

Extractive industry Environmental Effects Report Guidelines for



Wacks Crushing Pty Ltd
Tewkesbury Quarry, Lot 2 Liapota Road,
Tewkesbury
October 2019

Instructions

Purpose of the Guidelines

These guidelines are to assist in preparing an Environmental Effects Report (EER) for an application or proposal referred to the Board of the Environment Protection Authority (the Board).

An EER provides information about the environmental impacts of the proposed activity and is used by the Board under the *Environmental Management and Pollution Control Act 1994* (the EMPC Act).

Where the proposal is subject to a permit under the *Land Use Planning and Approvals Act 1993* (LUPA Act), information required solely for the purpose of assessment under the relevant Planning Scheme should be supplied to Council either:

- as a separate response to an additional information request from Council under section 54 of the LUPA Act, where the planning application has commenced the environmental assessment process; or
- where it forms part of a combined planning and environmental effects report, distinguished from information supplied for the purpose of the Board's assessment.

Preparing an EER

The EER should be prepared using these guidelines. It should contain five parts as follows:

- Part A – information about the proponent
- Part B – information on the proposal, site and area
- Part C – information on potential environmental impacts
- Part D – description of proposed management measures
- Part E – information about any public consultation undertaken

Any other relevant information may be attached to the EER to support the application.

The EER and attachments must be typed, A4 sized and submitted both electronically (in a searchable format) and in hard copy.

All images in the EER must be of high quality, with text readily readable. For ease of comparison all maps, plans, and aerial photographs must be oriented in the same direction as far as practicable, and a north direction arrow and scale included. In the electronic version, all images must be capable of being readily copied and pasted into other documents such as a permit (e.g. all objects in images should be 'grouped').

Finally, the level of detail provided in the EER on each issue should be appropriate to the level of significance of that environmental issue to the proposal.

The issuing of the guidelines does not mean that other matters that may emerge as significant from environmental studies, public comments or otherwise during the preparation of the EER, should be excluded.

After the public consultation phase, additional information may be required in response to public and government agency submissions. This generally takes the form of a supplement to the EER.

Submission

The EER may be mailed, faxed, emailed or file shared to:

Chairperson
Board of the Environment Protection Authority
GPO Box 1550
HOBART TAS 7001
Email: assessments@epa.tas.gov.au

Commonwealth legislation

In addition to State Government requirements, the Commonwealth Government may also have a role in the environmental assessment and approval of the proposed activity. Commonwealth approval is required for an action which is likely to have a significant impact on a matter of national environmental significance or on Commonwealth land.

Information on the Commonwealth environmental legislation can be obtained on the internet at www.environment.gov.au/epbc/ or by calling 1800 803 772.

The EER should include a statement on whether or not Commonwealth approval is likely to be required.

EPA Tasmania Contact

For information about preparing an EER, the assessment and approvals process for level 2 activities and 'called-in' activities¹, and for general advice about air, water and noise pollution and land contamination:

EPA Tasmania

Telephone: (03) 6165 4599

Email: enquiries@epa.tas.gov.au

Website: www.epa.tas.gov.au

See Appendix A for other agency contacts which may be needed to address separate legislative requirements.

¹ 'called-in' activities mean Level 1 activities referred to the Board under Section 24 of EMPC Act or activities other than Level 1 or Level 2 referred to the Board under Section 27 of EMPC Act.

Content of EER

Part A – Proponent information

Complete the following table:

Name of proponent (entity and trading name)	<i>The entity name must be consistent with any intended or current permit application for the activity under the LUPA Act.</i>
Registered address of proponent	
Postal address of proponent	
ABN number	
ACN number (as relevant)	
Contact person's details	<i>Name Telephone number Email address</i>
Consultant engaged to prepare EER (as relevant)	<i>Name Telephone number Email address</i>

If a different entity will operate the quarry or extractive pit, provide similar details for that entity also.

If a consultant has been engaged to prepare the EER, provide the name and contact details of the consultant.

Part B – Proposal description

Where the proposal is subject to a permit application under the LUPA Act, the proposal description and specification of the site must be consistent with the intended or current permit application. Any works or activity that are for the purpose of the proposal (e.g. access works) must be included.

1. Overview of activity and site

Complete the following table. Provide text below the table if there is insufficient space.

Proposed activity	
New activity or intensification of existing activity	<i>State if it is an intensification of an existing activity or new activity, and provide written advice from Council as to whether a Planning Permit is required under the LUPA Act, if a planning application has not already been lodged.</i>
Material to be extracted	<i>Describe the product and forecast life of the activity.</i>
Maximum extraction quantity	<i>Provide in cubic metres and tonnes per year (briefly describe any seasonal variation). If it is an intensification, also provide the current extraction limit (cubic metres and tonnes per year).</i>

Maximum processing quantity	<i>Provide in cubic metres and tonnes per year (i.e. crushing, grinding, screening). If it is an intensification, provide the current processing (crushing/screening) limits (cubic metres and tonnes per year). Provide the loose bulk density.</i>
Material extraction and processing	<i>State the method(s) of material extraction and processing.</i>
Transport	<i>Describe the proposed transport route (can refer to Location Map, see below), vehicle types, number of vehicle movements (per day), and time of day of vehicle movements.</i>
Stockpiling	<i>State the materials that will be stockpiled on site.</i>
Area of disturbance	<p><i>State:</i></p> <ul style="list-style-type: none"> • <i>Maximum area of the site proposed to be disturbed (un-rehabilitated) at any given time (hectares).</i> • <i>Total area of land to be cleared over the life of the proposal (hectares).</i>
Major equipment	<i>List all existing and proposed plant and machinery (distinguish between existing and proposed).</i>
Infrastructure	<i>List the existing and proposed buildings, structures, access roads, internal haul roads etc. (can refer to the Site Plan, see below) (distinguish between existing and proposed).</i>
Proposal timeline	<i>State the key proposal timeline(s).</i>
Operating hours	<i>State the operating hours.</i>
Location and planning context	
Location	<i>State the address of the site, and CTs and PIDs (as applicable) for all titles on which the activity will take place.</i>
Land zoning and tenure	<i>Describe the land zoning and tenure of the site and surrounds. If rezoning of the site is required, provide details.</i>
Use Class and Permissibility	<i>If a permit is required under the LUPA Act, provide the Use Class of the proposed activity and Permissibility of the activity with reference to the relevant Planning Scheme.</i>
Mining lease (ML)	<i>Provide the ML reference number(s) and status (granted/applied for).</i>
Lease area	<i>State the size of the lease area(s).</i>
Description of existing site and surrounds	
Land Use	<i>Describe the land use of the site and surrounds, distance to the nearest residences in other ownership, and any nearby conservation reserves or recreation areas.</i>
Topography	<i>Describe the topography of the site and surrounds.</i>
Climate	<i>State the annual rainfall and predominant wind direction.</i>

Geology	<p><i>Describe the geology of the site, including the likelihood that potentially acid forming (PAF) material will be found on site.</i></p> <p><i>Describe any geoconservation values on or near the site, e.g. karst.</i></p>
Soils	<p><i>Describe the soils on site, including erodibility and dispersibility, and the potential to encounter acid sulphate soils and or contaminated soil (from past activities, as relevant).</i></p>
Hydrology	<p><i>Describe the waterbodies and aquatic values on site and in the surrounding area. State the distance from the activity to the nearest waterbody.</i></p>
Natural Values	<p><i>List the threatened fauna, flora and vegetation communities, including potential habitat for any such species, that are known to occur on, or near the site (use the Natural Values Atlas, TASVEG 3.0² or results of any relevant survey).</i></p> <p><i>State the vegetation types on and near the site.</i></p>

2. Site layout and development

Describe the site layout and planned development (staging) of the quarry or extractive pit, including description of proposed benching and development of infrastructure (internal road, drainage, sediment ponds etc.) (refer to the figures below as necessary).

The following figures are required:

- Location Map (1:25,000 or other suitable scale), showing the Mining Lease, the nearest residences in other ownership and residential zones within 1.5 km of the proposed activity and within the applicable attenuation distance³, and the transport route(s) to and from the activity.
- Map of The Land on which the activity will take place and its boundary; by means of mining lease, land title information, map coordinates or other. Note, the Land as defined by this figure must be consistent with the permit application submitted under the LUPA Act (as relevant), i.e. the Land cannot extend beyond the land titles referenced in the permit application. This figure may be combined with the Site Plan.
- Site Plan(s) showing:
 - boundary of site;
 - location of existing and proposed buildings/structures and plant and machinery;
 - location of product, overburden, soil, and waste stockpiles;
 - location and orientation of benches at key stages of development;
 - vegetation types, clearly marking areas to be cleared, and records of any threatened species/vegetation communities;
 - watercourses on and near the site;
 - site water management (drains, settling ponds, bunding etc. (see also Part C Issue 2)); and
 - monitoring points (as relevant).

² Both can be accessed on the internet at: <https://www.naturalvaluesatlas.tas.gov.au/>

³ Refer to relevant planning scheme or State Planning Provisions

3. Description of historic quarrying activity

- Provide brief details of any previous regulatory approvals, if known, (permit⁴, environment protection notice) relating to the historic quarrying.
- If known, provide the following in relation to the historic quarrying activity:
 - a summary of environmental monitoring results (if any);
 - a summary of public complaints regarding the activity (received by the activity operator and by regulatory authorities), if any;
 - details of breaches of conditions of current regulatory approvals (if any); and
 - details of contraventions of environmental law (if any).

Part C – Potential environmental impacts

General note

The following is required in the assessment of potential environmental impacts:

1. Air quality (Optional – include if residences are located within 3 times the relevant Quarry Code of Practice 2017 separation distance⁵)

- Description of the likely sources of dust, including from processing, stockpiles, traffic movements on and off the site, and other air emissions and the potential to create environmental nuisance or harm, taking into consideration:
 - Distance to nearest residences (refer to the Location Map), prevailing winds and other climatic factors;
 - Nature of the material excavated, method of excavation and processing/handling on site; and
 - Site layout (refer to the Site Plan).
- Describe any measures to reduce dust movement from the site such as watering or sealing of roads, covering of truck loads, reduced vehicle speed, road surfacing/maintenance details, enclosures, water sprays, windbreaks and revegetation/stabilisation.

2. Water quality (surface, discharge and groundwater)

- Description of management measures to control surface water, in particular sediment-laden stormwater, including details of drainage features (perimeter drains, cut-off drains, bunding etc.), settling pond(s) (location and capacity with reference to storm event⁶ and area of disturbed land) and discharge location. All features must be shown on the Site Plan (see Part B 2).
- Description of the potential impacts on the receiving environment (surface water, groundwater, drinking water, stock water, and irrigation as relevant).
- During the site visit it was indicated that washing of the crushed and screened material was likely to occur. Provide details of the proposed method(s), location of any equipment and infrastructure, nature of the effluent (estimated volume and characteristics), proposed treatment, monitoring (as relevant) and likely impact on the receiving environment (provide water quality data where available).

3. Noise emissions and blasting

⁴ Permit may also mean a former License to Operate a Schedules Premises.

⁵ Refer to the separation distance as defined in section 6.1.2 of the **Quarry Code of Practice**, 3rd Edition, 2017.

⁶ The capacity of the settling pond should be based on an appropriately sized storm event, as determined by site-specific characteristics. Settling pond calculations must be clearly justified in the EER. Site or similar quarry experience can be used to support calculations.

- Description of all noise sources, including the size and power rating for each main piece of equipment (e.g. crusher/screen, loader, excavator, haul truck, rock drill etc.).
- Description of the potential for the activity to create a noise nuisance, taking into consideration:
 - Site layout (refer to the Site Plan);
 - Distance to the nearest residences and other noise sensitive premises ⁷ (refer to the Location Map); and
 - Topography.
- Description of noise attenuation measures that will be implemented (as relevant).
- Provide details on the proposed blasting, including the likely blast charge, frequency of blast events (per year) and discussion of potential for blast effects (ground vibration and air-blast overpressure) to impact any residences within 1.3km of the mining lease boundary.
- Demonstrate that the *Quarry Code of Practice 2017* noise limits can be met at any residence located within 1.3km of the mining lease boundary.
- The following technical investigation must be provided:
 - A desktop assessment of estimated noise levels at any residential premises located within 1.3km of the mining lease boundary.
- The assessment is to take into consideration the sound power levels of all equipment on site, including haul trucks, crushing and screening equipment and drill rig, to demonstrate that the noise levels specified in the *Quarry Code of Practice 2017* will not be exceeded at any residence within 1.3km of the mining lease boundary.
- If an alternative noise limit is proposed this needs to be supported by measurements of the pre-existing noise environment.
- Investigations must be conducted by suitably qualified practitioners with demonstrated experience in the relevant field.

4. Waste

- Description of the solid and liquid waste that will be produced (e.g. overburden, Potentially Acid Forming material, metal and machinery service wastes, used oils, general refuse etc.), and the proposed methods for reuse, recycling, treatment and disposal.

5. Environmentally hazardous substances

- Details of the nature and quantity of environmentally hazardous substances (e.g. fuel, oil, diesel) that will be stored (permanently or temporarily, e.g. mobile refuelling) and or handled on site.
- Description of their storage method and location, and management measures to prevent their release and respond to accidental spills, e.g. provision of spill kits.
- Description of all dangerous goods⁸ and controlled wastes⁹ that will be present on the site, and how they will be managed.

⁷ ‘noise sensitive premise’ is defined as: 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.

⁸ Information on controlled waste identification and classification is available on the internet at:

<http://epa.tas.gov.au/regulation/identify-a-material-as-a-controlled-waste>

⁹ As defined in the *Australian Code for the Transport of Dangerous Goods by Road and Rail*.

6. Natural values

- Description and results of any natural values survey undertaken for the EER. The survey report must be appended to the EER.
 - If there are records (from the Natural Values Atlas and or TASVEG 3.0) of listed threatened flora/fauna species or threatened vegetation communities on or near the site, or if the site has potential habitat for any such species, a natural values survey is likely to be required. Surveys must comply with the requirements of the *Guidelines for Natural Values Assessments*¹⁰.
- Description of potential impacts to threatened fauna, flora and vegetation communities; taking into account:
 - Clearing or disturbing native vegetation and potential habitat for threatened species. Provide details of the vegetation and habitat values to be cleared or disturbed, and the area of vegetation to be affected, in hectares;
 - Movement, noise, or lights during sensitive avifauna breeding seasons;
 - Roadkill from vehicles¹¹;
- Description of management measures to mitigate adverse impacts to threatened fauna, flora and vegetation communities where they cannot be avoided. The *Survey Guidelines And Management Advice For Development Proposals That May Impact On The Tasmanian Devil (Sarcophilus harrisii)*¹² should be consulted to determine the need for roadkill management measures.
- Description of potential impacts to geoconservation sites (e.g. karst systems), aquatic or riparian environments and other natural values, and a description of management measures to mitigate such impacts, as relevant.

The Policy and Conservation Advice Branch (PCAB) made the following comments:

Threatened Flora

- There are no records, within five kilometres of threatened flora listed under the *Threatened Species Protection Act 1995* (TSPA) and/or *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA), although this is likely due to a lack of surveying in the area rather than a lack of suitable habitat.

Threatened Fauna

- The quarry site is within an area likely to be foraging and/or breeding habitat for the Tasmanian devil, listed as endangered under the TSPA and the EPBCA.
- The NOI states that the quarry operation on weekdays is proposed to be from 7am to 7pm which indicates the possibility of some night-time traffic to and from the quarry.
- If the proposal will generate an increase of night-time traffic on the nearest main access road (Liapota Road) of more than 10%; this is considered significant in regard to likely impacts on the Tasmanian devil (*Sarcophilus harrisii*).
- It is recommended that roadkill mitigation measures be implemented in accordance with the *Tasmanian Devil Survey Guidelines and Management Advice for Development Proposals* (the Devil Guidelines) available at:
<http://dipwwe.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments>.

¹⁰ Available on the internet at: <http://dipwwe.tas.gov.au/conservation/publications-forms-and-permits/forms-and-permits/development-planning-conservation-assessment-guidelines>.

¹¹ Information in relation to roadkill risk for Tasmanian Devils can be found at:
<http://dipwwe.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>

¹² Available on the internet at:
<https://dipwwe.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>

- The forested ridge on the north-east side of the mining lease is modelled as high suitability for wedge-tailed eagle nests. As such, PCAB recommends the proponent organise to have an eagle nest survey undertaken to determine if any nests are present within 1 km of the quarry site. If there are any nests recorded during the survey that are within 500 m or 1 km line of sight from the quarry operation, it is recommended PCAB is contacted for further advice.

7. Weeds, pests and pathogens

- List the weeds, pests and pathogens known to occur, or likely to occur, on or near the site. Describe the potential for migration of weeds and diseases to and from the site, and within the site, and the proposed management measures, as relevant.

The Policy and Conservation Advice Branch (PCAB) made the following comments:

- It is recommended that strict hygiene procedures be implemented as part of the day to day operations of the quarry in order to minimise the transportation of weed propagules in quarry material or attached to vehicles or machinery.
- Information about practical hygiene measures to implement can be found in Appendix 1 of the [DPIPWE \(2015\) Weed and Disease Planning and Hygiene Guidelines - Preventing the spread of weeds and diseases in Tasmania](#).

8. Environmental Impacts of Traffic

- Description of the potential for transport to and from the site to cause a noise nuisance to residences and other noise sensitive premises in proximity to the Land, taking into account the type, volume and time of transport.
- Description of the potential to cause a dust nuisance as a result of transport along gravel roads in proximity to the Land.

9. Monitoring

- Description of proposed environmental monitoring and reporting. Show all proposed monitoring points on the Site Plan (see Part B).

10. Decommissioning and rehabilitation

- Description of decommissioning and rehabilitation in the event of cessation of the activity, including final land use.
- Description of progressive rehabilitation on site, with reference to the staged development of the quarry/excavation pit (refer to the Site Plans as relevant).

Part D – Summary of proposed management measures

- All management measures must be numbered and summarised in a Table in this section (example provided below). They must be written as specific, unambiguous measures for avoiding, minimising and managing the potential environmental impacts identified in Part C above.

Management measures

No.	Proposed measure	Timeframe
1	<i>A sediment settling pond capable of containing runoff from a 24 hour 1-in-20 year storm event as described in Part C, paragraph 2.6 [of the EER].</i>	<i>At least 30 days prior to commencement of operations.</i>
2	<i>Develop a solid waste management plan as described in Part C, paragraph 8.4 [of the EER].</i>	<i>Within three months of approval and prior to treatment or removal of any waste.</i>

3	<i>Construct a noise attenuation barrier as described in Part C, paragraph 9.2 [of the EER].</i>	<i>At least 30 days prior to commencement of operations.</i>
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Part E – Public and stakeholder consultation

- Description of consultation with other government agencies, community groups or neighbours that has taken place, or details of any intended consultation that will take place.

A Guide to Community Engagement is available on the EPA's website at <https://epa.tas.gov.au/assessment/assessment-process/guidance-documents>

Appendix A: Other issues and agency contacts

In addition to a permit under the LUPA Act and the EMPC Act, there may be other legal requirements to allow your proposal to proceed. These may include other permits, licences or landowner consent. You may also need to contact other Government agencies to obtain information for the purpose of assessment under the LUPA Act or the EMPC Act. The following list identifies some of the key agencies you may need to contact.

Note: your proposal may be referred to other agencies in the process of preparing guidelines. Should assessments or approval outside of the Board's responsibilities be required, the respective agency will engage with you to progress them..

Natural values including flora, fauna, and geoconservation values, or permits to deal with threatened species:

Policy and Conservation Advice Branch

Telephone: (03) 6165 4416

Email: conservationassessments@dpiwve.tas.gov.au

Website: www.dpiwve.tas.gov.au

Historic cultural heritage, including State-level site listings, impacts and permits as required under the Historic Cultural Heritage Act 1995:

Heritage Tasmania

Telephone: (03) 6165 3700

Email: enquiries@heritage.tas.gov.au

Website: www.heritage.tas.gov.au

Note: Where works are proposed in or in close proximity to a heritage place entered on the Tasmanian Heritage Register or likely to be of heritage significance to the whole of Tasmania, and a permit is required under the *Land Use Planning and Approvals Act 1993*, the proposal will be referred to Heritage Tasmania by the planning authority. There may also be additional sites listed under local planning schemes, impacts on which are assessed by the relevant planning authority.

Aboriginal heritage, including desktop assessment, artefact survey requirements, permits:

Aboriginal Heritage Tasmania

Telephone: (03) 6165 3152

Email: aboriginal@heritage.tas.gov.au

Website: <http://www.aboriginalheritage.tas.gov.au>

Note: the proposal will be referred to Aboriginal Heritage Tasmania (AHT) on referral to the Board. If assessments or approvals outside of the Board's responsibilities are required, it is your responsibility as the proponent to engage with AHT to progress them.

AHT provided the following comments:

Aboriginal Heritage Tasmania (AHT) has completed a search of the Aboriginal Heritage Register (AHR) regarding the proposed quarry at Liapota Road, Tewkesbury, and can advise that there are no Aboriginal heritage sites recorded within or close to the property. Due to a review of previous reports and the existing forestry coupe on

the property, it is believed that the area has a low probability of Aboriginal heritage being present.

Accordingly there is no requirement for an Aboriginal heritage assessment and AHT have no objection to the project proceeding provided all works are guided by the Unanticipated Discovery Plan.

Please be aware that all Aboriginal heritage is protected under the *Aboriginal Heritage Act 1975*. If at any time during works you suspect Aboriginal heritage, cease works immediately and contact AHT for advice. Attached is an Unanticipated Discovery Plan, which you should have on hand during ground disturbing works, to aid you in meeting your requirements under the Act.

Parks and reserves, including where any proposal may impact on land managed by Parks & Wildlife:

Parks and Wildlife Service

Telephone: 1300 827 727

Website: www.parks.tas.gov.au and www.thelist.tas.gov.au

Crown land, including where any proposal may impact on land owned by the Crown:

Crown Land Services

Telephone: (03) 6233 6413

Email: cls.enquiries@dpipwe.tas.gov.au

Website: www.parks.tas.gov.au

State roads, including where any proposal requires works on or access from a State-managed road asset:

State Roads

Telephone: (03) 6166 3369

Email: permits@stategrowth.tas.gov.au

Website: www.transport.tas.gov.au

Mining leases:

Mineral Resources Tasmania

Telephone: (03) 6165 4800

Email: info@mrt.tas.gov.au

Website: www.mrt.tas.gov.au

Works impacting natural waterway flow, e.g. dams or fords:

Water Management and Assessment Branch

Telephone: (03) 6165 3222

Email: Water.Enquiries@dpipwe.tas.gov.au

Website: www.dpipwe.tas.gov.au/water