

**Meeting No.** 186  
**Date:** Tuesday 1 October at 12noon  
Level 1 Meeting Room No. 1.01 (Florentine), 40 Elizabeth Street, Hobart

### PRESENT

**Board**

- Andrew Paul (Chair)
- Cindy Ong (Member)
- Ian Cresswell (Member – via Teams)
- Mark Gifford (Member – Via Teams)
- Rosanna Coombs (Member – via Teams)
- Therese Flapper (Deputy Member)

**Other attendees**

- Martin Read (Executive Director, Environmental Assessments, EPA)
- Helen Mulligan (Manager, Assessments)
- Fionna Bourne (Manager, Environmental Engagement, EPA)
- Grace Vaszocz (Executive Assistant, Directorate, EPA)
- Liz Richardson (Senior Environmental Officer, Environmental Assessments, EPA)
- Catherine Browning, (Principal Assessment Officer, Environmental Assessments, EPA)
- Sophie Buttery, (Senior Environmental Officer, Environmental Assessments)

Meeting commenced at 12 Noon.

#### 186.1 Apologies

Apology was received from Wes Ford for meeting number 186.

#### 186.2 Minutes of Board meetings

*a. 185th EPA Board Meeting minutes*

The Board resolved to approve the minutes as a true and accurate record of the 185<sup>th</sup> EPA Board Meeting held on 3 September 2024.

### **186.3 Board Decision Registers**

- a. Board Decision Register
- b. Out of Session Decision Register

The Board noted the two Decision Registers circulated.

### **186.4 Declaration of Interests**

One declaration of interest were raised for the 186<sup>th</sup> Board Meeting, for Item No. 186.9.

As a result Mark Gifford, as Deputy Chair will preside for that one item.

### **186.5 Delegations**

The Board noted the decisions made under delegation since the previous meeting.

### **186.6 Actions arising - Nil.**

### **183.7 Standing action items.**

The Board resolved to note the status of items listed on the Standing Actions list.

#### 186.7a Review of EPA Board – EPA Protocols.

- Paper was discussed and it was agreed that amendments needed to be made before the Board could approve this new version. The Board agreed that a final version would be circulated and approved out of session.

The other standing action item that was discussed related to upcoming audits of past approvals. Board members agreed that presentations on Cattle Hill Windfarm with particular comment regarding common regulatory/compliance issues that arise with other windfarms and any other issues the Board should be aware of. The Board was also interested in an audit/presentation on a mine closure or quarry operation.

## **Items for Decision**

### **186 .8 Collins Cap Quarry Intensification - Molesworth**

The Board considered the proposal from AllTas Engineering Pty Ltd for their proposal to develop a crushing plant at their existing quarry located at 685 Collins Cap Road (mining lease 1104P/M), located 6km west of Collinsvale.

It was noted by the Senior Environmental Officer, that this proposal includes the addition of crushing and screening of up to 10,000 tonnes of material per year.

The Senior Environmental Officer discussed the Environmental Assessment Report and the Permit Part B with the Board, who raised some concerns about Noise, Dust, Surface Water and Compliance History and checks of the site. Board members also raised concerns regarding the amount of the bond and that they considered it was too low and a more reasonable figure would be \$80,000. EPA staff clarified that the question of bond amount is the responsibility of Mineral Resources Tasmania and outside of EPA jurisdiction.

Board members also discussed whether a further action would be to request the Director to ensure that ongoing monitoring of compliance was undertaken to bring the activity into compliance as soon as possible and to resolve current outstanding issues.

Board members proposed the following amendments

## Environmental Assessment Report

Reference to the noise complaint made in 2018

### Permit conditions

The activity should be updated to include extraction

Insertion of **SWX** as proposed by the Senior Environmental Officer

### **SW X Surface water quality control requirements**

1. Unless otherwise approved in writing by the Director, the following requirements must be satisfied within one (1) year from the date on which these conditions take effect.:

1.1 Overflow spillway from sediment basin east (define) must be provided with rock lining transitioning into the roadside drain on Collins Cap Road;

1.2 Rock pitching and widening of approach drains to promote shallow and low velocity flow entry into basins; and

1.3 All primary flow paths and drains must be rock lined to reduce loads on sediment basins.

2. Requirements of this condition will be deemed to be satisfied only when the Director indicates in writing that requirements have been adequately addressed. (Note that an additional map would be required in the permit)

Change **OII.1** to

**OII.1** Waste should be minimised, that is, the generation of waste must be reduced as much as possible having regard to best practice environmental management.

Media Release – Wording should be changed to:

“The proposal includes the existing extraction uses and the addition of the activity of crushing and screening to the quarry that has an existing limit, to 10,000 tonnes (6,250 cubic metres) of material per year. “

Correction of spelling error in **DCI**

The Board resolved subject to the above amendments to:

1. Adopt the draft Environmental Assessment Report.
2. Authorised the Chairperson to sign the final Environmental Assessment Report on its behalf.
3. Resolved, in accordance with section 25(5)(a)(i) of the EMPC Act, to notify Derwent Valley Council that the conditions and restrictions detailed in Appendix 2 of the Environmental Assessment Report (Permit Conditions – Environmental No. 10927) must be contained in a permit granted by the planning authority under the *Land Use Planning and Approvals Act 1993* in respect of the activity, if a permit is to be granted.
4. Resolved in accordance with section 25(5)(a)(ii) of the EMPCA, to provide Council with a copy of the final Environmental Assessment Report to outline the reasons for the conditions and restrictions.
5. Determined that, in the event that Derwent Valley Council grants a permit and in accordance with Regulation 17 of the *Environmental Management and Pollution Control (General) Regulations 2017*, Alltas is exempted from any further liability to pay the annual permit fee for the existing permit containing PCE No.3468.
6. Notes that, should a permit be granted by Derwent Valley Council, an invoice will be issued in due course to Alltas for the additional amount they are required to pay for the fees owed for the intensified activity during the current financial year, minus the amount they have already paid under the previous permit.
7. Recommend that SW4 condition be added to the Permit and DCI and OI 1.1 be amended and update the activity description to include the word “extraction”.

### **186.9 CMTP Pty Ltd – Branhholm Sawmill Upgrade**

As the Chairperson has declared his interest in this Item, he removed himself from the meeting and Mark Gifford stepped in as Acting Chairperson for this agenda Item.

The Environmental Assessment officer outlined the proposal received from CMTP Pty Ltd to increase production at their Branhholm Sawmill, located at 1623 Warrentinna Road, Branhholm.

Key issues identified in the Environmental Assessment Report were discussed by the Board in details. These key issues were:

- Air quality
- Surface and groundwater quality.
- Noise emission
- Natural values and
- Waste management, dangerous goods, and environmental hazardous substances.
- Vehicle and machinery washdown
- Regulatory thresholds

The Board considered several amendments to the Environmental Assessment Report and draft conditions in response to feedback from CMTP Pty Ltd on the regulatory threshold and to correct minor errors. The Board also considered minor changes to the noise conditions to ensure simplicity and clarify the timing and due dates for reporting. These changes included allowing an additional 12 months for CMTP Pty Ltd to provide the required Noise Reduction Plan. The Board adopted these amendments and changes in principle, subject to being provided with a copy of the final changes for review.

The Board resolved to:

1. Adopt the draft Environmental Assessment Report as amended.
2. Authorised the Deputy Chairperson to sign the final Environmental Assessment Report on its behalf.
3. Resolved, in accordance with section 25(5)(a)(i) of the EMPC Act, to notify Dorset Council that the conditions and restrictions detailed in Appendix 3 of the Environmental Assessment Report (Permit Conditions – Environmental No. 11324) must be contained in a permit granted by the planning authority under the *Land Use Planning and Approvals Act 1993* in respect of the activity, if a permit is to be granted.
4. Resolved, in accordance with section 25(5)(a)(ii) of the EMPCA, to provide Dorset Council with a copy of the final Environmental Assessment Report to outline the reasons for the conditions and restrictions.
5. Determined that, in the event that Dorset Council grants a Permit and in accordance with Regulation 17 of the *Environmental Management and Pollution Control (General) Regulations 2017*, CMTP Pty Ltd is exempted from any further liability to pay the annual permit fee for Permit No. DEV 2013/50 (containing PCE No. 8663) as varied by Environment Protection Notice (EPN) No. 10008/1.
6. Noted that, should a permit be granted by Dorset Council, an invoice will be issued in due course to the proponent for the additional amount they are required to pay for the fees owed for the intensified activity during the current financial year, minus the amount they have already paid under the previous permit.
7. Board also requested to see the final permit with the minor changes as discussed above, prior to it being finalised. Noted that this would be done via Out of Session, so as not to hold up the approval process.

### **186.10 Proposed Policy Amendment – determining when an assessment is not required.**

The Board noted the paper that was prepared and presented by the Senior Assessment Officer.

It was also noted that this paper is only intended for internal use as a guide for staff to ensure that determinations on whether a proposal requires assessment can be made with consistency, efficiency and with legal integrity and in line with the Board's expectations.

The Board resolved to.

1. Approve the proposed updates to its Guidelines for Making Decisions under Delegation with some minor amendments as discussed.
2. Noted that this item is to be placed on the Standing Actions List and reviewed once every 2 years.

### **186. 11 Board Delegations**

The Board considered the briefing paper on EPA Board Delegations that will ensure the ongoing efficient and effective implementation of the *Environmental Management and Pollution Control Act 1994* (EMPCA)

The Board resolved to:

1. Revoke previous EPA Board Delegations and Authorisations approved by the EPA Board on 3 September 2024 a with immediate effect.
2. Delegate, pursuant to section 16(1) of the *Environmental Management and Pollution Control Act 1994* (EMPCA) to any person for the time being holding the office or position of Director, Environment Protection Authority and Chief Executive Officer (State Service Position Number 334398) and the Executive Director Environmental Assessments (State Service Position Number 702186) the functions and powers of the Board described by reference to the relevant provision(s) of EMPCA and generally in columns 1 and 2 of Schedule 1A subject to the conditions and qualifications specified in column 3 of Schedule 1A of the table of EPA Board Delegations.
3. Delegate, pursuant to section 16(1) of the *Environmental Management and Pollution Control Act 1994* (EMPCA) to any person for the time being holding the office or position of Director, Environmental Regulation (State Service Position Number 708915) and the Director, Finfish Compliance (State Service Position Number 708916) the functions and powers of the Board described by reference to the relevant provision(s) of EMPCA and generally in columns 1 and 2 of Schedule 1B subject to the conditions and qualifications specified in column 3 of Schedule 1B of the table of EPA Board Delegations.
4. Delegate, pursuant to section 16(1) of EMPCA to any person for the time being holding the office or position of Manager (Assessments) (State Service Position Number 700560) the functions and powers of the Board described by reference to the relevant provision(s) of EMPCA and generally in columns 1 and 2 of Schedule 2A subject to the conditions and qualifications specified in column 3 of Schedule 2A of the table of EPA Board Delegations.
5. Delegate, pursuant to section 16(1) of EMPCA to any person for the time being holding the office or position of Principal Assessment Officer (State Service Position Numbers 709045, 709046 and 709130) the functions and powers of the Board described by reference to the relevant provision(s) of EMPCA and generally in columns 1 and 2 of Schedule 2B subject to the conditions and qualifications specified in column 3 of Schedule 2B of the table of EPA Board Delegations.
6. Delegate pursuant to section 16(1) of EMPCA to any person for the time being holding the office or position of Director, Environment Protection Authority and Chief Executive Officer (State Service Position Number 334398), the Executive Director Environmental Assessments (State Service Position Number 702186) and the Director, Finfish Compliance (State Service Position Number 708916) the functions and powers of the Board described by reference to the relevant provision(s) of EMPCA and generally in columns 1 and 2 of Schedule 3 subject to the conditions and qualifications specified in column 3 of Schedule 3 of the table of EPA Board Delegations.
7. Delegate pursuant to section 16(1) of EMPCA to any person for the time being holding the office or position of Director, Environment Protection Authority and Chief Executive Officer (State Service Position Number 334398), Executive Director Environmental Assessments (State Service Position Number 702186) and the Director, Environmental Regulation (State Service Position Number 708915) the functions and powers of the Board described by reference to relevant provision(s) of EMPCA and generally in columns 1 and 2 of Schedule 4 subject to the conditions and qualifications specified in column 3 of Schedule 4 of the table of the EPA Board Delegations.

8. Delegate, pursuant to section 16(1) of EMPCA to any person for the time being holding the officer or position of Director, Environment Protection Authority and Chief Executive Officer (State Service Position Number 334398), Executive Director Environmental Assessments (State Service Position Number 702186), the Director, Environmental Regulation (State Service Position Number 708915) and the Director, Finfish Compliance (State Service Position Number 708916) the functions and powers of the Board described by reference to the relevant provision(s) of EMPCA and generally in columns 1 and 2 of Schedule 5A subject to the conditions and qualifications specified in column 3 of Schedule 5A of the table of the EPA Board Delegations.
9. Delegate, pursuant to section 16(1) of EMPCA to any person for the time being holding the officer or position of Manager (Assessments)(State Service Position Number 700560) the functions and powers of the Board described by reference to the relevant provision(s) of EMPCA and generally in columns 1 and 2 of Schedule 5B subject to the conditions and qualifications specified in column 3 of Schedule 5B of the table of the EPA Board Delegations.

### **186.12 EPA Annual Report – For approval**

The Board considered the third and final draft of the EPA Annual Report 2023-24 which now included the audited and redesigned Financial Statements.

The Board noted that the Media Release would require some amendments made to it.

The Board noted that the tabling of the Annual Report will be required by the 31 October 2024 and with that in mind the Board resolved to-

1. Approve the final draft of the EPA Annual Report 2023-24, which includes the audit Financial Statement; and
2. Approve out of session the draft Media Release, which once the Minister tables the EPA Annual Report 2023-24 in Parliament, will be published on the EPA website.

## **Items for Noting**

### **186.13 Assessments in Progress**

The Board noted the Assessments in Progress and Other Assessments Report.

The Manager, Assessments went through the Assessments in Progress paper and highlighted the following to the Board.

14<sup>th</sup> October special meeting there will be one assessment for approval for South Blackwater Silica Mine. There will also be a background paper introduction White Beach Quarry assessment as well as a Directions to advertise briefing paper.

5<sup>th</sup> November meeting will have two assessments on the Agenda, one for MMG Australia - Bobadil Tailings Storage Facility and a briefing paper on Marinus Link.

The Agenda for the 3<sup>rd</sup> December currently has the White Beach Quarry and Abx Bauxite Quarry up for approval,

### **186.14 Media Releases**

[News | EPA Tasmania](#)

### **186.15 Correspondence – Nil**

### **186.16 Other Business**

In relation to the recent Budget Estimates Hearings, the Deputy Board Member asked was there any follow up questions that arose from these hearings.

- It was noted that there was one Question on Notice on Finfish mortalities and one on waste water management on Flinders Island. Both responses have been prepared and sent to Minister's office.

A Web Link to the State of Environment report will also be sent to all Board Members.

A meet and greet request in the form of either a morning tea or lunch was received from Environmental Assessment to the Board. The Board agreed, and decided perhaps this can occur at either the November or the December meeting.

Board members also requested a calendar of events is circulated to cover the remainder of Board meetings for 2024, the Strategic Workshop and the field trip in December.

#### **186.17 Strategic Issues - Nil**

#### **186.18 Review of Meeting**

#### **186.19 Next Meeting**

A Special Board meeting will be held on 14 October 2024 at 9am.

The next regular Board meeting is to be held on 5 November 2024 at 12pm.

The Chair thanked everyone who attended the meeting.

The meeting closed at 4:30pm

#### **Minutes endorsed by:**

Andrew Paul

**CHAIRPERSON**

**BOARD OF THE ENVIRONMENT PROTECTION AUTHORITY**

DATE: 1 October 2024