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**PERMIT PART B**  
**PERMIT CONDITIONS - ENVIRONMENTAL No. 9552**

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

Activity:           **The operation of a quarry (ACTIVITY TYPE: Crushing, grinding, milling or separating into different sizes (rocks, ores or minerals))**  
**MOUNT CALDER QUARRY, RA188 MONTGOMERYS RD**  
**RUNNYMEDE TAS 7190**

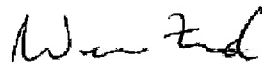
The above activity has been assessed as a level 2 activity under the *Environmental Management and Pollution Control Act 1994* under delegation from the Board of the Environment Protection Authority.

Acting under Section 25(5)(a)(i) of the EMPCA, the Board of the Environment Protection Authority has required that this Permit Part B be included in any Permit granted under the *Land Use Planning and Approvals Act 1993* with respect to the above activity.

Municipality:                   **GLAMORGAN/SPRING BAY**  
Permit Application Reference: **2016/121**  
EPA file reference:           **244054**

Date conditions approved:    17 October 2016

Signed:



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DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

## DEFINITIONS

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

## ENVIRONMENTAL CONDITIONS

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

## INFORMATION

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

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## *Attachments*

Attachment 1: The Land (modified: 05/10/2016 12:15)..... 1 page  
Attachment 2: Commitments (modified: 05/10/2016 12:39)..... 1 page

## Schedule 1: Definitions

In this Permit Part B:-

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

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

**Authorized Officer** means an authorized officer under section 20 of EMPCA.

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

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

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

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

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

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

**Quarry Code Of Practice** means the document of this title published by the Department of Primary Industries, Water and Environment and the Department of Infrastructure, Energy and Resources in June 1999, and includes any subsequent versions of this document.

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

**The Land** means the land on which the activity to which this document relates may be carried out, and includes: buildings and other structures permanently fixed to the land, any part of the land covered with water, and any water covering the land. The Land falls within the area defined by:  
1 Mining lease 1989P/M which is contained within certificates of title 166623/1 and 167013/1; and  
2 As further delineated in Attachment 1.

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

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

## Schedule 2: Conditions

### Maximum Quantities

#### **Q1 Regulatory limits**

- 1 The activity must not exceed the following limits (annual fees are derived from these figures):
  - 1.1 20,000 cubic metres per year of rocks, ores or minerals processed.
  - 1.2 32,000 tonnes of rocks, ores or minerals processed.

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

**G7 Quarry Code of Practice**

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

**Atmospheric****A1 Covering of vehicles**

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

**A2 Control of dust emissions**

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

**Blasting****B1 Blast Management Plan**

- 1 Within three months of the date on which these conditions take effect, or by a date specified in writing by the Director, and prior to any blasting on The Land, a blast management plan must be submitted to the Director for approval.
- 2 Without limitation, the plan must include details of the following:
  - 2.1 Name and qualifications of the blasting contractor(s).
  - 2.2 Location(s) of intended blasts.
  - 2.3 Likely impacts beyond the boundary of The Land and within 1km of The Land and how these will be mitigated.
  - 2.4 Typical blast procedure, including how incidents will be reported and who must be notified about blasts.
  - 2.5 Blast risk assessment, showing how environmental nuisance to sensitive receptors beyond the boundary of The Land and within 1km of The Land will be mitigated.
  - 2.6 A monitoring program for air blast overpressure and ground vibrations.
- 3 The person responsible must not conduct any blasting unless in accordance with an approved blasting plan.

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

## **B2 Blasting times**

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

## **Decommissioning And Rehabilitation**

### **DC1 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.

### **DC2 Stockpiling of surface soil**

Prior to commencement of extractive activities on any portion of The Land, surface soils must be removed in that portion of The Land to be disturbed by the conduct of the activity and stockpiled for later use in rehabilitation of The Land. Topsoil must be kept separate from other overburden and protected from erosion or other disturbance.

### **DC3 Progressive rehabilitation**

Worked out or disused sections of The Land must be rehabilitated concurrently with extractive activities on other sections of The Land. Progressive rehabilitation must be carried out in accordance with the relevant provisions of the *Quarry Code of Practice*, unless otherwise approved in writing by the Director. The maximum disturbed area of land which may remain, at any time, without rehabilitation is 1.5 hectares.

### **DC4 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.



**DC5   DRP requirements**

Unless otherwise approved in writing by the Director, a Decommissioning and Rehabilitation Plan (DRP) for the activity must be submitted for approval to the Director within 90 days of the Director being notified of the planned cessation of the activity or by a date specified in writing by the Director. The DRP must be prepared in accordance with any guidelines provided by the Director.

**Effluent Disposal****E1   Perimeter drains**

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

**E2   Stormwater**

- 1   Polluted stormwater that will be discharged from The Land must be collected and treated prior to discharge to the extent necessary to prevent serious or material environmental harm, or environmental nuisance.
- 2   Notwithstanding the above, all stormwater that is discharged from The Land must not carry pollutants such as sediment, oil and grease in quantities or concentrations that are likely to degrade the visual quality of any receiving waters outside the Land.
- 3   All reasonable measures must be implemented to ensure that solids entrained in stormwater are retained on The Land. Such measures may include appropriately sized and maintained sediment settling ponds or detention basins.
- 4   Stormwater discharged in accordance with this condition must not be directed to sewer without the approval of the operator of the sewerage system.

**E3   Maintenance of settling ponds**

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

**Flora And Fauna****FF1   Flora and fauna survey**

- 1   Unless otherwise approved in writing by the Director, a maximum of six months prior to scheduled removal of any standing vegetation or stripping of soil and overburden to expand the Activity, the person responsible must conduct a flora and fauna survey.
- 2   As a minimum the survey:
  - 2.1   Must comply with the requirements specified in the document *Guidelines for Natural Values Assessments* published by the Department of Primary Industries, Parks, Water and Environment; and
  - 2.2   Must be carried out to the satisfaction of the Director.

- 3 A report containing the results of the survey must be submitted to the Director to review and approved in writing by the Director prior to any clearing of standing vegetation or stripping of soil and overburden to expand the Activity.

## **FF2 Washdown Guidelines**

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

## **Hazardous Substances**

### **H1 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 located 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 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 to assist with the containment of spilt environmentally hazardous materials.

## **Noise Control**

### **N1 Operating hours**

- 1 Unless otherwise approved in writing by the Director, activities associated with the extraction of rock, gravel, sand, clay or minerals, and loading of product, and screening/crushing, and cartage of product must not be undertaken outside the hours of 0800 hours to 1700 hours Monday to Friday and 0900 hours to 1600 hours on Saturdays.
- 2 Notwithstanding the above paragraph, activities must not be carried out on public holidays that are observed Statewide (Easter Tuesday excepted).

## **Operations**

### **OP1 Weed management**

The Land must be kept substantially free of weeds to minimise the risk of weeds being spread through the transport of products from The Land.

### 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 The *Aboriginal Relics Act 1975*, provides legislative protection to Aboriginal heritage sites in Tasmania regardless of site type, condition, size or land tenure. Section 14(1) of the Act states that; Except as otherwise provided in this Act, no person shall, otherwise than in accordance with the terms of a permit granted by the Minister on the recommendation of the Director of National Parks and Wildlife:
  - 1.1 destroy, damage, deface, conceal or otherwise interfere with a relic;
  - 1.2 make a copy or replica of a carving or engraving that is a relic by rubbing, tracing, casting or other means that involve direct contact with the carving or engraving;
  - 1.3 remove a relic from the place where it is found or abandoned;
  - 1.4 sell or offer or expose for sale, exchange, or otherwise dispose of a relic or any other object that so nearly resembles a relic as to be likely to deceive or be capable of being mistaken for a relic;
  - 1.5 take a relic, or permit a relic to be taken, out of this State; or
  - 1.6 cause an excavation to be made or any other work to be carried out on Crown land for the purpose of searching for a relic.
- 2 If a relic is suspected and/or identified during works then works must cease immediately and the Tasmanian Aboriginal Land and Sea Council and the Aboriginal Heritage Tasmania be contacted for advice before work can continue. In the event that damage to an Aboriginal heritage site is unavoidable a permit under section 14 of the *Aboriginal Relics Act 1975* must be applied for. The Minister may refuse an application for a permit, where the characteristics of the relics are considered to warrant their preservation.
- 3 Anyone finding an Aboriginal relic is required under section 10 of the Act to report that finding as soon as practicable to the Director of National Parks and Wildlife or an authorized officer under the *Aboriginal Relics Act 1975*. It is sufficient to report the finding of a relic to Aboriginal Heritage Tasmania to fulfil the requirements of section 10 of the Act.

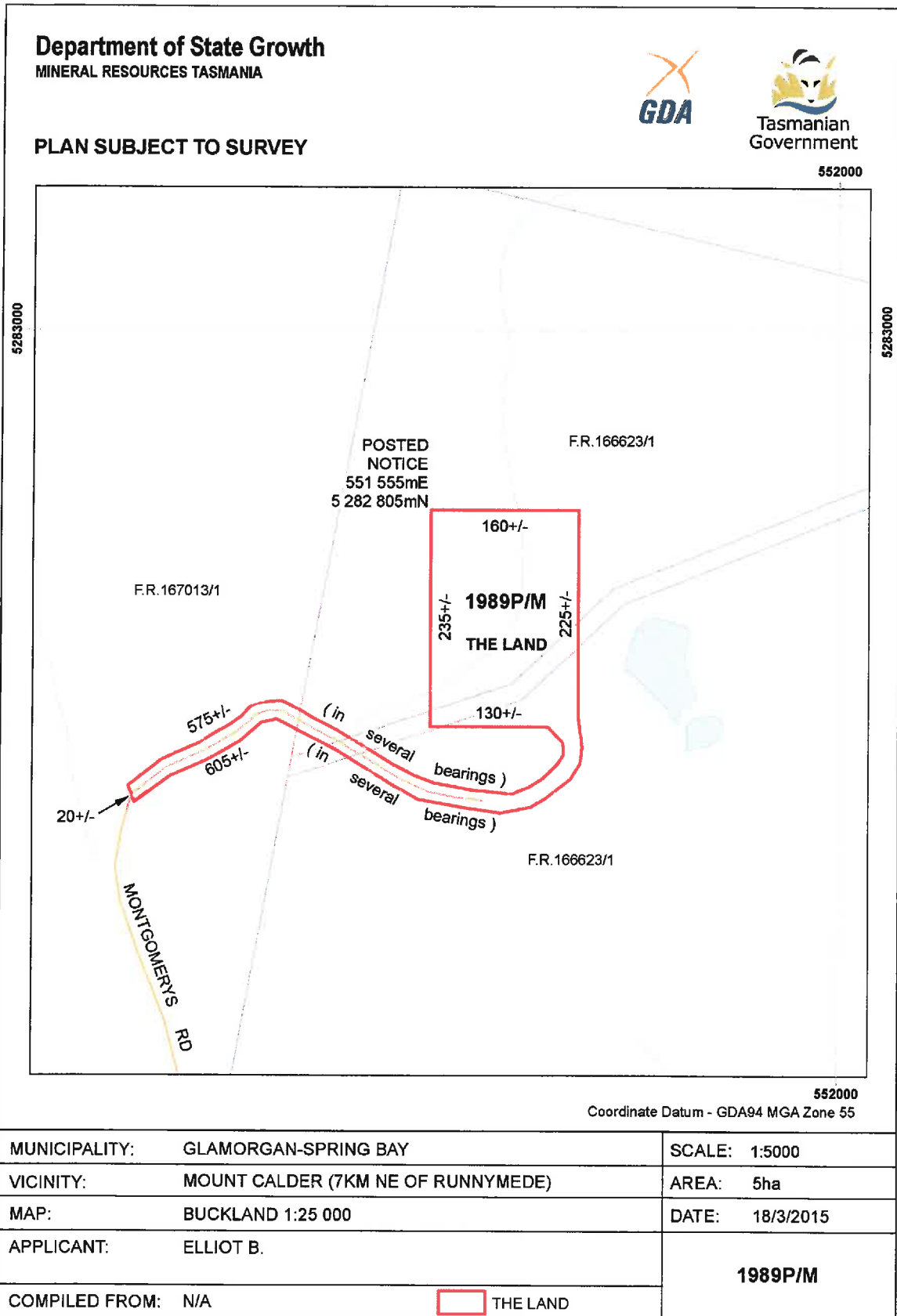
**Other Information****OI1 Commitments**

The person responsible for the activity has a general environmental duty to conduct the activity in accordance with the commitments contained in Attachment 2.

**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: Commitments

TABLE OF COMMITMENTS BY APPLICANT – BRYDEN ELLIOT–  
MOUNT CALDER QUARRY, RUNNYMEDE

<b>Commitment type &amp; no.</b>	<b>Detail</b>	<b>When</b>
<b>Quarry access</b>		
1	Construction of six passing bays along Montgomery's Rd.	Within 12 months of permit taking effect
2	Bitumen seal Montgomery's Rd at the front of B Montgomery residence.	Within one month of permit taking effect
3	Upgrade private road on 4 Montgomery's Rd property.	Within one month of permit taking effect
<b>Flora and fauna</b>		
4	Undertake test tree planting project on 4 Montgomery's Rd along upgraded private road	End of 2016
<b>Rehabilitation</b>		
5	Completion of V-drain and rehabilitation of quarry north wall	Within 24 months of permit taking effect