

TASMANIAN PLANNING COMMISSION

Draft Planning Directive No. 11

Application of the Attenuation Code - King Island

Report to the Minister under section 12(5) of the
former provisions of the *Land Use Planning and
Approvals Act 1993*

April 2024

Executive Summary

1. In July 2023, the Tasmanian Planning Commission (the Commission) received a draft planning directive from Group 6 Metals Limited to apply the Attenuation Code provisions of the State Planning Provisions (SPPs) Attenuation Code to the Dolphin Tungsten Mine at Grassy, King Island.
2. Group 6 Metals Limited requested that the Commission recommend to the then Minister for Planning, the Hon. Michael Ferguson (the former Minister), that the draft planning directive be assessed and implemented as an interim planning directive.
3. In July 2023, the Commission provided a copy of draft Planning Directive No. 11 - Application of the Attenuation Code - King Island (the draft PD) and its recommendation to the former Minister.
4. In August 2023, the former Minister advised that he had accepted the Commission's recommendation that the draft PD should be assessed and that it should become an interim planning directive.
5. Under section 11(1) of the former provisions of the *Land Use Planning and Approvals Act 1993* (the Act), the former Minister directed the Commission to undertake an assessment of the draft PD.
6. As an interim measure, the former Minister issued Interim Planning Directive No. 8 - Application of the Attenuation Code - King Island (IPD8), which became effective on 11 August 2023. IPD8 applies the same provisions as the draft PD.
7. The former Minister provided the Commission with a copy of the revised draft PD, which clarifies that the spatial extent of the attenuation area for the Dolphin Tungsten Mine at Grassy (the mine) is measured 2,000m from the lot boundary. A copy of IPD8 was also provided.
8. The draft PD applies to the King Island Interim Planning Scheme 2013.
9. The draft PD was exhibited from 11 October to 23 November 2023. Three submissions were received. A hearing was held on 20 March 2024.
10. Group 6 Metals Limited considered that applying the Attenuation Code would assist in reducing the potential for an unreasonable loss of amenity or health and safety to existing sensitive uses. It further considered that the Attenuation Code would provide standards to minimise the likelihood for new sensitive uses to conflict with, interfere with, or constrain the mine.
11. The Commission considers that the draft PD furthers the objectives of the Act as set out in Schedule 1 by applying a planning mechanism to minimise land use conflict near an operating mine.
12. The Commission considers that the impacts to residential amenity associated with the mine will be adequately assessed under the Attenuation Code and the proposed attenuation area extending to 2,000m from the mine title boundary is appropriate.
13. The Commission notes the concerns of the representors and considers that the matters raised primarily relate to how the provisions in the Attenuation Code will operate.
14. If the Minister for Planning (the Minister) the Hon. Felix Ellis issues the draft PD as a Planning Directive, the Commission notes that representors, community members and

representatives of the mine will be able to discuss the Code's operation with the planning authority at any point, including when development applications that require assessment against the Code provisions have been submitted. The Commission further notes that the Attenuation Code will apply when the TPS - King Island becomes effective.

15. The Commission considers that the draft PD is in order. The Commission recommends that the Minister issue the draft PD.

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1.0 Introduction

1.1 Background

In July 2023, the Tasmanian Planning Commission (the Commission) received a draft PD directive from Group 6 Metals Limited to apply the provisions of the SPP Attenuation Code to the Dolphin Tungsten Mine at Grassy, King Island (the mine). Group 6 Metals Limited requested that the Commission recommend to the then Minister for Planning, the Hon. Michael Ferguson (the former Minister), that the draft PD be assessed and implemented as an interim planning directive.

In August 2023, the former Minister directed the Commission to undertake an assessment of the draft PD under section 11(1)(a) of the former provisions¹ of the *Land Use Planning and Approvals Act 1993* (the Act).

As an interim measure, the former Minister issued Interim Planning Directive No. 8 - Application of the Attenuation Code - King Island (IPD8) under section 12A(2)(a) of the Act. IPD8 became effective on 11 August 2023. The draft PD applies to the King Island Interim Planning Scheme 2013.

IPD8 applies the provisions of the draft PD at the same time as the draft PD is being assessed. The interim measure is effective for a 12-month period or until the draft PD takes effect, or the Minister for Planning (the Minister), the Hon. Felix Ellis revokes it, whichever occurs first.

The draft PD seeks to apply the Attenuation Code provisions of the SPPs. The purpose of the Attenuation Code is to minimise adverse impacts and conflict between sensitive uses and, in this case, the mine.

The Commission delegated the assessment of the draft PD to a Panel. The draft PD was placed on public exhibition and 3 submissions were received. A hearing was held in Hobart and Currie via MS Teams on 20 March 2024.

Supporting documents provided by Group 6 Metals Limited stated that the intent of the draft PD was to bring the Attenuation Code into effect before the Tasmanian Planning Scheme - King Island (TPS - King Island) is effective, as the mine is operating.

Group 6 Metals Limited considered that applying the Attenuation Code would assist in reducing the potential for an unreasonable loss of amenity or health and safety to existing sensitive uses. It further considered that the Attenuation Code would provide standards to minimise the likelihood for new sensitive uses to conflict with, interfere with, or constrain the mine.

¹ References in this report to former provisions of the Act are references to the Act as defined in Schedule 6 - Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*.

1.2 Assessment Process

1.2.1 Legislative power

Part 2A of the former provisions of the Act provides for assessment and issuing of planning directives, and the issuing of interim planning directives.

Section 12A(2)(a) provides that the Minister may issue an interim planning directive in the terms of a draft PD. The Minister may only issue an interim planning directive if a direction is also issued to the Commission to undertake an assessment of the draft PD under section 11. Before undertaking the assessment, the Commission must publish a notice, write to planning authorities and State Service Agencies likely to be affected and seek representations [section 12(2)].

As part of the assessment, section 6 of the *Tasmanian Planning Commission Act 1997* requires that the Commission must perform its functions and exercise its powers in a manner that furthers the objectives of the Resource Management and Planning System.

1.2.2 Delegation

On 4 September 2023, the Commission delegated relevant powers and functions under the current and former provisions of the Act and the *Tasmanian Planning Commission Act 1997* to Claire Hynes and Rohan Probert, jointly and severally, to assess the draft instruments, and report to the Minister with recommendations.

1.2.3 Public exhibition

The draft PD was publicly exhibited from 11 October to 23 November 2023. A notice in the Mercury, Examiner and Advocate newspapers providing an invitation to make representations was published on 11 October 2023. A notice in the King Island Courier was published on 19 October 2023. The Commission also wrote to planning authorities and relevant State Agencies advising them of the public exhibition period.

A copy of the exhibited draft PD can be found in Appendix 1.

Three representations were received during the exhibition period. A list of representors can be found in Appendix 2.

1.2.4 Hearings

The Commission held a hearing into the representations at the Commission's office in Hobart and the King Island Council office in Currie via MS Teams on 20 March 2024.

1.2.5 Report to the Minister

The Commission must provide a report to the Minister on its findings and recommendations on whether the planning instrument should be issued under section 12(5) of the Act.

2.0 Assessment of the draft instruments

2.1 Hearing

A hearing was held on 20 March 2024. The following parties were in attendance:

- Ms Robyn Barwick - Development Services Coordinator, King Island Council
- Mr Robert Ball - Acting General Manager, King Island Council
- Mr Marcus Blackie - Mayor, King Island Council
- Ms Claire Wolf - Senior Planning Advisor, State Planning Office
- Mr Evan Boardman - E3 Planning on behalf of Group 6 Metals Limited

Submissions were made at the hearing by Ms Barwick, Mr Blackie, Ms Wolf and Mr Boardman. The Commission and parties discussed the merit of the representations, and the application and content of the draft PD. The information from the hearing and the Commission's consideration on these matters are outlined below.

2.2 Representations

Three representations were received that raised concerns predominantly relating to an assumption that landowners would be disadvantaged from having the Code's attenuation area overlay (the overlay) applied to their properties.

Other concern raised included the data relied upon to determine the spatial extent of the overlay.

These matters were discussed at the hearing and are summarised below.

2.2.1 Application of the Attenuation Code

At the hearing, Ms Robyn Barwick was asked how the application of the provisions in the SPP Attenuation Code had impacted the assessment of development applications to date. Ms Barwick advised that since IPD8 came into effect, no development applications requiring consideration under the Code had been received. She advised that at this stage, it was hard to know what effect the draft PD would have on future development applications.

At the hearing, the planning authority identified that the Attenuation Code would apply to both Grassy landowners wishing to develop their properties and to the mine. That is, in addition to provisions that regulate sensitive uses within the Code's attenuation area, the Code also contains provisions that require the mine to not have an unreasonable impact on the health and safety or amenity of sensitive uses within the Code's attenuation area.

The representations raised concern that the introduction of the Code would disadvantage residents of Grassy by restricting their ability to enjoy, use and develop their properties, and that growth of the town would be constrained as a result. They submitted that tourism and the long-term employment it provides, would be restricted. They submitted that as the mine was already operational, the introduction of the Code was happening retrospectively and lacked procedural fairness.

Commission findings

The Commission is mindful that it is often difficult to communicate planning scheme changes and the potential impacts they may have to members of the community. However, the

Commission notes that it is a policy position of the State Government that all municipalities in Tasmania will operate under the Tasmanian Planning Scheme (TPS).

While the draft PD will impose additional planning provisions upon property within the area to which it applies, the Commission notes that those provisions will not only apply to property within (and around) Grassy, but also to the mine itself, and that the provisions are broadly intended to minimise land use conflict between the mine and nearby properties.

The provisions in the Attenuation Code forms part of the TPS, which has been previously publicly exhibited. Irrespective of the draft PD, the Code will apply on King Island when the Local Provisions Schedule is approved and becomes effective.

The Commission considers that the draft PD is appropriate for the area as it applies to an operating mine. Without the draft PD in place and until the LPS becomes effective, there would be limited capacity for the planning authority to consider impacts that the mine may have on the health, safety and residential amenity of nearby sensitive uses, and limited capacity to consider the ability for sensitive uses to constrain the mine's operation.

Recommendation

That the Minister issues the draft PD as drafted.

2.2.2 Extent of the Attenuation area overlay

Concern was raised in the representations and at the hearing regarding the spatial extent of the overlay as it applied to all land within 2,000m of the title boundary of the mine, and that the overlay included the entire township of Grassy.

At the hearing, Mr Marcus Blackie also expressed concern regarding the overlay's extent and the potential impact of the draft PD's provisions upon Grassy properties, particularly those along the southern edge of the township closest to the mine. Mr Blackie also submitted that there is a significant vertical separation between the town and the mine which assists in mitigating impacts caused by the mine's operation.

Ms Claire Wolf advised that there are two ways in which the Attenuation Code can be applied - either through Table C9.1, which lists the attenuation distance for certain activities, or by mapping an area. She advised that if mapping reduced the attenuation distance listed in Table C9.1, it would need to be justified by expert evidence to determine its suitability.

Ms Barwick advised that the planning authority was not able to engage a consultant to provide expert evidence in reducing the attenuation distance.

At the hearing, Mr Evan Boardman advised that noise, dust, blasting, air quality and visual impact are all potential impacts that the mine may have upon the town. The entire township of Grassy is within 700m of the title boundary of the mine. Mr Boardman further advised that the mine monitors these impacts and provides regular reports that are available to the public and may assist landowners with future development applications. Mr Boardman submitted that introduction of the draft PD would produce greater consistency in the application of attenuation provisions across the state.

Commission findings

The Commission notes that Table C9.1 of the Attenuation Code within the SPPs details attenuation distances for various activities and that the attenuation distance for an open cut mine that is a Level 2 activity is 2000m. The Commission also notes that due to being a part of the SPPs, the Attenuation Code will apply to all of Tasmania following completion of the LPS process. The Commission further notes that the policy setting, and provisions of the

Attenuation Code have previously been subjected to a public hearing and assessment process when the SPPs were first assessed and approved with the approval of the TPS in March 2017. The Commission therefore considers that the application of the attenuation distance based on Table C9.1 is appropriate.

Recommendation

That the Minister issues the draft PD as drafted.

2.3 State Policies and Schedule 1 Objectives of the Act

2.3.1 State Policies

State Policies are established under the *State Policies and Projects Act 1993*. The status of a State Policy lies between that of an Act and a planning scheme, with the latter being a significant mechanism for implementing States Policies. It is a statutory requirement that planning schemes are prepared in accordance with State Policies that are in effect when a scheme is prepared.

The State Policies are:

- *State Coastal Policy 1996;*
- *State Policy on Water Quality Management 1997;*
- *State Policy on the Protection of Agricultural Land 2009; and*
- *National Environment Protection Measures (NEPMs).*

As the policy setting and provisions of the Attenuation Code within the SPPs have previously been subjected to a public hearing and assessment process when the SPPs were first assessed and approved, the Commission finds that the introduction of the draft PD is consistent with the State Policies.

2.3.2 Schedule 1 Objectives of the Act

Planning directives are within the framework of the Resource Management and Planning System (RMPS). The obligations under the Act are to seek to further the objectives of the RMPS as set out in Schedule 1 of the Act.

The Commission considers that the draft PD furthers the objectives of the Act as set out in Schedule 1 by applying a planning mechanism to minimise land use conflict near an operating mine. Also, the Commission finds again, that as the policy setting and provisions of the Attenuation Code within the SPPs have previously been subjected to a public hearing and assessment process when the SPPs were first assessed and approved, the introduction of the draft PD furthers the objectives of the Act.

3.0 Conclusion

After considering the representations and information obtained at the hearing and via submissions, the Commission is satisfied that the draft PD is in order.

The Commission recommends that the Minister issues the draft PD (as drafted) as Planning Directive No. 11 in accordance with sections 13(1)(a) and 13(4) of the former provisions of the Act.

Appendices

Appendix 1 - Exhibited directive

Planning Directive No. 11

Application of Attenuation Code - King Island

This planning directive has been issued by the Minister for Planning under section 13(1) of the former provisions of the *Land Use Planning and Approvals Act 1993* (the Act)¹ and came into effect on [insert date].

¹ References to provisions of the *Land Use Planning and Approvals Act 1993* (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The former provisions apply to a planning scheme that was in force prior to the commencement day of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The commencement day was 17 December 2015.

Version	Issue date	Effective date	Description
1.0			

1.0 Citation

- 1.1 This planning directive may be cited as Planning Directive No. 11 – Application of Attenuation Code – King Island .

2.0 Application

- 2.1 This planning directive applies to the following planning schemes that have been declared or made under the *Land Use Planning and Approvals Act 1993* (the Act):

(i) *King Island Interim Planning Scheme 2013*.

3.0 Effect of this planning directive

- 3.1 A planning scheme to which this planning directive applies must contain:

- (i) the provisions set out in Attachment 1; and
- (ii) an overlay map for the purposes of the Attenuation Code – King Island showing an attenuation area as set out in Figure E11.3.1 in Attachment 1.

4.0 Commencement

- 4.1 Planning Directive No.11 takes effect on [insert date].

Minister for Planning

E11 Attenuation Code – King Island

E11.1 Code Purpose

The purpose of the Attenuation Code – King Island is:

- E11.1.1 To minimise adverse impacts on the health, safety and amenity of sensitive use from activities which have the potential to cause emissions.
- E11.1.2 To minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions.

E11.2 Application of this Code

E11.2.1 This code applies to:

- (a) activities listed in Tables E11.1 and E11.2 associated with the tungsten mining lease 2080P/M located at CT182884/1;
- (b) sensitive uses within the attenuation area shown in Figure E11.3.1 and on the planning scheme maps; and
- (c) subdivision if it creates a lot where a sensitive use could be established, within the attenuation area shown in Figure E11.3.1 and on the planning scheme maps.

C9E11.2.2 The code does not apply to attenuation areas between the activities listed in Tables E11.1 and E11.2 where those activities occur within the Light Industrial Zone, General Industrial Zone, Port and Marine Zone, and Utilities Zone.

C9E11.2.3 The code does not apply to sensitive uses occurring within the Light Industrial Zone, General Industrial Zone, Port and Marine Zone, and Utilities Zone.

E11C9.2.4 The code does not apply to a plant nursery or controlled environment agriculture activities occurring within the Rural Resource Zone and Significant Agricultural Zone.

E11.3 Definition of Terms

E11.3.1 In this code, unless the contrary intention appears:

Term	Definition
aerated lagoon	means a lagoon with mechanical aerators sufficient to transfer the oxygen required for biological treatment of sewage and to maintain solids in suspension to undergo aerobic decomposition.
aerobic lagoon	means a lagoon where the water column is characterised by aerobic conditions, being where oxygen is freely available for biological purposes.

Term	Definition
anaerobic lagoon	means a lagoon where the water column is characterised by anaerobic conditions, being where oxygen is totally depleted and oxidised nitrogen is absent.
attenuation area	<p>means land that is:</p> <ul style="list-style-type: none"> (a) within the boundary of an attenuation area shown in Figure E11.3.1 and on the planning scheme maps; or (b) within the relevant attenuation distance from an activity listed in Table E11.1 or E11.2, which is an existing activity or an activity for which a planning permit is in force. <p>If an inconsistency exists between the relevant attenuation distance in Tables E11.1 or E11.2, and an attenuation area shown on an overlay map on a planning scheme map, the distance shown on the overlay map applies.</p>
attenuation distance	means the distance listed in Tables E11.1 and E11C9.2 for the relevant activity measured as the shortest distance from the boundary of the site on which the activity is located.
facultative lagoon	means a lagoon similar to an aerobic lagoon, but with lower energy input, sufficient to transfer the oxygen required to biological treatment of sewage but not to maintain solids in suspension which settle onto the lagoon floor and undergo anaerobic decomposition.
level 1 activity	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .

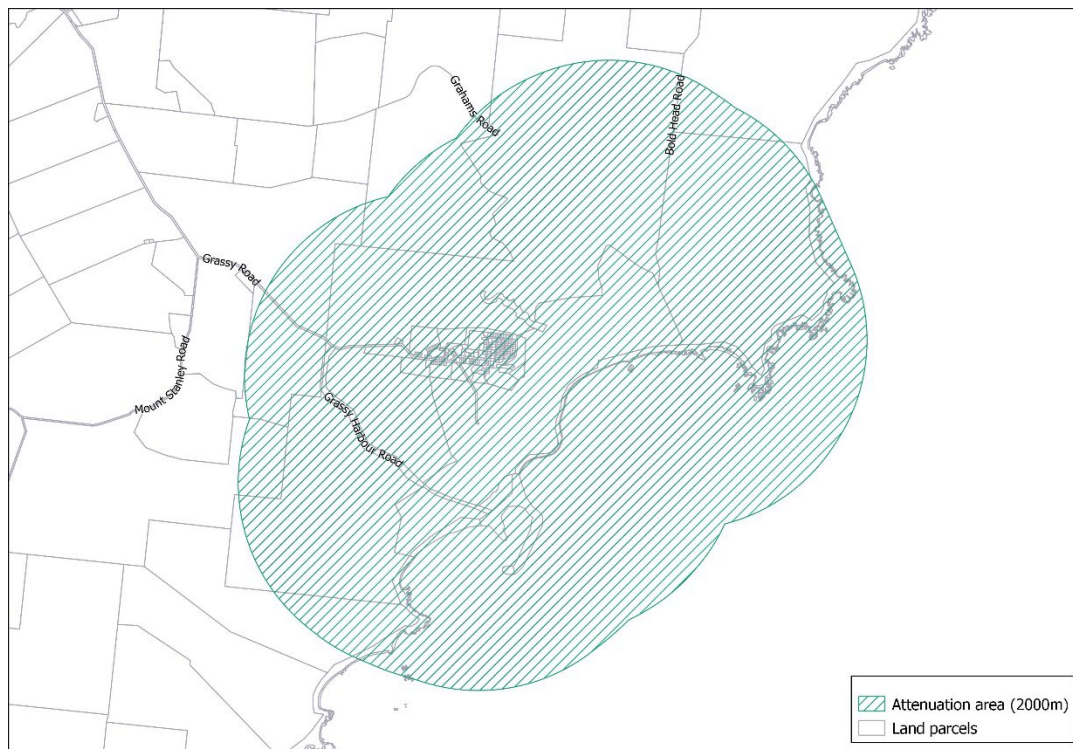


Figure E11.3.1: Attenuation Area

E11.4 Use or Development Exempt from this Code

E11.4.1 The following use or development is exempt from this code:

- (a) use or development assessed as a level 2 activity; and
- (b) additions or alterations to an existing building used for sensitive use, provided that the gross floor area does not increase by more than 50% or 100m², whichever is the greater, from that existing at the effective date.

E11.5 Use Standards

E11.5.1 Activities with potential to cause emissions

Objective:	That an activity with potential to cause emissions is located so that it does not cause an unreasonable impact on an existing sensitive use.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>The attenuation area of an activity listed in Tables E11.1 or E11.2 must not include:</p> <ul style="list-style-type: none"> (a) a site used for a sensitive use which is existing; (b) a site that has a planning permit for a sensitive use; or (c) land within the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone, Village Zone. 		<p>P1</p> <p>An activity listed in Tables E11.1 or E11.2 must not cause:</p> <ul style="list-style-type: none"> (a) an unreasonable loss of amenity or unreasonable impacts on health and safety of a sensitive use which is existing, or has a planning permit; or (b) unreasonable impacts on land within the relevant attenuation area that is in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone, Village Zone or Urban Mixed Use Zone, having regard to: <ul style="list-style-type: none"> (i) operational characteristics of the activity; (ii) scale and intensity of the activity; (iii) degree of hazard or pollution that may be emitted from the activity; (iv) hours of operation of the activity; (v) nature of likely emissions such as noise, odour, gases, dust, particulates, radiation, vibrations or waste; (vi) existing emissions such as noise, odour, gases, dust, particulates, radiation, vibrations or waste; and (vii) measures to eliminate, mitigate or manage emissions from the activity.

E11.5.2 Sensitive use within an attenuation area

Objective:	That sensitive use located within an attenuation area does not interfere with or constrain the operation of an existing activity listed in Tables E11.1 or E11.2.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>Sensitive use within an attenuation area, must not interfere with or constrain an existing activity listed in Tables E11.1 or E11.2, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the activity with potential to cause emissions including: <ul style="list-style-type: none"> (i) operational characteristics of the activity; (ii) scale and intensity of the activity; and (iii) degree of hazard or pollution that may be emitted from the activity; (b) the nature of the sensitive use; (c) the extent of encroachment by the sensitive use into the attenuation area; (d) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions of the activity; (e) any advice from the Director, Environment Protection Authority; and (f) any advice from the Director of Mines.

E11.6 Development Standards for Subdivision

E11.6.1 Lot design

Objective:	<p>To provide for subdivision so that a lot intended for a sensitive use:</p> <ul style="list-style-type: none"> (a) is located to avoid an activity with potential to cause emissions and enable appropriate levels of amenity; and (b) does not conflict with, interfere with or constrain an existing activity with potential to cause emissions. 	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must:</p> <ul style="list-style-type: none"> (a) be for the creation of separate lots for existing buildings; (b) be for the creation of a lot where a building for a sensitive use can be located entirely outside the attenuation area; or (c) not be for the creation of a lot intended for a sensitive use. 		<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must not result in the potential for a sensitive use to be impacted by emissions, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the activity with the potential to cause emissions, including: <ul style="list-style-type: none"> (i) operational characteristics of the activity; (ii) scale and intensity of the activity; and (iii) degree of emissions from the activity; and (b) the intended use of the lot.

Table E11.1 Attenuation Distances

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Abattoir or slaughterhouse (primary) The conduct of meat processing within the meaning of the <i>Primary Produce Safety Act 2011</i> , excluding rendering or fat extraction works – emissions such as odour, noise, dust and light pollution		500m	1,000m
Abrasive blasting The cleaning of materials by the abrasive action of any metal shot or mineral particulate propelled in a gaseous or liquid medium.	Blasting in cabinets less than 5 cubic metres in volume or totally enclosed automatic blast cleaning units – emissions such as noise and dust.	100m	–
	All other types of operation – emissions such as noise and dust.	300m	–
Agricultural produce processing works The conduct of works for the processing of vegetables, seed, grain, or any other agricultural crop by deep fat frying or roasting or boiling or drying through application of heat – emissions such as odour and noise.		100m	300m
Animal saleyard Yards for the holding of live animals pending sale, shipment or slaughter–emissions such as odour, noise and dust.		500m	–
Aquaculture operation	Marine or estuarine operations - emissions such as odour and noise.	300m	–
	Land operations - emissions such as odour and noise.	100m	–
Bakery Excluding a bakery primarily selling produce directly to the public - emissions such as noise.		200m	–
Beverage production (non-alcoholic) Beverage production plants with the capacity to produce more than 2000L per day - emissions such as odour and noise.		300m	–

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Biosolids application to land Class 2 biosolids as classified in accordance with the requirement of Sections 4 and 5 of the <i>Tasmanian Biosolids Reuse Guidelines 1999</i> – emissions such as odour, noise and disease vectors.		100m	100m
Brewery or distillery The conduct of works for the production of beer by infusion, boiling or fermentation, or spirits by distillation with the capacity to produce more than 2000L per day - emissions such as odour and noise.		200m	500m
Cement works The conduct of works as described in Schedule 2 clause 2(a) of the <i>Environmental Management and Pollution Control Act 1994</i> - emissions such as noise and dust.		–	2,000m
Ceramic works The conduct of works for the production of any products such as bricks, tiles, pipes, pottery goods, refractories or glass that are manufactured or are capable of being manufactured in furnaces or kilns fired by fuel – emissions such as noise and dust.		200m	500m
Chemical works	The manufacture (through chemical reaction) of any inorganic chemical, including sulphuric acid, inorganic fertilisers, sodium silicate, lime or other calcium compound - emissions such as odour, noise and gases.	300m	1,000m
	The manufacture (through chemical reaction) or processing of any organic chemicals or chemical product or petrochemical - emissions such as odour, noise and gases.	500m	1,500m
Cidery	Bottling facilities only – emissions such as odour and noise.	300m	–
	Cider production facilities– emissions such as odour and noise.	500m	–

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Composting works Excluding backyard composting for domestic use, on-farm composting for use on agricultural land having the same owner as the land on which the compost is produced, and works in respect of silage for use on agricultural land.	Vegetation only - emissions such as odour and noise.	250m	500m
	Human or animal wastes - emissions such as odour and noise.	500m	1,000m
Concrete batching plants The conduct of works for the production of concrete by the mixing of cement, sand, rock, aggregate or other similar materials, excluding the manufacture of concrete products - emissions such as noise and dust.		200m	–
Concrete or stone product manufacture The conduct of works to manufacture concrete or stone products, excluding concrete batching plants - emissions such as odour, noise and dust.		300m	–
Crematoria Emissions such as odour and gases.		300m	–
Dog kennels Commercial operations only – emissions such as odour and noise.		300m	–
Effluent irrigation scheme Irrigation of land by treated sewage effluent.	Spray irrigation	200m	–
	Flood irrigation	50m	–
	Drip irrigation	20m	–
	Storage lagoon/holding dams	250m	–
	Effluent transfer/irrigation pumps	50m	–
Feedlot Intensive animal husbandry (excluding piggeries, poultry farms, horse stables, and any such operation carried out at an abattoir, slaughterhouse or saleyard or for the purpose only of drought or other emergency feeding) – emissions such as odour, noise and dust.		3,000m	–
Fibreglass manufacture Manufacture of fibre-reinforced plastic products - emissions such as odour and noise.		300m	–

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Fish processing The conduct of works for scaling, gilling, gutting, filleting, smoking, drying or otherwise processing fish for sale, other than by freezing, chilling or packing, excluding the processing of fish only in the course of a business selling fish directly to the public - emissions such as odour and noise.		250m	500m
Flour mill Grain or seed milling works, excluding non-commercial processing for on farm use - emissions such as noise and dust.		300m	–
Frost fan Emissions such as noise.		2,000m	–
Fuel burning Excluding fuel burning associated with a domestic or on-farm use.	Waste incinerator: Wood waste - emissions such as odour, particles and gases.	100m	300m
	Waste incinerator: Plastic or rubber waste - emissions such as odour, particles and gases.	500m	1,000m
	Waste incinerator: Chemical, biomedical or organic waste - emissions such as odour, particles and gases.	500m	1,000m
	All other types of operation - emissions such as odour, particles and gases.	100m	300m
Gas pressure reduction facility A facility for altering the pressure between a gas transmission pipeline and a gas distribution system - emissions such as odour, noise and gases.		300m	–
Horse stables Commercial operations only – emissions such as odour, noise and dust.		500m	–
Joinery Production of wooden furniture and household items such as doors, kitchen fittings, flooring and mouldings - emissions such as noise and dust		200m	–
Liquid waste spray application to land Spray application of liquid fruit or vegetable wastes, excluding spray application of treated sewage effluent	Primary treated	500m	–
	Secondary treated	200m	–

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Liquid waste treatment Lagoons for the treatment of wastewater, such as treatment of wastewater for wineries and cider production, excluding sewage treatment plants ² and organic waste treatment – emissions such as odour.		300m	–
Marinas Excluding maritime construction and maintenance works - emissions such as noise.		200m	–
Maritime construction and maintenance works The conduct of works for the construction, maintenance or repair of ships, vessels or floating platforms or structures, being works with the capacity to construct or repair ships, vessels or floating platforms or structures.	Organotin compounds used or removed from ships, vessels, or floating platforms or structures – emissions such as odour, noise, dust and gases.	500m	–
	All other types of operation – emissions such as odour, noise, dust and gases.	300m	–
Materials handling Processing of chemicals, rubber, rock, ores and minerals by crushing, grinding, milling or separating into different sizes by sieving, air elutriation or in any other manner – emissions such as noise and dust.	Crushing or grinding.	750m	750m
	Other methods.	500m	500m
Metal fabrication The fabrication of sheet metal, structural metal and other iron and steel products, excluding metallurgical works, and ferrous and non-ferrous metal melting - emissions such as noise and particles.		500m	–
Metal melting (ferrous and non-ferrous) The melting of ferrous or non-ferrous metal in a furnace – emissions such as odour and noise.		300m	1,000m
Metallurgical works The conduct of metallurgical works as described in Schedule 2, clause 2(d) of the <i>Environmental Management and Pollution Control Act 1994</i> - emissions such as odour, noise, dust and gases.		–	2,000m
Milk processing works		100m	500m

² For sewage treatment plants, refer to Table E11.2.

The conduct of works at which milk is evaporated or otherwise processed for the manufacture of milk powder, cheese, butter, ice cream or other similar dairy products – emissions such as odour and noise.			
Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Milking shed (dairy) Milk shed operations on dairy farms – emissions such as odour, noise and dust.		300m	–
Mine The extraction of any minerals, excluding a quarry or extractive pit - emissions such as noise, dust, ground vibration and shock waves.	Open cut.	1,000m	2,000m
	Underground.	1,000m	1,000m
Motor bodyworks Panel beating, spray painting, and the like – emissions such as odour and noise.		100m	–
Motor racing or performance trials The conduct of facilities designed for motor vehicles or motor-driven boat racing competitions, or speed or performance trials – emissions such as odour, noise and dust.		3,000m	–
Oil and gas extraction and production Land or offshore, excluding gas extraction from landfill sites – emissions such as odour, noise and gases.		2,000m	–
Oil refinery The conduct of oil refinery works as described in Schedule 2, clause 1(c) of the <i>Environmental Management and Pollution Control Act 1994</i> .	Refining of recycled oil – emissions such as odour, noise and gases.	–	500m
	All other refining – emissions such as odour, noise and gases.	–	2,000m
Organic waste treatment The treatment of organic waste such as animal manures, and solid waste from fruit or vegetable processing, excluding sewage treatment plants ³ and liquid waste treatment – emissions such as odour, gases and disease vectors.		500m	–
Piggery Intensive animal husbandry.	Less than 50 pigs – emissions such as odour and noise.	500m	–
	50 or more pigs – emissions such as odour and noise.	2,000m	–
Plant nurseries and controlled environment agriculture With manure or refuse use – emissions such as odour.		300m	–

³ For sewage treatment plants, refer to Table C9.2.

Excluding operations primarily selling directly to the public.	All other types of operation use – emissions such as odour.	100m	–
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Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Poultry farm Intensive animal husbandry – emissions such as odour, dust and noise.		500m	–
Pre-mix bitumen plant Works in which crushed or ground rock aggregates are mixed with bituminous or asphaltic materials for the purpose of producing road-building mixtures– emissions such as odour and noise.		500m	1,000m
Pulp and paper works The conduct of pulp and paper works as described in Schedule 2, clause 2(f) of the <i>Environmental Management and Pollution Control Act 1994</i> .	Process involving combustion of sulphur or sulphur-containing materials - emissions such as odour, noise, particles and gases.	–	5,000m
	All other processes - emissions such as odour, noise, particles and gases.	–	1,000m
Quarry or extractive pit Extraction of rock, gravel, sand or clay, excluding a mine – emissions such as noise, dust, ground vibration and shock waves.	No blasting, crushing or vibratory screening – emissions such as noise, dust, ground vibration and shock waves.	300m	300m
	Vibratory screening – emissions such as noise, dust, ground vibration and shock waves.	500m	500m
	Crushing or grinding – emissions such as noise, dust, ground vibration and shock waves.	750m	750m
	Blasting – emissions such as noise, dust, ground vibration and shock waves.	1,000m	1,000m
Rendering or fat extraction works The conduct of works at which animal, fish or grease trap wastes or other matter is processed or is capable of being processed by rendering or extraction or by some other means to produce tallow or fat or their derivatives or proteinaceous matter.	Processing of fish – emissions such as odour and noise.	500m	1,000m
	Processing of other matter – emissions such as odour and noise.	1,000m	1,500m

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Scrap metal recovery The conduct of works at which scrap metals are treated in any type of fuel burning equipment or electrically heated furnaces or are disintegrated by mechanical means for recovery of metal, excluding commercial printing establishments at which type metal is melted or re-melted in thermostatically controlled pots for the purpose of type casting – emissions such as noise, dust and light pollution.		500m	–
Shooting range The conduct of facilities for outdoor shooting competitions, practice or instruction - emissions such as noise.		2,000m	–
Smallgoods manufacture	Smoking, drying and curing - emissions such as odour, noise and smoke particles.	250m	–
	All other types of operation - emissions such as odour, noise and smoke particles.	100m	–
Storage	Petroleum products and crude oil with fixed roofs - emissions such as odour and noise.	500m	–
	Petroleum products and crude oil with floating roofs - emissions such as odour and noise.	200m	–
	Wet salted or unprocessed hides - emissions such as odour and noise.	300m	–
	Chemicals - emissions such as odour and noise.	500m	–
Surface coating The conduct of works for: <ul style="list-style-type: none"> (a) metal finishing, in which metal surfaces are prepared or finished by means of electroplating, electrolyse plating, anodising (chromating, phosphating and colouring), chemical etching or milling, or printed circuit board manufacture; (b) hot dip galvanising; or (c) spray painting and powder coating, excluding motor bodyworks. - emissions such as gases, odour, noise and dust.		300m	–

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Textile bleaching and dying The works involving bleaching, dyeing or printing of yarns, threads, fabrics or other textiles - emissions such as odour, noise and gases.	Textile bleaching and dying factory.	500m	1,000m
Waste depot The conduct of depots for the reception, storage, treatment or disposal of waste, excluding: (a) temporary storage at the place at which the waste is produced while awaiting transport to another place; (b) storage, treatment or disposal of clean fill; (c) storage, treatment or disposal of domestic waste at residential premises; or (d) a waste transfer station.	Waste depot non-putrescible waste only - emissions such as odour, noise, dust and disease vectors.	150m	300m
	Waste depot putrescible waste - emissions such as odour, noise, dust and disease vectors.	300m	750m
Waste transfer station Emissions such as odour, noise, dust, light pollution and disease vectors.		150m	–
Wind energy facility Output per wind turbine generator of less than 250kW.	single turbine generator <10kW - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	60m	–
	single turbine generator >10kW - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	250m	–
	wind farm with 2-4 turbine generators - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	350m	–
	wind farm with 5 or more turbine generators - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	500m	500m

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Wind energy facility Output per wind turbine generator 250kW or greater.	single turbine generator - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	500m	–
	wind farm with 2-4 turbine generators- emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	750m	750m
	wind farm with 5 or more turbine generators - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	1,000m	1,000m
Winery	Bottling facilities only – emissions such as odour and noise.	300m	–
	Wine making – emissions such as odour and noise.	500m	–
Woodchip mill	Less than 1000 tonnes per year production capacity - emissions such as noise and particles.	250m	–
	1000 tonnes to 20 000 tonnes per year production capacity - emissions such as noise and particles.	–	500m
	More than 20 000 tonnes per year production capacity - emissions such as noise and particles.	–	1,000m
Wood preservation works The conduct of wood preservation works as described in Schedule 2, clause 1(d) of the <i>Environmental Management and Pollution Control Act 1994</i> - emissions such as odour and noise.		–	300m
Wood processing works The conduct of works (other than works at a builders supply yard, home improvement centre or firewood depot) at which timber is sawn, cut, compressed, milled, machined or kiln-dried.	Sawmill - emissions such as noise and particles.	250m	500m
	All other types of operation (excluding joinery, firewood merchant or woodchip mill) - emissions such as noise and particles.	250m	1,000m

Activity	Attenuation Distance	
	Level 1 Activity	Level 2 Activity
Wool scouring, tannery or fellmongery The conduct of works for the scouring of wool or the commercial preservation or treatment or drying of animal skins or hides - emissions such as odour and noise.	250m	500m
Wrecking yard (automotive) Emissions such as noise and dust.	200m	—

Table E11.2 Attenuation Distances for Sewage Treatment Plant Processes

Activity (type of sewage treatment plant process)	Attenuation distance according to sewage treatment plant designed capacity (average dry weather flow) in kL/day or person equivalent (pe)				
	<275kL/day or <1000pe	<1375kL/day or <5000pe	<5500kL/day or <20000pe	<13750kL/day or <50000pe	>13750kL/day or >50000pe
Mechanical/biological treatment (includes aerated lagoons)	100m	200m	300m	400m	>400m
Aerobic lagoons	150m	350m	700m	1,000m	>1,000m
Facultative lagoons	300m	550m	700m	1,000m	>1,000m
Anaerobic lagoons	400m	700m	1,400m	2,200m	>2,200m

Appendix 2 - Representations received during the exhibition period

Rep. No	Name
1	Paul Bonner
2	Cally Holthouse
3	The Waterways Network

Appendix 3 - Planning directive

Planning Directive No. 11

Application of Attenuation Code - King Island

This planning directive has been issued by the Minister for Planning under section 13(1) of the former provisions of the *Land Use Planning and Approvals Act 1993* (the Act)¹ and came into effect on [insert date].

¹ References to provisions of the *Land Use Planning and Approvals Act 1993* (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The former provisions apply to a planning scheme that was in force prior to the commencement day of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015*. The commencement day was 17 December 2015.

Version	Issue date	Effective date	Description
1.0			

1.0 Citation

- 1.1 This planning directive may be cited as Planning Directive No. 11 – Application of Attenuation Code –King Island .

2.0 Application

- 2.1 This planning directive applies to the following planning schemes that have been declared or made under the *Land Use Planning and Approvals Act 1993* (the Act):

(i) *King Island Interim Planning Scheme 2013*.

3.0 Effect of this planning directive

- 3.1 A planning scheme to which this planning directive applies must contain:

- (i) the provisions set out in Attachment 1; and
- (ii) an overlay map for the purposes of the Attenuation Code – King Island showing an attenuation area as set out in Figure E11.3.1 in Attachment 1.

4.0 Commencement

- 4.1 Planning Directive No.11 takes effect on [insert date].

Minister for Planning

E11 Attenuation Code – King Island

E11.1 Code Purpose

The purpose of the Attenuation Code – King Island is:

- E11.1.1 To minimise adverse impacts on the health, safety and amenity of sensitive use from activities which have the potential to cause emissions.
- E11.1.2 To minimise the likelihood for sensitive use to conflict with, interfere with, or constrain, activities which have the potential to cause emissions.

E11.2 Application of this Code

E11.2.1 This code applies to:

- (a) activities listed in Tables E11.1 and E11.2 associated with the tungsten mining lease 2080P/M located at CT182884/1;
- (b) sensitive uses within the attenuation area shown in Figure E11.3.1 and on the planning scheme maps; and
- (c) subdivision if it creates a lot where a sensitive use could be established, within the attenuation area shown in Figure E11.3.1 and on the planning scheme maps.

C9E11.2.2 The code does not apply to attenuation areas between the activities listed in Tables E11.1 and E11.2 where those activities occur within the Light Industrial Zone, General Industrial Zone, Port and Marine Zone, and Utilities Zone.

C9E11.2.3 The code does not apply to sensitive uses occurring within the Light Industrial Zone, General Industrial Zone, Port and Marine Zone, and Utilities Zone.

E11C9.2.4 The code does not apply to a plant nursery or controlled environment agriculture activities occurring within the Rural Resource Zone and Significant Agricultural Zone.

E11.3 Definition of Terms

E11.3.1 In this code, unless the contrary intention appears:

Term	Definition
aerated lagoon	means a lagoon with mechanical aerators sufficient to transfer the oxygen required for biological treatment of sewage and to maintain solids in suspension to undergo aerobic decomposition.
aerobic lagoon	means a lagoon where the water column is characterised by aerobic conditions, being where oxygen is freely available for biological purposes.

Term	Definition
anaerobic lagoon	means a lagoon where the water column is characterised by anaerobic conditions, being where oxygen is totally depleted and oxidised nitrogen is absent.
attenuation area	<p>means land that is:</p> <ul style="list-style-type: none"> (a) within the boundary of an attenuation area shown in Figure E11.3.1 and on the planning scheme maps; or (b) within the relevant attenuation distance from an activity listed in Table E11.1 or E11.2, which is an existing activity or an activity for which a planning permit is in force. <p>If an inconsistency exists between the relevant attenuation distance in Tables E11.1 or E11.2, and an attenuation area shown on an overlay map on a planning scheme map, the distance shown on the overlay map applies.</p>
attenuation distance	means the distance listed in Tables E11.1 and E11C9.2 for the relevant activity measured as the shortest distance from the boundary of the site on which the activity is located.
facultative lagoon	means a lagoon similar to an aerobic lagoon, but with lower energy input, sufficient to transfer the oxygen required to biological treatment of sewage but not to maintain solids in suspension which settle onto the lagoon floor and undergo anaerobic decomposition.
level 1 activity	means as defined in the <i>Environmental Management and Pollution Control Act 1994</i> .

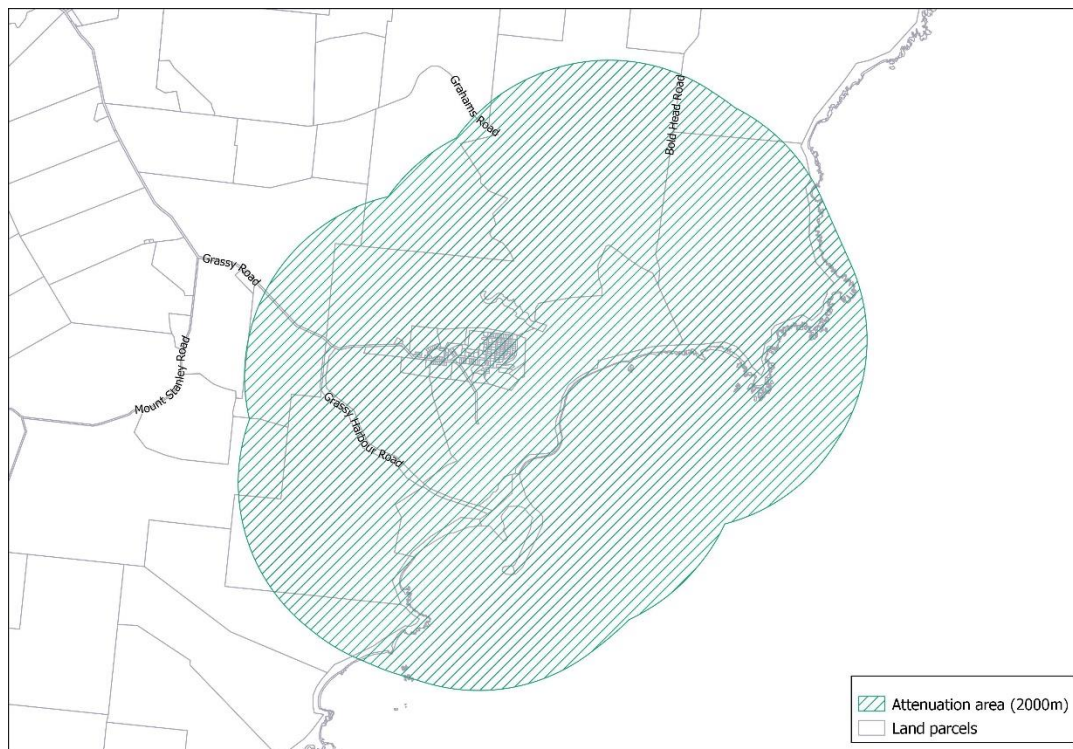


Figure E11.3.1: Attenuation Area

E11.4 Use or Development Exempt from this Code

E11.4.1 The following use or development is exempt from this code:

- (a) use or development assessed as a level 2 activity; and
- (b) additions or alterations to an existing building used for sensitive use, provided that the gross floor area does not increase by more than 50% or 100m², whichever is the greater, from that existing at the effective date.

E11.5 Use Standards

E11.5.1 Activities with potential to cause emissions

Objective:	That an activity with potential to cause emissions is located so that it does not cause an unreasonable impact on an existing sensitive use.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>The attenuation area of an activity listed in Tables E11.1 or E11.2 must not include:</p> <ul style="list-style-type: none"> (a) a site used for a sensitive use which is existing; (b) a site that has a planning permit for a sensitive use; or (c) land within the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone, Village Zone. 		<p>P1</p> <p>An activity listed in Tables E11.1 or E11.2 must not cause:</p> <ul style="list-style-type: none"> (a) an unreasonable loss of amenity or unreasonable impacts on health and safety of a sensitive use which is existing, or has a planning permit; or (b) unreasonable impacts on land within the relevant attenuation area that is in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone, Village Zone or Urban Mixed Use Zone, having regard to: <ul style="list-style-type: none"> (i) operational characteristics of the activity; (ii) scale and intensity of the activity; (iii) degree of hazard or pollution that may be emitted from the activity; (iv) hours of operation of the activity; (v) nature of likely emissions such as noise, odour, gases, dust, particulates, radiation, vibrations or waste; (vi) existing emissions such as noise, odour, gases, dust, particulates, radiation, vibrations or waste; and (vii) measures to eliminate, mitigate or manage emissions from the activity.

E11.5.2 Sensitive use within an attenuation area

Objective:	That sensitive use located within an attenuation area does not interfere with or constrain the operation of an existing activity listed in Tables E11.1 or E11.2.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>Sensitive use within an attenuation area, must not interfere with or constrain an existing activity listed in Tables E11.1 or E11.2, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the activity with potential to cause emissions including: <ul style="list-style-type: none"> (i) operational characteristics of the activity; (ii) scale and intensity of the activity; and (iii) degree of hazard or pollution that may be emitted from the activity; (b) the nature of the sensitive use; (c) the extent of encroachment by the sensitive use into the attenuation area; (d) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions of the activity; (e) any advice from the Director, Environment Protection Authority; and (f) any advice from the Director of Mines.

E11.6 Development Standards for Subdivision

E11.6.1 Lot design

Objective:	<p>To provide for subdivision so that a lot intended for a sensitive use:</p> <ul style="list-style-type: none"> (a) is located to avoid an activity with potential to cause emissions and enable appropriate levels of amenity; and (b) does not conflict with, interfere with or constrain an existing activity with potential to cause emissions. 	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must:</p> <ul style="list-style-type: none"> (a) be for the creation of separate lots for existing buildings; (b) be for the creation of a lot where a building for a sensitive use can be located entirely outside the attenuation area; or (c) not be for the creation of a lot intended for a sensitive use. 		<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within an attenuation area must not result in the potential for a sensitive use to be impacted by emissions, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the activity with the potential to cause emissions, including: <ul style="list-style-type: none"> (i) operational characteristics of the activity; (ii) scale and intensity of the activity; and (iii) degree of emissions from the activity; and (b) the intended use of the lot.

Table E11.1 Attenuation Distances

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Abattoir or slaughterhouse (primary) The conduct of meat processing within the meaning of the <i>Primary Produce Safety Act 2011</i> , excluding rendering or fat extraction works – emissions such as odour, noise, dust and light pollution		500m	1,000m
Abrasive blasting The cleaning of materials by the abrasive action of any metal shot or mineral particulate propelled in a gaseous or liquid medium.	Blasting in cabinets less than 5 cubic metres in volume or totally enclosed automatic blast cleaning units – emissions such as noise and dust.	100m	–
	All other types of operation – emissions such as noise and dust.	300m	–
Agricultural produce processing works The conduct of works for the processing of vegetables, seed, grain, or any other agricultural crop by deep fat frying or roasting or boiling or drying through application of heat – emissions such as odour and noise.		100m	300m
Animal saleyard Yards for the holding of live animals pending sale, shipment or slaughter–emissions such as odour, noise and dust.		500m	–
Aquaculture operation	Marine or estuarine operations - emissions such as odour and noise.	300m	–
	Land operations - emissions such as odour and noise.	100m	–
Bakery Excluding a bakery primarily selling produce directly to the public - emissions such as noise.		200m	–
Beverage production (non-alcoholic) Beverage production plants with the capacity to produce more than 2000L per day - emissions such as odour and noise.		300m	–

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Biosolids application to land Class 2 biosolids as classified in accordance with the requirement of Sections 4 and 5 of the <i>Tasmanian Biosolids Reuse Guidelines 1999</i> – emissions such as odour, noise and disease vectors.		100m	100m
Brewery or distillery The conduct of works for the production of beer by infusion, boiling or fermentation, or spirits by distillation with the capacity to produce more than 2000L per day - emissions such as odour and noise.		200m	500m
Cement works The conduct of works as described in Schedule 2 clause 2(a) of the <i>Environmental Management and Pollution Control Act 1994</i> - emissions such as noise and dust.		–	2,000m
Ceramic works The conduct of works for the production of any products such as bricks, tiles, pipes, pottery goods, refractories or glass that are manufactured or are capable of being manufactured in furnaces or kilns fired by fuel – emissions such as noise and dust.		200m	500m
Chemical works	The manufacture (through chemical reaction) of any inorganic chemical, including sulphuric acid, inorganic fertilisers, sodium silicate, lime or other calcium compound - emissions such as odour, noise and gases.	300m	1,000m
	The manufacture (through chemical reaction) or processing of any organic chemicals or chemical product or petrochemical - emissions such as odour, noise and gases.	500m	1,500m
Cidery	Bottling facilities only – emissions such as odour and noise.	300m	–
	Cider production facilities– emissions such as odour and noise.	500m	–

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Composting works Excluding backyard composting for domestic use, on-farm composting for use on agricultural land having the same owner as the land on which the compost is produced, and works in respect of silage for use on agricultural land.	Vegetation only - emissions such as odour and noise.	250m	500m
	Human or animal wastes - emissions such as odour and noise.	500m	1,000m
Concrete batching plants The conduct of works for the production of concrete by the mixing of cement, sand, rock, aggregate or other similar materials, excluding the manufacture of concrete products - emissions such as noise and dust.		200m	–
Concrete or stone product manufacture The conduct of works to manufacture concrete or stone products, excluding concrete batching plants - emissions such as odour, noise and dust.		300m	–
Crematoria Emissions such as odour and gases.		300m	–
Dog kennels Commercial operations only – emissions such as odour and noise.		300m	–
Effluent irrigation scheme Irrigation of land by treated sewage effluent.	Spray irrigation	200m	–
	Flood irrigation	50m	–
	Drip irrigation	20m	–
	Storage lagoon/holding dams	250m	–
	Effluent transfer/irrigation pumps	50m	–
Feedlot Intensive animal husbandry (excluding piggeries, poultry farms, horse stables, and any such operation carried out at an abattoir, slaughterhouse or saleyard or for the purpose only of drought or other emergency feeding) – emissions such as odour, noise and dust.		3,000m	–
Fibreglass manufacture Manufacture of fibre-reinforced plastic products - emissions such as odour and noise.		300m	–

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Fish processing The conduct of works for scaling, gilling, gutting, filleting, smoking, drying or otherwise processing fish for sale, other than by freezing, chilling or packing, excluding the processing of fish only in the course of a business selling fish directly to the public - emissions such as odour and noise.		250m	500m
Flour mill Grain or seed milling works, excluding non-commercial processing for on farm use - emissions such as noise and dust.		300m	–
Frost fan Emissions such as noise.		2,000m	–
Fuel burning Excluding fuel burning associated with a domestic or on-farm use.	Waste incinerator: Wood waste - emissions such as odour, particles and gases.	100m	300m
	Waste incinerator: Plastic or rubber waste - emissions such as odour, particles and gases.	500m	1,000m
	Waste incinerator: Chemical, biomedical or organic waste - emissions such as odour, particles and gases.	500m	1,000m
	All other types of operation - emissions such as odour, particles and gases.	100m	300m
Gas pressure reduction facility A facility for altering the pressure between a gas transmission pipeline and a gas distribution system - emissions such as odour, noise and gases.		300m	–
Horse stables Commercial operations only – emissions such as odour, noise and dust.		500m	–
Joinery Production of wooden furniture and household items such as doors, kitchen fittings, flooring and mouldings - emissions such as noise and dust		200m	–
Liquid waste spray application to land Spray application of liquid fruit or vegetable wastes, excluding spray application of treated sewage effluent	Primary treated	500m	–
	Secondary treated	200m	–

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Liquid waste treatment Lagoons for the treatment of wastewater, such as treatment of wastewater for wineries and cider production, excluding sewage treatment plants ² and organic waste treatment – emissions such as odour.		300m	–
Marinas Excluding maritime construction and maintenance works - emissions such as noise.		200m	–
Maritime construction and maintenance works The conduct of works for the construction, maintenance or repair of ships, vessels or floating platforms or structures, being works with the capacity to construct or repair ships, vessels or floating platforms or structures.	Organotin compounds used or removed from ships, vessels, or floating platforms or structures – emissions such as odour, noise, dust and gases.	500m	–
	All other types of operation – emissions such as odour, noise, dust and gases.	300m	–
Materials handling Processing of chemicals, rubber, rock, ores and minerals by crushing, grinding, milling or separating into different sizes by sieving, air elutriation or in any other manner – emissions such as noise and dust.	Crushing or grinding.	750m	750m
	Other methods.	500m	500m
Metal fabrication The fabrication of sheet metal, structural metal and other iron and steel products, excluding metallurgical works, and ferrous and non-ferrous metal melting - emissions such as noise and particles.		500m	–
Metal melting (ferrous and non-ferrous) The melting of ferrous or non-ferrous metal in a furnace – emissions such as odour and noise.		300m	1,000m
Metallurgical works The conduct of metallurgical works as described in Schedule 2, clause 2(d) of the <i>Environmental Management and Pollution Control Act 1994</i> - emissions such as odour, noise, dust and gases.		–	2,000m
Milk processing works		100m	500m

² For sewage treatment plants, refer to Table E11.2.

The conduct of works at which milk is evaporated or otherwise processed for the manufacture of milk powder, cheese, butter, ice cream or other similar dairy products – emissions such as odour and noise.			
Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Milking shed (dairy) Milk shed operations on dairy farms – emissions such as odour, noise and dust.		300m	–
Mine The extraction of any minerals, excluding a quarry or extractive pit - emissions such as noise, dust, ground vibration and shock waves.	Open cut.	1,000m	2,000m
	Underground.	1,000m	1,000m
Motor bodyworks Panel beating, spray painting, and the like – emissions such as odour and noise.		100m	–
Motor racing or performance trials The conduct of facilities designed for motor vehicles or motor-driven boat racing competitions, or speed or performance trials – emissions such as odour, noise and dust.		3,000m	–
Oil and gas extraction and production Land or offshore, excluding gas extraction from landfill sites – emissions such as odour, noise and gases.		2,000m	–
Oil refinery The conduct of oil refinery works as described in Schedule 2, clause 1(c) of the <i>Environmental Management and Pollution Control Act 1994</i> .	Refining of recycled oil – emissions such as odour, noise and gases.	–	500m
	All other refining – emissions such as odour, noise and gases.	–	2,000m
Organic waste treatment The treatment of organic waste such as animal manures, and solid waste from fruit or vegetable processing, excluding sewage treatment plants ³ and liquid waste treatment – emissions such as odour, gases and disease vectors.		500m	–
Piggery Intensive animal husbandry.	Less than 50 pigs – emissions such as odour and noise.	500m	–
	50 or more pigs – emissions such as odour and noise.	2,000m	–
Plant nurseries and controlled environment agriculture With manure or refuse use – emissions such as odour.		300m	–

³ For sewage treatment plants, refer to Table C9.2.

Excluding operations primarily selling directly to the public.	All other types of operation use – emissions such as odour.	100m	–
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Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Poultry farm Intensive animal husbandry – emissions such as odour, dust and noise.		500m	–
Pre-mix bitumen plant Works in which crushed or ground rock aggregates are mixed with bituminous or asphaltic materials for the purpose of producing road-building mixtures– emissions such as odour and noise.		500m	1,000m
Pulp and paper works The conduct of pulp and paper works as described in Schedule 2, clause 2(f) of the <i>Environmental Management and Pollution Control Act 1994</i> .	Process involving combustion of sulphur or sulphur-containing materials - emissions such as odour, noise, particles and gases.	–	5,000m
	All other processes - emissions such as odour, noise, particles and gases.	–	1,000m
Quarry or extractive pit Extraction of rock, gravel, sand or clay, excluding a mine – emissions such as noise, dust, ground vibration and shock waves.	No blasting, crushing or vibratory screening – emissions such as noise, dust, ground vibration and shock waves.	300m	300m
	Vibratory screening – emissions such as noise, dust, ground vibration and shock waves.	500m	500m
	Crushing or grinding – emissions such as noise, dust, ground vibration and shock waves.	750m	750m
	Blasting – emissions such as noise, dust, ground vibration and shock waves.	1,000m	1,000m
Rendering or fat extraction works The conduct of works at which animal, fish or grease trap wastes or other matter is processed or is capable of being processed by rendering or extraction or by some other means to produce tallow or fat or their derivatives or proteinaceous matter.	Processing of fish – emissions such as odour and noise.	500m	1,000m
	Processing of other matter – emissions such as odour and noise.	1,000m	1,500m

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Scrap metal recovery The conduct of works at which scrap metals are treated in any type of fuel burning equipment or electrically heated furnaces or are disintegrated by mechanical means for recovery of metal, excluding commercial printing establishments at which type metal is melted or re-melted in thermostatically controlled pots for the purpose of type casting – emissions such as noise, dust and light pollution.		500m	–
Shooting range The conduct of facilities for outdoor shooting competitions, practice or instruction - emissions such as noise.		2,000m	–
Smallgoods manufacture	Smoking, drying and curing - emissions such as odour, noise and smoke particles.	250m	–
	All other types of operation - emissions such as odour, noise and smoke particles.	100m	–
Storage	Petroleum products and crude oil with fixed roofs - emissions such as odour and noise.	500m	–
	Petroleum products and crude oil with floating roofs - emissions such as odour and noise.	200m	–
	Wet salted or unprocessed hides - emissions such as odour and noise.	300m	–
	Chemicals - emissions such as odour and noise.	500m	–
Surface coating The conduct of works for: <ul style="list-style-type: none"> (a) metal finishing, in which metal surfaces are prepared or finished by means of electroplating, electrolyse plating, anodising (chromating, phosphating and colouring), chemical etching or milling, or printed circuit board manufacture; (b) hot dip galvanising; or (c) spray painting and powder coating, excluding motor bodyworks. - emissions such as gases, odour, noise and dust.		300m	–

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Textile bleaching and dying The works involving bleaching, dyeing or printing of yarns, threads, fabrics or other textiles - emissions such as odour, noise and gases.	Textile bleaching and dying factory.	500m	1,000m
Waste depot The conduct of depots for the reception, storage, treatment or disposal of waste, excluding: (a) temporary storage at the place at which the waste is produced while awaiting transport to another place; (b) storage, treatment or disposal of clean fill; (c) storage, treatment or disposal of domestic waste at residential premises; or (d) a waste transfer station.	Waste depot non-putrescible waste only - emissions such as odour, noise, dust and disease vectors.	150m	300m
	Waste depot putrescible waste - emissions such as odour, noise, dust and disease vectors.	300m	750m
Waste transfer station Emissions such as odour, noise, dust, light pollution and disease vectors.		150m	–
Wind energy facility Output per wind turbine generator of less than 250kW.	single turbine generator <10kW - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	60m	–
	single turbine generator >10kW - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	250m	–
	wind farm with 2-4 turbine generators - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	350m	–
	wind farm with 5 or more turbine generators - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	500m	500m

Activity		Attenuation Distance	
		Level 1 Activity	Level 2 Activity
Wind energy facility Output per wind turbine generator 250kW or greater.	single turbine generator - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	500m	–
	wind farm with 2-4 turbine generators- emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	750m	750m
	wind farm with 5 or more turbine generators - emissions such as noise, electromagnetic radiation, shadow flicker and blade glint.	1,000m	1,000m
Winery	Bottling facilities only – emissions such as odour and noise.	300m	–
	Wine making – emissions such as odour and noise.	500m	–
Woodchip mill	Less than 1000 tonnes per year production capacity - emissions such as noise and particles.	250m	–
	1000 tonnes to 20 000 tonnes per year production capacity - emissions such as noise and particles.	–	500m
	More than 20 000 tonnes per year production capacity - emissions such as noise and particles.	–	1,000m
Wood preservation works The conduct of wood preservation works as described in Schedule 2, clause 1(d) of the <i>Environmental Management and Pollution Control Act 1994</i> - emissions such as odour and noise.		–	300m
Wood processing works The conduct of works (other than works at a builders supply yard, home improvement centre or firewood depot) at which timber is sawn, cut, compressed, milled, machined or kiln-dried.	Sawmill - emissions such as noise and particles.	250m	500m
	All other types of operation (excluding joinery, firewood merchant or woodchip mill) - emissions such as noise and particles.	250m	1,000m

Activity	Attenuation Distance	
	Level 1 Activity	Level 2 Activity
Wool scouring, tannery or fellmongery The conduct of works for the scouring of wool or the commercial preservation or treatment or drying of animal skins or hides - emissions such as odour and noise.	250m	500m
Wrecking yard (automotive) Emissions such as noise and dust.	200m	—

Table E11.2 Attenuation Distances for Sewage Treatment Plant Processes

Activity (type of sewage treatment plant process)	Attenuation distance according to sewage treatment plant designed capacity (average dry weather flow) in kL/day or person equivalent (pe)				
	<275kL/day or <1000pe	<1375kL/day or <5000pe	<5500kL/day or <20000pe	<13750kL/day or <50000pe	>13750kL/day or >50000pe
Mechanical/biological treatment (includes aerated lagoons)	100m	200m	300m	400m	>400m
Aerobic lagoons	150m	350m	700m	1,000m	>1,000m
Facultative lagoons	300m	550m	700m	1,000m	>1,000m
Anaerobic lagoons	400m	700m	1,400m	2,200m	>2,200m