gate. A traffic impact assessment was included in the EER (Appendix C) which was undertaken for a previous quarry expansion proposal. The proposal for an expanded landfilling area will not result in an increase in truck movements as no increase in annual limits of waste to be received has been sought as part of the application.
Management measures proposed in EER
EER Management Commitment no. 11 states that a speed limit will be imposed on Treloar trucks using the portion of Forthside Road south of the Bellamy Road junction.
Public and agency comment
No comments in relation to traffic issues were raised, although the representation did raise concerns about truck movements on site with regards to risk of spread of *Phytophthora cinnamomi,* which is addressed in Section 6 of this report.
Conclusion
The EER notes that a complaint was made in 2019 by a neighbour in relation to a dog being run over by a truck on Forthside Road. The EER states that Treloar sought a 40 km/hour limit sign in this area from Devonport Council, but in the absence of signage, Treloar now advise their drivers during induction processes to pass this area at 40 km/hour. Traffic impact management is a matter for Council to consider.

8 Report Conclusions

This assessment has been based on the information provided by the proponent, Treloar Transport Co., in the permit application, and the case for assessment (the EER).

This report incorporates specialist advice provided by EPA scientific and regulatory staff, and considers issues raised in the public submission.

It is concluded that:

1. the RMPS and EMPCS objectives have been duly and properly pursued in the assessment of the proposal; and
2. the assessment of the proposal has been undertaken in accordance with the Environmental Impact Assessment Principles; and
3. the proposal is capable of being managed in an environmentally acceptable manner such that it is unlikely that the RMPS and EMPCS objectives would be compromised, provided that the Permit Conditions - Environmental No. 10044 appended to this report are imposed and duly complied with.

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

9 Report Approval

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

Martin Read

EXECUTIVE DIRECTOR, ENVIRONMENTAL ASSESSMENTS

Acting under delegation from the Board of the Environment Protection Authority

Date: 4 March, 2022

10 References

EER - Treloar Transport (2020). Forthside Inert Landfill – Environmental Effects Report. Version dated 2 July 2020.

Landfill Sustainability Guide (2004). Department of Primary Industries, Water and Environment, Tasmania (September 2004).

11 Appendices

Appendix 1 Summary of public representations and agency submissions

Appendix 2 Proponent management measures

Appendix 3 Permit conditions - environmental

Appendix 1: Summary of public representations and agency submissions

TRELOAR TRANSPORT – FORTHSIDE INERT LANDFILL - EXTENSION OF LANDFILL AREA

EER V1 2 July 2020

General Comments:

1 representation received by Devonport City Council.

Representor is a neighbour, property adjacent to existing landfill.

TABLE 1: ADDITIONAL INFORMATION REQUIRED BY THE EPA BOARD

Representation No. / Agency	EER/EIS section no.	EER/EIS page no.	Comments and Issues	Additional information required
1			n/a	

TABLE 2: OTHER MATTERS RAISED DURING THE PUBLIC CONSULTATION PERIOD

Represent-ation no. / Agency	Comments and Issues	Further info requested [yes/no]	EPA Comments
1	Questioned whether the existing permit conditions (PCE 7694) would apply to the expanded landfill area.	No	Should the EPA approve the proposed development, and Council also approve the proposed development, a new set of environmental conditions will be appended to any land use planning permit Council may issue. The original permit conditions were issued in 2011 and so some are substantially outdated 11 years on and require review and updating anyway.

Represent-ation no. / Agency	Comments and Issues	Further info requested [yes/no]	EPA Comments
	Surface water management: Questioned the adequacy of the proposed/existing settling pond system given the extension to the landfilling area. Concerns regarding the quality of the existing settlement pond system and ability to handle large flows, and risk of impacts on Goldie Creek.	No	The area proposed for the extended landfill area is already cleared and surface water from this area already drains to the existing settlement pond system. There is no extension of the actual land area draining to this system, only a change in the use of that area of land, and so existing settlement ponds, if constructed and managed appropriately, should already be capturing surface waters from the proposed extension area. Conditions relating to adequate surface drainage, settlement, and treatment will be included in the permit/environmental conditions. Existing monitoring requirements for discharged waters are expected to remain in the permit/environmental conditions.
	Phytophthora cinnamomi (PC) risks: Concerns raised regarding the status of *Phytophthora* in the landfill area, particularly given the confirmed presence of PC in the adjacent quarry.	No	The flora/fauna report provided as part of the EER includes a copy of the Forestry Tasmania PC assessment from 2017, and further assessment and weed/disease plan from 2018 for the quarry is also included, confirming the presence of PC at the quarrying area to the west. With respect to the landfill extension, the greatest risks of spread will be from vehicles moving materials in and out of the landfill. The EER indicates that no vegetation removal will be required as part of the extension of the landfill, aside from removal of some patchy regrowth. Weed management, especially for Spanish Heath, is indicated to be part of the overall management for PC. It is expected that the Weed Management Plan submitted in 2018 for the quarry will continue to be adhered to with a similar set of actions required for the ongoing expanded landfill. Conditions will be included in the permit/environmental conditions with respect to weed and disease management, which may include requirements for vehicle washdown and adequate drainage and settling out/treatment of drainage water.
	Final land shape:	No	Only the information provided in the 2020 EER is being considered as part of this assessment.

Represent-ation no. / Agency	Comments and Issues	Further info requested [yes/no]	EPA Comments
	Reference is made to plans outlined in the EER from 2010, and to the 2020 EER, and concerns that terraces are not wide enough and slopes too steep to allow for adequate stability, rehabilitation, and erosion control.		As the landfill is still operational, the requirements for final landform are not yet in place, however it is expected that conditions will continue to be required such that at the time of planned closure, rehabilitation plans will be required to be submitted and approved to ensure the final landform will be stable (e.g. current permit PCE 7694 condition DC5 and DC6). These are likely to be in line with the Landfill Sustainability Guide 2004 or any updates to this guidance). It is expected that the landfill's new set of environmental conditions will be similar or the same as the current requirements with respect to waste deposition practices (e.g. PCE 7694 condition G8(2) requiring waste to be deposited in layers not exceeding 2 metres in height; permitted waste types (PCE 7694 G9, G10); capping (PCE 7694 condition DC2), etc.
	Recycle/re-use area: Insufficient information regarding the use of the proposed area on the western edge of the expanded landfill area (proposed laydown area for recycling and reuse, marked in Figure 4 of the EER), and traffic flows. A green waste area is referred to as part of PC investigations in the adjacent quarry, and the representation questions whether this green waste should be moved (and would not be permitted to go into the landfill), or whether it is permitted to be stored in quarries. Concerned that vehicles would be moving past the PC affected areas above the quarry.		While this current assessment only relates to the proposed expanded landfill area, it is important to note some of the activities occurring on the adjacent quarry. While it is uncertain whether the 'green waste' referred to in the Sue Jennings report is actually 'waste', it is noted that vegetation removed as part of extractive operations will often be legitimately retained or stockpiled on a quarry site so that it can used for rehabilitation and stabilising of areas prior to final rehabilitation. Aerial imagery taken in 2020 shows that the vegetated area indicated in the 2018 Sue Jennings report as requiring spraying for weed and PC control, and which would likely be passed by vehicles moving to and from the recycling/reuse sorting/laydown area, is now free from vegetation. It is likely that conditions requiring washdown will be included in the permit – noting that washdown with fungicide already occurs at the head office site in Sheffield of vehicles which have been working on site. Combined with ongoing weed management and adequate drainage of the site, the risk of PC spread is expected to be minimal.

Represent-ation no. / Agency	Comments and Issues	Further info requested [yes/no]	EPA Comments
	Wedge-tailed eagle: Notes that the bird is often observed flying in the area and that the North Barker survey is potentially outdated having been undertaken in 2017.		Advice was sought from the Policy and Conservation Assessments Branch at the time of developing guidelines for the proposed landfill area expansion, and no additional eagle surveys were required. The activities of the landfill are not expected to significantly impact on the wedge-tailed eagle – there are no trees on the property to be removed which would accommodate nests, and it is expected that activities at the adjacent quarry are more likely to impact on any nesting occurring in the area. The last recorded sighting of a nest within 5000 metres of the site was in 2008, according to the Natural Values Atlas, unable to be confirmed during the 2017 survey, and the North Barker report indicates that within 1000 metres of the site, nesting habitat is sub-optimal.
	Public consultation: Representor questions why no letter was sent by the proponent to representor (a local resident) in relation to discussions and consultations of the proposed landfill extension. Representor also adds that they do not oppose the landfill extension but are looking for better environmental outcomes than have been seen for the landfill up to now.		The formal consultation process is via the Council/EPA advertising process. While proponents are strongly encouraged to undertake their own consultation with neighbours and potentially affected residents, it is not a compulsory requirement of the assessment/development application process. The EPA will review the frequency of site visits and ongoing regulatory activities for the landfill to ensure the existing, and any potentially new (should the extension be approved), conditions are being complied with.

Appendix 2: Proponent management measures

From Part D (page 23) of EER:

No.	Commitment	Completion date	By Whom
1	Maximise the application of the waste management hierarchy, by reusing as much delivered material as is suitable for further use. Segregate useful material to aid future reuse		Management and operator
2	Install a substantial locked gate to prevent unauthorized afterhours access.		Management
3	Man the site at all times whilst accepting loads from the public, with all loads being visually screened before and after dumping.		Management and operator
4	Only accept materials from Category A of the Landfill Sustainability Guide.		Management and operator
5	Only operate the landfill according to the approved hours of operation. Seek approval from the EPA and Devonport City Council if it is deemed necessary to operate outside these hours due to exceptional circumstances.		Management and operator
6	Adopt Follow the "Tasmanian Washdown Guidelines" for vehicles being brought to site. Do not accept weed infested or *P cinnamoni* contaminated material		Management
7	Provide a water truck / trailer on site if necessary, to control raised dust.		Management and operator
8	Store no fuel or Dangerous Goods on site		Management and operator
9	Cease work if potential Aboriginal heritage items are found. Advise Aboriginal Heritage Tasmania.		Management and operator
10	Provide rehabilitation and after care of the site as per Section 16 of this EER		Management and operator
11	Impose a speed limit of 60 kph on TT trucks using that portion of Forthside Road south of the Bellamy Road junction		Management and operator

Appendix 3: Permit conditions – Environmental

PERMIT PART B
PERMIT CONDITIONS - ENVIRONMENTAL No. 10044

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

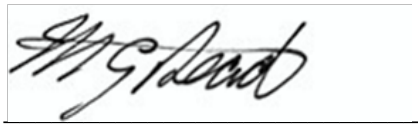
Activity: **The operation of an inert landfill (ACTIVITY TYPE: Inert Waste Depots)**
FORTHSIDE LANDFILL, 547 FORTHSIDE ROAD
FORTHSIDE TAS 7310

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: **DEVONPORT**
Permit Application Reference: **PA2021.0193**
EPA file reference: **256500**

Date conditions approved: 8 March 2022

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

Attachment 1: The Land (modified: 02/03/2022 16:37)....1 page
Attachment 2: Landfill site plan (modified: 24/02/2022 11:19)....1 page

Schedule 1: Definitions

In this Permit Part B:-

Aboriginal Relic has the meaning described in section 2(3) of the *Aboriginal Heritage Act 1975*.

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

Capping means the placement of one or more layers to form a permanent covering above landfilled waste and includes a reference to such a layer.

Classification And Management Of Contaminated Soil For Disposal means the document *Information Bulletin No. 105 Classification and Management of Contaminated Soil for Disposal, version 3 2018,* published by the Environment Protection Authority and includes any subsequent versions of this document.

Clean Fill has the meaning described Section 3(1) of EMPCA, with contaminant levels set by the Director as limits for 'fill material' in *Information Bulletin No.105*.

Control Location (Noise) means a location chosen to represent the general ambient sound without contribution from noise sources at the activity.

Controlled Waste has the meaning described in Section 3(1) of EMPCA.

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

DRP means Decommissioning and Rehabilitation Plan.

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

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

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

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

Inert Waste means waste that does not undergo environmentally significant physical, chemical or biological transformations and has no potentially hazardous content and is not contaminated with non-inert material, such as putrescible waste, and includes clean fill.

Information Bulletin No. 105 means the document titled *Information Bulletin No. 105 - Classification and Management of Contaminated Soil for Disposal*, Version 3, 2018, by the EPA, and includes any subsequent version of this document.

Landfill Sustainability Guide means the document of this title published by the Department of Primary Industries, Water and Environment in September 2004, and includes any subsequent versions of this document.

Leachate means any liquid that is either released by or has percolated through waste.

Liquid Waste means any waste that is in liquid form or is substantially comprised of free liquids or is not spadeable (able to be lifted and moved in heaps with a spade).

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.

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

Putrescible Waste means waste containing materials that are capable of rapid biological decay or rotting.

Recycling means a set of processes (including biological) for converting recovered materials that would otherwise be disposed of as wastes, into useful materials and/or products.

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

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

1 part of Property ID 6382521, Certificate of Title 242032/1, bound by the coordinates as shown at **Attachment 1**.

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

Wastewater means spent or used water (whether from industrial or domestic sources) containing a pollutant and includes stormwater which becomes mixed with wastewater.

Water Sensitive Urban Design means the design of water infrastructure to minimise impacts on ecosystems while maximising efficient water use.

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

Schedule 2: Conditions

Maximum Quantities

Q1 Regulatory limits

1 The activity must not exceed the following limits :

1.1 12,000 tonnes per year of waste received (not including material for recycling).

1.2 15,000 tonnes per year of waste received (total)

General

G1 Access to and awareness of conditions and associated documents

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

G2 Incident response

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

G3 No changes without approval

1 The following changes, if they may cause or increase the emission of a pollutant which may cause material or serious environmental harm or environmental nuisance, must only take place in relation to the activity if such changes have been approved in writing by the EPA Board following its assessment of an application for a permit under the *Land Use Planning and Approvals Act 1993*, or approved in writing by the Director:

1.1 a change to a process used in the course of carrying out the activity; or

1.2 the construction, installation, alteration or removal of any structure or equipment used in the course of carrying out the activity; or

1.3 a change in the quantity or characteristics of materials used in the course of carrying out the activity.

G4 Change of responsibility

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

G5 Change of ownership

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

G6 Complaints register

1 A public complaints register must be maintained. The public complaints register must, as a minimum, record the following detail in relation to each complaint received in which it is alleged that environmental harm (including an environmental nuisance) has been caused by the activity:

1.1 the date and time at which the complaint was received;

1.2 contact details for the complainant (where provided);

1.3 the subject matter of the complaint;

1.4 any investigations undertaken with regard to the complaint; and

1.5 the manner in which the complaint was resolved, including any mitigation measures implemented.

2 Complaint records must be maintained for a period of at least 3 years.

G7 Authorised filling area

1 Deposition of waste at the landfill must be confined to the authorised filling area, marked as 'Current and proposed landfill footprint' at **Attachment 2**.

2 The maximum height of waste 'lift' (layer of waste deposited) must not exceed 2 metres in height.

G8 Permitted waste types

Unless otherwise approved in writing by the Director, no wastes may be deposited or stored on The Land, other than inert wastes.

G9 Non-permitted waste types

1 The following waste types must not be accepted for disposal on The Land:

1.1 controlled waste;

1.2 liquid waste; and

1.3 putrescible waste, including green waste.

Atmospheric

A1 Control of dust emissions

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

A2 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 travel to The Land or leave The Land or travel on public roads. Effective control measures may include tarpaulins or load dampening.

Decommissioning And Rehabilitation

DC1 Progressive rehabilitation

1 Progressive rehabilitation must be carried out during the operational phase of the activity and in accordance with the following:

1.1 rehabilitation of each cell must commence immediately after completion of capping of the cell; and

1.2 rehabilitation must include planting or seeding compatible with the proposed end use of The Land.

2 Maintenance and monitoring of rehabilitated areas must continue until the potential for environmental harm resulting from the deposition of waste in those areas has been mitigated to the satisfaction of the Director.

DC2 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.

DC3 Decommissioning and Rehabilitation Plan

1 At least 12 months prior to the planned cessation of waste deposition or by a date specified in writing by the Director a Decommissioning and Rehabilitation Plan for the activity must be prepared in accordance with the Acceptable Standards provisions of Section 5 of the *Landfill Sustainability Guide* and must specify, without limitation, the following:

1.1 the closure date;

1.2 redundant site structures and equipment to be removed;

1.3 details relating to interim cover and final capping;

1.4 details of signs to be erected to inform the public that the site has closed;

1.5 perimeter fences to be installed or maintained and other security measures to be implemented to prevent unauthorised access to waste deposition areas on The Land;

1.6 post-closure management procedures for the leachate collection and containment system;

1.7 post-closure maintenance procedures for stormwater drains and landfill capping;

1.8 intended final profile of The Land;

1.9 revegetation plans;

1.10 proposed post-closure groundwater and surface water monitoring program; and

1.11 any other details requested in writing by the Director.

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 upon cessation

1 Unless otherwise approved in writing by the Director, following permanent cessation of the activity land disturbed or used in the carrying out of the activity must be rehabilitated in accordance with:

1.1 the measures set out in the Decommissioning and Rehabilitation Plan for The Land approved in writing by the Director; or

1.2 where an approved Decommissioning and Rehabilitation Plan is not available, the Acceptable Standards provisions of Section 5 of the *Landfill Sustainability Guide*.

DC6 Post-Decommissioning and Rehabilitation Report

1 Following decommissioning and rehabilitation of the Land to a level consistent with the approved DRP, a Post-Decommissioning and Rehabilitation Report must be submitted to the Director for approval. This report must include:

1.1 A description of decommissioning and rehabilitation works completed;

1.2 Any available monitoring data or other evidence which demonstrates that the land is in a stable and non-polluting state;

1.3 Any supporting reports such as post-decommissioning environmental site assessments; and

1.4 Details of any recommended ongoing management measures such as maintenance or monitoring.

2 The person responsible must implement all recommended ongoing management measures, unless otherwise approved by the Director.

Effluent Disposal

E1 Perimeter drains or bunds

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.

E2 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.

E3 Stormwater discharge

1 Stormwater must be prevented as far as practicable from mixing with deposited waste.

2 Polluted stormwater, not leachate, 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.

3 All stormwater that is discharged from The Land must not carry sediment or pollutants such as litter, oil and grease in quantities or concentrations that are likely to degrade the visual quality of any receiving waters outside The Land.

E4 Contamination of stormwater

Unless otherwise approved by the Director, in the event that stormwater is contaminated by leachate, measures must be implemented immediately to prevent pollutants from discharging beyond the boundary of The Land.

E5 Firefighting wastewater

In the event of a fire, potentially contaminated wastewater arising from firefighting must be treated on The Land to the satisfaction of the Director or removed from the site by a person holding all necessary approvals for such transport.

<u>Hazardous Substances</u>

H1 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.

H2 Spill kits

Spill kits appropriate for the types and volumes of materials handled on The Land must be kept in appropriate locations and maintained in a functional condition to assist with the containment of spilt environmentally hazardous materials.

H3 Handling of hazardous materials - mobile

1 Where mobile containment of environmentally hazardous materials is utilised for the fuelling or servicing of mobile or fixed plant on The Land, all reasonable measures must be implemented to prevent unauthorised discharge, emission or deposition of pollutants:

1.1 to soils within the boundary of The Land in a manner that is likely to cause serious or material environmental harm;

1.2 to groundwater;

1.3 to waterways; or

1.4 beyond the boundary of The Land.

2 Reasonable measures may include spill kits, spill trays/bunds or absorbent pads, and automatic cut-offs on any pumping equipment.

Monitoring

M1 Samples and measurements for monitoring purposes

1 Any sample or measurement required under these conditions must be taken and processed in accordance with the following:

1.1 sampling and measuring must be undertaken by a person with training, experience, and knowledge of the appropriate procedure;

1.2 the integrity of samples must be maintained prior to delivery to a testing facility;

1.3 sample analysis must be conducted by a testing facility accredited by the National Association of Testing Authorities (NATA), or a testing facility approved in writing by the Director, for the specified test;

1.4 details of methods employed in taking samples and measurements and results of sample analysis, and measurements must be retained for at least three (3) years after the date of collection; and

1.5 sampling and measurement equipment must be maintained and operated in accordance with manufacturer's specifications and records of maintenance must be retained for at least three (3) years.

M2 Settlement pond water monitoring requirements

1 Unless otherwise specified in writing by the Director, surface water monitoring of the settlement pond must be undertaken at the location marked **PH1** at **Attachment 2** (at the settlement pond immediately prior to discharge from The Land, grid reference **439021E**, **5434939N**).

2 Monitoring must be undertaken in accordance with **Table 1: Surface Water Monitoring**, with the parameters listed in Column 1 sampled or tested at the location PH1 at the frequencies listed in Column 3.

2.1 Table 1: Surface Water Monitoring

Column 1: Parameter	Column 2: Unit	Column 3: Frequency
pH	-	6 monthly
Conductivity	µS/cm	6 monthly
Total Dissolved Solids (TDS)	mg/L	6 monthly
Turbidity (NTU)	mg/L	6 monthly
Total Suspended Solids (TSS)	mg/L	6 monthly
Alkalinity (CaCo3)	mg/L	6 monthly
Total nitrogen	mg/L	6 monthly
Ammonia-N	mg/L	6 monthly
Nitrate-N	mg/L	6 monthly
Total phosphorus	mg/L	6 monthly

3 The results of surface water monitoring must be submitted to the Director:

3.1 by 30 September each year; and

3.2 within 21 days of results received where Turbidity (NTU) has exceeded 50 NTU during dry weather discharge, or 100 NTU during wet weather discharge.

M3 Signage of monitoring points

With the exception of open water sampling, all monitoring points must be clearly marked to indicate the location and name of the monitoring point.

M4 Reporting of waste tonnage

1 The person responsible must submit to the Director a report on the quantity of waste (measured as tonnes using a methodology approved by the Director) disposed of at the landfill during each financial year. The report must be submitted by 30 September each year and must, as a minimum, contain details of:

1.1 the total quantity of waste received; and

1.2 the total quantity of waste disposed of at the facility; and

1.3 the source of waste received, broken down into the following categories:

1.3.1 municipal waste, defined as waste arising from domestic premises and Council activities;

1.3.2 commercial and industrial waste, defined as the component of the waste stream originating from wholesale, retail or service establishments and the waste stream arising from industrial processes and manufacturing operations;

1.3.3 construction and demolition, defined as those materials in the waste stream which arise from construction, refurbishment or demolition activities and includes bricks, tiles, concrete, steel, glass, plastics, and soil or naturally occurring excavated material; and

1.3.4 clean fill.

1.4 the method by which the quantity disposed of has been calculated.

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 35 dB(A) between 0700 hours and 1800 hours (Daytime) (notwithstanding any limits to operating hours specified elsewhere in these conditions).

2 Noise emissions from the activity must not be audible at any noise sensitive premises in other ownership during the evening time (1800 hours to 2200 hours) or night time (2200 to 0700 hours).

3 Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the background noise levels by at least 5 dB(A).

N2 Noise survey requirements

1 Unless otherwise approved in writing by the Director, a noise survey must be completed and submitted in accordance with guidance provided by the Director:

1.1 within six (6) months after issue of these conditions; and

1.2 within six (6) months after any change to the activity which is likely to substantially alter the character or increase the volume of noise emitted from The Land; and

1.3 where the Director is of the opinion that a noise survey must be completed within a specified timeframe.

N3 Noise survey method and reporting requirements

1 Noise surveys must be undertaken in accordance with a survey method approved in writing by the Director, as may be amended from time to time with written approval of the Director.

2 Without limitation, the survey method must address the following:

2.1 measurements must be carried out at day, evening and night times (where applicable) at each location; and

2.2 measurement locations, and the number thereof, must be specified, with one location established as a control location (noise).

3 Measurements and data recorded during the survey must include:

3.1 operational status of noise producing equipment and throughput of the activity;

3.2 subjective descriptions of the sound at each location;

3.3 details of meteorological conditions relevant to the propagation of noise;

3.4 the equivalent continuous (L_{eq}) and L_1, L_{10}, L_{50}, L_{90} and L_{99} A-weighted sound pressure levels measured over a period of 10 minutes or an alternative time interval approved by the Director;

3.5 one-third octave spectra over suitably representative periods of not less than 1 minute; and

3.6 narrow-band spectra over suitably representative periods of not less than 1 minute.

4 A noise survey report must be forwarded to the Director within 30 days from the date on which the noise survey is completed.

5 The noise survey report must include the following:

5.1 the results and interpretation of the measurements required by these conditions;

5.2 a map of the area surrounding the activity with the boundary of The Land, measurement locations, and noise sensitive premises clearly marked on the map;

5.3 any other information that will assist with interpreting the results and whether the activity is in compliance with these conditions and EMPCA; and

5.4 recommendations of appropriate mitigation measures to manage any noise problems identified by the noise survey.

N4 Noise complaints

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

Operations

OP1 Hours of operation

1 Unless otherwise approved in writing by the Director, the landfill facility must not be open for the reception of waste outside the hours of 0700 hours to 1700 hours Monday to Friday and 0800 hours to 1200 hours on Saturday.

2 Notwithstanding subclause 1 of this condition, the activity must not be carried out on Sundays or public holidays that are observed statewide (Easter Tuesday excepted).

3 The hours of operation must be posted on a sign, which must be erected and maintained at the entrance to The Land.

4 Access to The Land must be through a gate that must be secured to prevent unauthorised access when The Land is unattended.

OP2 Site staff

1 While The Land is open for reception of waste, The Land must be attended by a person or persons whose duties must include supervising the management of waste deposition and ensuring compliance with these conditions.

2 Waste must not be received unless the person referred to in subclause 1 is satisfied that all the waste is inert waste.

OP3 Signage

1 Signs must be erected and maintained in legible condition to convey the following important operational and safety information:

1.1 all drivers are responsible for ensuring that remnant waste and mud are not carried onto public roads;

1.2 hours of operation and tipping fees (to be installed at the gate or gatehouse);

1.3 wastes that are accepted at the landfill;

1.4 items accepted for recycling and the locations within The Land where recyclable items should be deposited for collection / processing; and

1.5 contact staff / organisation and relevant telephone numbers to report any fire or other emergency on The Land.

OP4 Weed and Pathogen Management Plan

1 Unless otherwise approved in writing by the Director, the activity must be undertaken in accordance with the *Weed and Pathogen Management Plan, Porcupine Hill Quarry*, prepared by Treloar Transport, Version 1 dated 21 August 2018 ('Weed and Pathogen Management Plan 2018'), as submitted to EPA Tasmania, or in accordance with any subsequent revisions or alterations of that document as required and approved in writing by the Director.

2 The Weed and Pathogen Management Plan 2018, or any subsequent revisions or alterations of that document, must be consistent with the Weed and Disease Guidelines, or any subsequent revisions of that document.

OP5 Materials received for recycling

1 Materials received on The Land for recycling must not be disposed in the landfill except where the following circumstances exist:

1.1 materials have become contaminated and cannot be recycled; and

1.2 reasonable efforts have been made to remove the contamination; and

1.3 written approval has been received from the Director.

OP6 Waste capping

1 Unless otherwise approved by the Director areas to which intermediate cover has been applied must have final capping applied within 2 years unless further waste deposition occurs within 90 days.

2 Unless otherwise approved by the Director, final capping must comply with Table 5.1 of the *Landfill Sustainability Guide*.

OP7 Machinery washdown

Prior to entering The Land, machinery must be washed in accordance with the Weed and Disease Guidelines, or any subsequent revisions of that document.

OP8 Litter management

1 Measures must be implemented and maintained throughout the operational life of the landfill to control and monitor the escape of litter from The Land.

2 Litter control measures, for example mobile litter fences of sufficient height to capture airborne litter, must be employed around and close to active landfilling areas. Fences must be regularly cleared of litter in order to maintain their effectiveness (i.e. the fences must remain permeable to wind).

3 Waste compaction and covering must be carried out immediately after waste deposition if wind conditions are such that litter cannot be contained within the active landfill area.

Schedule 3: Information

Legal Obligations

LO1 EMPCA

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

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

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

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

1.2 *Explosives Act 2012* and subordinate regulations; and

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

LO3 Aboriginal relics requirements

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

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

LO4 Underground Storage Tanks

The operation and management of underground petroleum storage system must be in accordance with *Environmental Management and Pollution Control (Underground Petroleum Storage Systems) Regulations 2020.*

Other Information

OI1 Waste management hierarchy

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

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

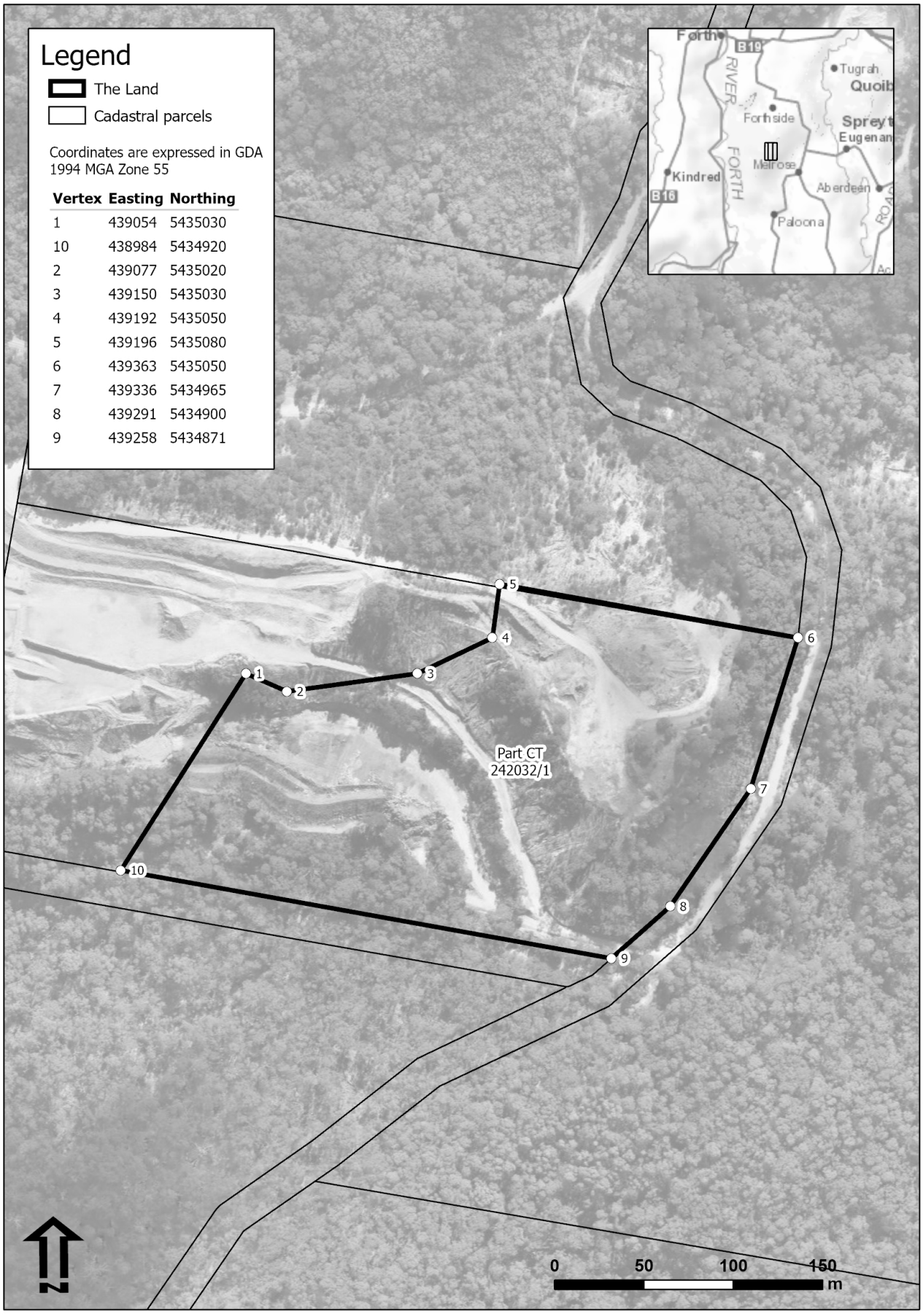
1.2 waste should be re-used or recycled to the maximum extent that is practicable; and

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

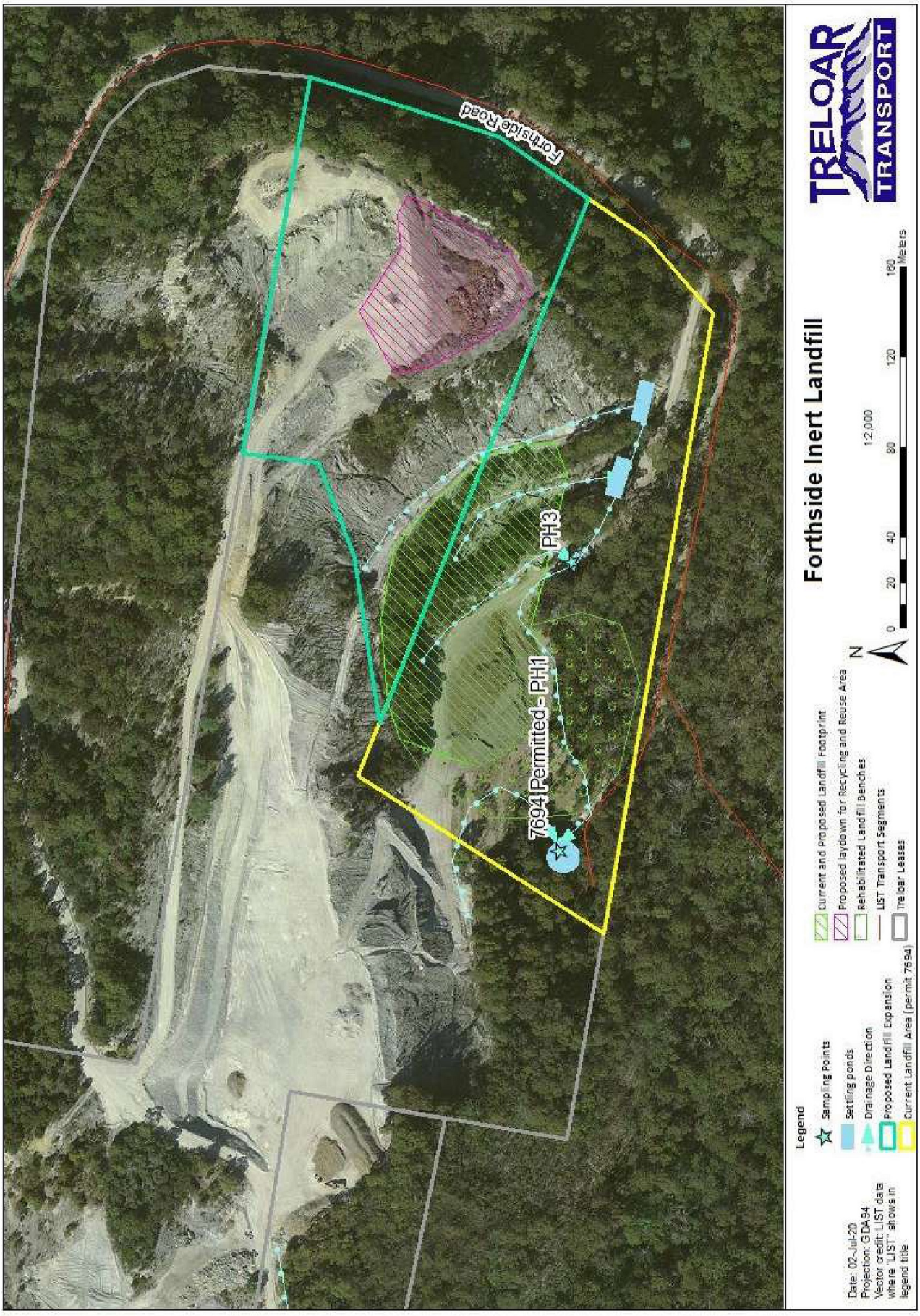
OI2 Notification of incidents under section 32 of EMPCA

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

Attachment 1: The Land



Attachment 2: Landfill site plan



ENVIRONMENT PROTECTION AUTHORITY