

Environmental Effects Report Guidelines



Instructions

Purpose of the Guidelines

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

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

The Board or its delegate will usually issue a case specific modified version of these guidelines for each proposal. Particular requirements in Parts B and C of the guidelines will usually be altered to include specific information requirements.

Where the proposal relates to the intensification or expansion of an existing activity, the EER will normally provide a case for assessment of the entire activity as intensified or expanded. Modification proposals may assess just the modification or the entire activity, depending on the alteration, its potential environmental impacts and any planning application associated with the development.

These guidelines are appropriate for small scale proposed activities only. For larger activities (and smaller activities that are likely to generate significant public interest or complex environmental issues) the EPA Board has issued generic guidelines for preparing an Environmental Impact Statement (EIS)¹, and will usually issue case-specific guidelines for each proposal.

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

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

¹ Available on the EPA website at: <http://epa.tas.gov.au/assessment/assessment-process/guidance-documents>.

Preparing an EER

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

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

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

The EER should be prepared through a risk-based approach. Not all issues nominated in these guidelines will have the same degree of relevance to all proposed activities. Depending on the nature of the proposed activity and its location, some of the issues may be more relevant than others, while others will not be applicable at all. The level of detail provided on each issue should be appropriate to the level of significance of that environmental issue to the proposal.

The issue of guidelines should not be interpreted as excluding other matters that emerge as significant from environmental studies, public comments or otherwise during the preparation of the EER. The assessment process may also change the level of risk associated with some of the issues. The level of detail provided in the EER may therefore change to reflect the level of significance of that environmental issue to the proposal.

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

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

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

Submission

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

Chairperson
Board of the Environment Protection Authority
GPO Box 1550
Hobart TAS 7001
Fax: 03 6173 0254
Email: assessments@epa.tas.gov.au

Commonwealth legislation

In addition to State Government requirements, the Commonwealth Government may also have a role in the environmental assessment and approval of the proposed activity. Commonwealth approval is required for an action which is likely to have a

significant impact on a matter of national environmental significance or on Commonwealth land.

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

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

EPA Tasmania Contact

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

EPA Tasmania

Telephone: (03) 6165 4599

Email: enquiries@epa.tas.gov.au

Website: www.epa.tas.gov.au

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

Content of EER

Part A – Proponent information

Provide the following information regarding the proponent.

- Name of proponent (entity name) (should be consistent with any intended or current permit application for the activity under the LUPA Act, if relevant).
- Name of proponent (trading name)
- Registered address of proponent
- Postal address of proponent
- ABN number
- ACN number (where relevant)
- Contact person's details:
 - Name
 - Telephone number
 - Email address (where relevant)

If a different entity will operate the activity after construction, provide similar details for that entity also.

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

Part B – Proposal description

General note

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

The following details are to be included in the proposal description:

1. Description of proposed activity

- A general description of the proposed activity, including method of operation and the main items of equipment. Provide a diagram or flowchart if necessary to assist understanding.
- Classification of the proposal under the EMPC Act, including proposed quantities where relevant.
- Any industry standards or guidelines that are applicable to the activity.
- The timeframe over which the activity is proposed to occur (construction and commissioning timetable and anticipated activity lifetime).
- Proposed operating days and hours.
- Proposed production capacity, production rates and any seasonal variations.

2. Map and site plan

- Definition of the land on which the activity will take place, and its boundary, by means of land title information, map coordinates or other means. This must be consistent with any intended or current permit application under the LUPA Act.
- A general location map (1:25,000 or other suitable scale). This map must show the location of the nearest residences and any other sensitive uses nearby. The plan must also show the route(s) used by vehicles travelling to and from the activity.
- A site plan showing:
 - boundary of site;
 - position of existing and proposed buildings/structures;
 - positions of plant and machinery;
 - position of any material, product and waste stockpiles;
 - native vegetation;
 - watercourses (rivers, creeks, lakes); and
 - location of significant earthworks and/or vegetation to be cleared.

3. Proposal location

- A general description of the site(s) supporting the proposed activity, including topography, vegetation, wetlands, watercourses, buildings.
- The local climate (annual rainfall, average temperatures and prevailing winds).
- Current and historical (where known) use of the site.
- Land tenure of the site, including title details.
- Zoning of the site and surrounding land. If rezoning of the site will be required, provide details.
- Is the proposal located within or adjacent to an existing reserved area (e.g. National Park, State Reserve, Regional Reserve, Nature Reserve, Forest Reserve or Conservation Area)? If yes, provide details.
- Is the activity located within or adjacent to a site of high public interest (such as a recreation area or natural scenic feature)? If so, provide details.
- Surrounding land use, including location of nearest residences and other sensitive uses (such as schools, hospitals, etc).
- Soils and underlying rock types (including erodibility and acid sulfate soils).

4. Rationale and alternatives

- The rationale for the proposal, including benefits and disadvantages of alternative options that have been considered.

5. Planning information

- If an application has not already been lodged under the LUPA Act, provide a copy of written advice received from Council as to whether the proposal will require a permit under that Act.
- If a permit is required for the proposal under the LUPA Act, also provide:
 - Use Class of the proposed activity under the applicable Planning Scheme.

- Permissibility of the activity under the applicable Planning Scheme.
- Any sensitive uses² or residential zones within applicable attenuation distances of the proposal site.

6. Existing activity

- If the proposed activity is associated with an existing activity (an intensification, expansion or modification), provide details of any current regulatory approvals (permit, licence, environment protection notice, mining lease, etc) relating to the existing activity.
- If the proposed activity is associated with an existing activity, provide the following in relation to the existing activity:
 - a summary of environmental monitoring results;
 - a summary of public complaints regarding the activity (received by the activity operator and by regulatory authorities);
 - details of breaches of conditions of current regulatory approvals (if any); and
 - details of contraventions of environmental law (if any).

Part C – Potential environmental impacts

The following details are to be included in the assessment of potential environmental impacts:

1. Air Quality

- Will the activity result in emission of pollutants to air (includes dust, odours and emissions from chimneys)? If yes, provide details about potential impacts and how they will be managed. (NB Emissions from traffic resulting from the activity can be addressed under Section 9 below.)
- Show the location of all stationary sources of emissions on the site plan (see Part B) or a separate plan.
- Is the proposal consistent with the Tasmanian Environment Protection Policy (Air Quality) 2004 (as relevant)?

2. Water quality (Surface, Discharge and Groundwater)

- Will the proposal occur within 200 metres of a river, creek, wetland or estuary? If so, provide details.
- Will surface water from the site drain to a river, creek, wetland or estuary? If so, provide details about potential impacts and how they will be managed, such as sediment settling ponds.
- Will the activity result in discharge of liquids (including to sewer)? If yes, provide details of the nature of the discharge (estimated volume and characteristics).
- If discharge to the environment is proposed, describe the nature of the receiving environment (e.g. downstream waterways) and likely impact of the discharge.

² Defined in the State Planning Provisions as ‘a residential use or a use involving the presence of people for extended periods except in the course of their employment such as a caravan park, childcare centre, dwelling, hospital or school.’

Where available, provide water quality data describing the downstream environment.

- If discharge to sewer is proposed, provide details of the associated trade waste agreement.
- Provide details of any proposed effluent treatment.
- Is drinking water or water for stock drawn from a waterbody which may be affected by the proposal? If so, provide details.
- Could the proposal have any impact on groundwater? If so, provide details.
- Is the proposal consistent with the State Policy on Water Quality Management 1997 (as relevant)?
- Provide details of any proposed water monitoring activities.
- Consideration should be given to management of surface water runoff using water sensitive urban design principles where applicable. Further information is available from the Derwent Estuary Program³.

3. Noise emissions

- Will the activity include fixed or mobile equipment that emits noise? If yes, provide details of the noise sources including size, power ratings, noise attenuation and hours of operation. Show the expected locations of the noise sources on the site plan and the locations of nearby residences and other noise sensitive premises⁴ on the area map (see Part B).
- Potential impacts from noise generated by the activity must be described, and the need or otherwise for detailed technical review and additional mitigation measures are to be considered and discussed in the EER. Note: Emissions from traffic resulting from the activity may be addressed under Section 12 below.
- Is the proposal consistent with the Tasmanian *Environment Protection Policy (Noise) 2009* (as relevant)⁵?

4. Solid wastes

- Will the activity produce or result in solid wastes? If yes, provide details of the nature of the waste types and proposed methods for reuse, recycling or disposal of such wastes.
- Can generation of the wastes be reduced or avoided in the first place?

5. Environmentally Hazardous substances

- Will the activity involve the use and/or storage of 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? This includes fuels, oils, waste and chemicals. If so, provide

³ Available on the internet at: <http://www.derwentestuary.org.au/index.php?id=31>.

⁴ 'noise sensitive premise' is defined as: residences and residential zones (whether occupied or not), schools, hospitals, caravan parks and similar land uses involving the presence of individual people for extended periods, except in the course of their employment or for recreation.

⁵ Available on the EPA website at <https://epa.tas.gov.au/policy/statutory-policies/state-policies-and-environment-protection-policies/environment-protection-policy-%28noise%29-2009>

details of the nature and quantity of the materials, their storage location and methods and proposed measures to prevent their release.

- Describe proposed measures for responding to accidental spillage or escape of hazardous substances.
- Identify all controlled wastes likely to be present on the site, with reference to standard classification⁶.
- Identify all dangerous goods likely to be present on the site⁷.

6. Natural values

- Any records from the Natural Values Atlas and TASVEG 3.0⁸ of any listed threatened flora/fauna species or threatened vegetation communities on or near the site. If any are present, or if the site has potential habitat for any such species, a detailed survey is likely to be required and the results should be presented in the EER.
- Details of any flora or fauna surveys undertaken on the site. Surveys must comply with the requirements of the *Guidelines for Natural Values Assessments*⁹ and any relevant species-specific guidelines.
- Any proposed clearing or disturbance of native vegetation or potential habitat for native fauna as part of the proposal, including details of the nature of vegetation and habitat values to be cleared or disturbed, and the area of vegetation affected (in hectares).
- Any other known natural values on or near the site, including aquatic values.
- Geoconservation values present on or near the site, e.g. karsts.
- Any other ways in which the proposal has the potential to affect natural values, including:
 - Movement/noise/lights during sensitive avifauna breeding seasons;
 - Roadkill from vehicles;
 - Disturbance of aquatic or riparian environments (NB surface water and contaminant runoff may be addressed in other sections below as relevant);
 - Disturbance of geoconservation sites;
- If the proposal has the potential to impact on natural values, provide details of any proposed management measures.

7. Marine areas and Coastal zone

- Will any part of the proposal be located within 1 km inland of the coast or within 300 metres offshore? If yes, provide details.
- If yes to the above, is the proposal consistent with the Tasmanian State Coastal Policy 1996?

⁶ Information on controlled waste identification and classification is available on the internet at: <http://epa.tas.gov.au/regulation/identify-a-material-as-a-controlled-waste>.

⁷ As defined in the *Australian Code for the Transport of Dangerous Goods by Road and Rail*.

⁸ Both can be accessed on the internet at: <https://www.naturalvaluesatlas.tas.gov.au/>

⁹ Available on the internet at: <http://dpiw.tas.gov.au/conservation/publications-forms-and-permits/forms-and-permits/development-planning-conservation-assessment-guidelines>.

- Is the activity likely to impact on sensitive marine areas, conservation areas, or areas used extensively for recreation or commercial fishing activities? If yes, provide details about potential impacts and any surveys undertaken in accordance with the *Guidelines for Marine and Estuarine Natural Values Surveys related to Development Proposals*¹⁰

8. Weeds, Pests and Pathogens

- Describe any weeds¹¹, pests or pathogens known to be or likely to be present on or near the site.
- Does the proposal has the potential to introduce or spread weeds, pests or diseases? If yes, provide details of any proposed management measures.

9. Greenhouse Gas Emissions and Climate Change Management

- Describe how the proposal will implement best practice environmental management in energy consumption and in transport of materials to and from the proposed activity, to minimise greenhouse gas emissions.
- Discuss the impacts of the proposed activity in relation to Tasmania's climate change strategy¹².
- Describe the potential impacts of climate change upon the proposal. For example it may be appropriate to plan in advance for more intense storm events, more severe fire weather, long term sea level rise, etc.

10. Site contamination (historical)

- Has the site on which the activity is to be located been used in the past for activities which may have caused soil or groundwater contamination? If so, provide details. Include details of any assessments of soil or groundwater contamination on the site.

11. Other off-site impacts

- Does the activity have the potential to generate any other off-site impacts that may affect the amenity of residences or other sensitive uses (such as schools and hospitals)? If yes, provide details. The location of all nearby residences or other sensitive uses must be clearly shown on the area map (see Part B).

12. Environmental Impacts of Traffic

- Will the activity result in or require substantial transport of goods or materials to or from the site, which may affect either ambient noise levels or air quality on the land and in proximity to the land? If yes, provide details such as vehicle types, number of vehicle movements, times of movements and route(s).
- Will the activity result in the need for mitigation measures under the *Survey Guidelines And Management Advice For Development Proposals That May Impact On The Tasmanian Devil (Sarcophilus harrisii)*¹³? If yes, provide details of proposed mitigation measures.

¹⁰ Available on the internet at:

<https://dpiwwe.tas.gov.au/Documents/Guidelines%20for%20Marine%20and%20Estuarine%20Natural%20Values%20Surveys%20related%20to%20Development%20Proposals.pdf>

¹¹ Plant species declared as a weed under the *Weed Management Act 1999*.

¹² Available on the internet at: <http://www.dpac.tas.gov.au/divisions/climatechange>.

¹³ Available on the internet at:

<https://dpiwwe.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>

13. Monitoring

- Describe any proposed environmental monitoring and reporting for the activity.
- Show all proposed monitoring points on the site plan (see Part B).

14. Decommissioning and Rehabilitation

- Describe proposed decommissioning and rehabilitation measures in the event of cessation of the activity.
- For mining and quarrying activities, describe proposed progressive rehabilitation.

Part D – Summary of proposed management measures

- Specific, unambiguous written proposed measures for avoiding, minimising and managing the potential environmental impacts of the proposal (as identified in Part C) should be documented in Part D (see example below).

Management measures

No.	Proposed measure	Timeframe
1	<i>Design and install a sediment settling pond capable of containing runoff from a 1-in-20 year storm event as described in Part C, paragraph 2.6 [of the EER].</i>	<i>At least 30 days prior to commencement of operations.</i>
2	<i>Develop a solid waste management plan as described in Part C, paragraph 8.4 [of the EER].</i>	<i>Within three months of approval and prior to treatment or removal of any waste.</i>
3	<i>Erect a noise attenuation barrier as described in Part C, paragraph 9.2 [of the EER].</i>	<i>At least 30 days prior to commencement of operations.</i>

Part E – Public and stakeholder consultation

- Has consultation taken place (such as with other government agencies, community groups or neighbours), or is it intended that consultation will take place? If so, provide details.

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

Appendix A: Other issues and agency contacts

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

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

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

Policy and Conservation Advice Branch

Telephone: (03) 6165 4416

Email: conservationassessments@dpiwwe.tas.gov.au

Website: www.dpiwwe.tas.gov.au

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

Heritage Tasmania

Telephone: (03) 6165 3700

Email: enquiries@heritage.tas.gov.au

Website: www.heritage.tas.gov.au

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

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

Aboriginal Heritage Tasmania

Telephone: (03) 6165 3152

Email: aboriginal@heritage.tas.gov.au

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

Note: the proposal will be referred to Aboriginal Heritage Tasmania (AHT) on referral to the Board. AHT will engage directly with the proponent if assessments and approvals are required.

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

Parks and Wildlife Service

Telephone: 1300 827 727

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

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

Crown Land Services

Telephone: (03) 6233 6413

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

Website: www.parks.tas.gov.au

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

State Roads

Telephone: (03) 6166 3369

Email: permits@stategrowth.tas.gov.au

Website: www.transport.tas.gov.au

Mining leases:

Mineral Resources Tasmania

Telephone: (03) 6165 4800

Email: info@mrt.tas.gov.au

Website: www.mrt.tas.gov.au

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

Water Management and Assessment Branch

Telephone: (03) 6165 3222

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

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