

EPA Board Communiqué

April 2019

Regular Meeting 125, Tuesday 2 April 2019

Information Management and Records Management Policies:

Draft Information Management and Records Management Policies had previously been presented to the Board which provided feedback on several issues and requested that the policies be revised and returned to the Board. The Board considered the revised policies and approved both. The policies will be placed on the Board's Policy Register.

Disclosure of Interests Policy

The Board considered a draft of this policy at a previous meeting and requested some changes. There was some discussion of how far "close association" extends to family members and acquaintances. It was agreed that this would generally be "one-step-removed", but that this would need to be considered on a case by case basis. The Board approved the policy with minor amendment and requested that it be placed on the Board's Policy Register.

Assessment Process Review Update

The Board received an update on the progress with implementing the recommendations of the "Abernethy Review" of the assessment process. EPA Tasmania reported that the Board's reforms have been largely implemented and that the up-front meetings to agree key environmental issues with proponents and their consultants were generally working well, especially for large proposals. The Board discussed how the outcome of the reforms could be measured and reported against, with several options being put forward.

EPA Tasmania also noted that a number of amendments to the *Environmental Management and Pollution Control Act* (EMPCA) relevant to the assessment process will be progressed, and that the Board will receive a briefing on these in May.

EPA Sponsorship Strategy

The Communications Officer presented a draft Sponsorship Strategy to the Board. The Board approved the Strategy and confirmed a budget of up to \$30,000 per year from the Environment Protection Fund to be used for sponsorship opportunities. It agreed to fund the annual Sustainability Award, the LGAT annual conference and the Environmental Health Association conference for 3 years. Several other sponsorships are to be assessed in terms of their value for money prior to further consideration by the Board. Guidelines for applicants setting out the Board's objectives and criteria for assessment will be made available on the EPA website.

Sustainability Award

The Board noted the End of Program Report for the 2018 Community Achievement Awards and discussed the type of applicants submitting applications and whether it was necessary to change the focus of the Board's criteria to better align applicants with the Board's core activities. The Board concluded that it did not wish to exclude smaller community groups from the awards as there did not seem to be a suitable alternative category for such groups. The Board approved ongoing sponsorship for the next 3 years.

Strategic Issues Workshop

The Board holds a Strategic Issues Workshop each year to specifically consider strategic issues that may get lost in the monthly agendas. This year four main issues were discussed:

Furthering the Objectives of EMPCA

All decision-makers under EMPCA, including the Board, are required to further the objectives of the Act, including the broader sustainable development objectives of the Resource Management and Planning System. The Board, and key officers from EPA Tasmania, discussed how this is presently done during the assessment process and a number of potential ways that could be explored to improve this or make consideration of the objectives more evident. This included considering how the various policies, guidelines and procedures that the Board has in place support the requirements of the Act. The discussion concluded with EPA Tasmania agreeing to bring back a policy paper to the Board for further consideration.

Criteria for Special Fee remissions

The Board often receives applications to remit some or all of the annual fees payable by the operators of activities because the activity has not been undertaken during a year for a variety of reason (e.g. downturn in the market, illness of the operator, other permissions that need to be obtained). While the Board has developed guidelines to bring consistency to decision-making in this area, the application of the remission system is administratively costly. The Board discussed several options to make the system more efficient for both EPA Tasmania and operators. EPA Tasmania is to bring a further paper to the Board based on the discussions.

Assessment of small, low risk quarries.

Quarries and extractive pits producing more than 5000 m³ of product are Level 2 activities under EMPCA. However, many quarries and pits at the smaller end of this production scale are low risk and both the Board and EPA Tasmania have been considering ways to simplify the assessment of such activities to reduce regulatory burden. EPA Tasmania has developed a draft set of guidelines for the extractive industry with the objective of simplifying the assessment process. The Board discussed the guidelines and in particular the amount of information required to assess the likely noise and air pollution impacts of small quarries and pits which are isolated from residences. The Board approved the guidelines for discussion with the industry body, Cement, Concrete and Aggregates Australia and will consider the guidelines after this consultation.

Public Availability of Monitoring Data

The last Minister's Statement of Expectation included an expectation that the Board, with the Director, would work towards making more regulatory information, including monitoring data, readily available to the public. The Board noted that EPA Tasmania had made a significant step forward in this area with making regulatory instruments readily available via TheList. The Board discussed whether and how to make management plans required by permit conditions more easily available to the public. The Board agreed that all of the information that it is required to hold in Registers under EMPCA should be freely publicly available. Other issues discussed included the ownership of monitoring data and making publicly available representations lodged in response to applications.

EPA Tasmania will prepare a further briefing paper based on these discussions for consideration at a subsequent Board meeting.
