

## EPA Board Communiqué

December 2020

Regular Meeting 144, Tuesday 1 December



ENVIRONMENT PROTECTION AUTHORITY

### Annual variable Fee Remission Scheme

The Board had previously concluded that the Annual Variable Fee Remission Scheme is no longer working as it was intended. In response to the Minister's Statement of Expectation the Board committed to reviewing the scheme and had requested options from EPA Tasmania. One of the options presented in previous discussions was to no longer provide variable fee remissions. However, legal advice received at this meeting made it clear that this was not possible while the Regulations provide for an annual fee remission scheme.

The Board discussed the merits of several possible approaches provided in a discussion paper and concluded that the Board should write to the Minister outlining its concerns about the scheme. Recognising that it would take some time to amend the Regulations to end the scheme, the Board agreed to replace the current Guidelines with a less detailed and more concise set of guidelines that will remove the delineation between small to medium sized and large enterprises, and focuses on the broad criteria set out in the Regulations with some possible additions, such as measures taken to increase public availability of information about the Level 2 activity beyond that required by law.

### Furthering the Objectives of EMPCA and RMPS

The Board has had several discussions about how best to demonstrate that its decisions further the objectives of the *Environmental Management and Pollution Control Act 1994* (EMPCA) and the Resource Management and Planning System (RMPS) – as is required by law. Board members and EPA Tasmania officers are satisfied that the Board's decisions, guided by an extensive policy framework, are in accordance with the objectives of EMPCA. It was agreed that policy statements should be prepared on how the Board's General Guidelines for the preparation of development proposals and the assessment framework further the objectives of EMPCA and the RMPS. EPA Tasmania was asked to prepare this documentation and submit it to the incoming Board for approval.

### Assessment - Ornatas Pty Ltd – Pilot Scale Lobster Hatchery, Tarooma

This proposal is to establish a small-scale hatchery for rock lobsters at the existing Institute of Marine and Antarctic Studies (IMAS) aquaculture research facility at Tarooma. The Board noted that there had been community concern over the rezoning of some land to house the hatchery and the potential loss of swift parrot habitat. While this was largely resolved during the re-zoning process, there were several representations in relation to the proposal with the key issues being the impact on swift parrots and noise. The Board noted advice from the Conservation and Assessment Section of DPIPW and the Noise Specialist on these matters. Overall, the Board concluded that, given the very small scale of the operation, the impacts of the development were likely to be minor.

The Board resolved to notify the Kingborough Council that the development could proceed subject to the Board's conditions.

### Savage River Rehabilitation Program Strategic Plan 2020-2023

The Savage River Rehabilitation Project (SRRP) Strategic Plan has been developed by the SRRP Management Committee and was brought to the Board for approval. The Plan sets out the strategic goals, objectives and directions for the program over the next three years.

The Board noted that:

- An expert review of the SRRP financial position is proposed to assist identifying key risks and opportunities in relation to the end of mine life and beyond 2030.
- The SRRP is planning to undertake a study to determine the neutralising capacity of South Lens to ensure it can continue to service Grange's operations and the SRRP. This was considered important

given Grange is intending to recommence mining in Centre Pit and this likely to put additional pressure on the capacity of South Lens to continue neutralising Old Tailings Dam seeps; and

- Water quality downstream of the mine is, in general, continuing to improve and that there has been some recovery of invertebrate fauna in the lower reaches of the Savage River.

The Board discussed the end of mine life and the complexity of separating Grange's activities from those of the SRRP (i.e. legacy issues) and how this might come together in a final closure plan. The Board also discussed the risks and benefits associated with Grange's future mine plans and impact on the SRRP.

The Board approved the Strategic Plan for 2020-2023.

#### **Special Fee Remission – DTK Logging – Gundagai Road Quarry**

The Board approved a special fee remission for this operation on the basis of severely reduced production. The Board noted that the operator had the option of applying to reduce the maximum production permitted and that this would reduce the annual fee. It was agreed that a policy position should be developed whereby an operator may apply for a fee reduction due to exceptional circumstances for two or three years but that, after that time, if they do not agree to reduce the permitted level of annual production, they may be required to pay the full fee.

#### **Delegation of decision to accept case for assessment**

Recent amendments to EMPCA have required changes to the procedures in the assessment process. In particular, the Board is now required to make a formal decision as to whether and when a satisfactory case for assessment has been received. To enable the assessment process to continue smoothly the Board delegated this power to the Director and relevant EPA Tasmania managers.

#### **End of Term for Current Board**

The Director advised that the new Board will not be appointed until mid-February and that the current member's terms would be extended until then to provide flexibility for a meeting in early February if required. The Chair thanked Board members and the management and officers of EPA Tasmania for their support during the current Board's tenure.