

Minutes



ENVIRONMENT PROTECTION AUTHORITY

Meeting No.: 172
Date: Tuesday 6 June 2023 at 2.00 pm
Location: Level 1 Meeting Room No. 1.01 (Florentine),
40 Elizabeth Street, Hobart

PRESENT

Board

- Mr Andrew Paul (Chairperson)
- Ms Amanda Locatelli (Member) – via MS Teams
- Mr Wes Ford (Member)
- Ms Belinda Hazell (Member)
- Dr Ian Cresswell (Member) – via MS Teams

Other attendees

- Dr Martin Read (Executive Director, Environmental Assessments, EPA)
- Ms Fiona Bourne (Manager, Environmental Engagement, EPA)
- Ms Allison Round (Communications Coordinator, Environmental Engagement, EPA)
- Ms Helen Mulligan (Manager, Assessments, EPA)
- Ms Edith O’Shea (Principal Assessment Officer, Assessments, EPA)
- Ms Rachel Alexander (Senior Environmental Officer, Industrial Operations, EPA)
- Ms Charlotte Atkin (Senior Environmental Officer, Assessments, EPA)
- Ms Zoe Brown (Senior Environmental Officer, Assessments, EPA)
- Ms Catherine Browning (Senior Environmental Officer, Assessments, EPA)
- Ms Ella Jackson (Environmental Officer, Assessments, EPA)
- Mr John Langenberg (Manager – Industrial Operations South)

Meeting commenced at 2.05pm

172.1 Apologies

Apology received from Mr Mark Gifford (Deputy Member). There were no other apologies for the 172nd EPA Board meeting.

172.2 Minutes of Board meetings

a. 171st EPA Board Meeting minutes held on the 2 May 2023

The Board resolved to:

- Approve the minutes as a true and accurate record of the 171st EPA Board Meeting held on the 2nd of May 2023.

172.3 Board Decision Register

The Board noted the Decision Register that was circulated.

172.4 Declaration(s) of Interests

The Board noted the declarations of interests. There were no further declarations of interest raised for the 172nd EPA Board meeting.

172.5 Delegations

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

a. Board Briefing Paper - EPA Board Delegations Correction of Minor Error

The Board resolved to:

- that the previous EPA Board Delegations approved by the EPA Board on 2 August 2022 are revoked with immediate effect.
- that acting pursuant to section 16(1) of the Environmental Management and Pollution Control Act 1994 (EMPCA) to delegate 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) the functions and powers of the Board described by reference to the relevant provision(s) of EMPCA and the Land Use Planning and Approvals Act 1993 and generally in columns 1 and 2 of Schedules 1, and 3 to 5 inclusive, subject to the conditions specified in column 3 of Schedules 1 to 5 inclusive of the table of EPA Board Delegations.
- that acting pursuant to section 16(1) of the Environmental Management and Pollution Control Act 1994 (EMPCA) to delegate to any person for the time being holding the office or position of Director, Environmental Regulation (State Service Position Number 708915) the functions and powers of the Board described by reference to the relevant provision(s) of EMPCA and the Land Use Planning and Approvals Act 1993 and generally in columns 1 and 2 of Schedules 4 and 5, subject to the conditions specified in column 3 of Schedules 4 and 5 of the table of EPA Board Delegations.
- that acting pursuant to section 16(1) of the Environmental Management and Pollution Control Act 1994 (EMPCA) to delegate to any person for the time being holding the office or position of 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 Schedules 3 and 5, subject to the conditions specified in column 3 of Schedules 3 and 5 inclusive of the table of EPA Board Delegations.
- that acting pursuant to section 16(1) of the Environmental Management and Pollution Control Act 1994 (EMPCA) to delegate to any person for the time being holding the office or position of Manager Assessments (State Service Position Number 700560) or 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 2, subject to the conditions specified in column 3 of Schedule 2 of the table of EPA Board Delegations.

172.6 Actions arising

The Board resolved to:

- Note the status of items listed on the Actions Arising.

172.7 Standing action items

There were no standing action items presented for the 172nd EPA Board Meeting.

Items for Decision

172.8 AG & BJ Riley Nook Quarry Expansion

The Board accepted the papers as read, and EPA Officers provided a short overview of the proposal, and options for the Board to consider in relation to proceeding with the assessment.

The Board resolved to:

- Note the information provided.
- Considered that option four was the best option to proceed with the assessment; and
- Support the commencement of discussions with Cement Concrete & Aggregates Australia (CCAA) about the assessment and permitting of very long-term proposals.

172.9 EPA Strategic Plan

The Board resolved to:

- Hold over this agenda item to the July EPA Board meeting to discuss in conjunction with the draft Ministerial Statement of Expectation.

172.10 Fragrance Hotel Permit Conditions

The Board accepted the papers as read, and the Manager, Environmental Engagement provided an overview.

The Board resolved to:

- Note the contents of the Briefing Paper; and
- Endorse the recommendation that the Director EPA issues an EPN revoking the EPA Board conditions from the reissued PLN-17-430, thus removing the EPA as a regulator of the excavation component of the development.

172.11 LINE Hydrogen (Australia) Pty Ltd Assessment

The Board accepted the papers as read, and an EPA Officer briefed the Board on the proposal which involves the construction and operation of a 7.6 MW green hydrogen production facility.

The Board resolved to:

- Adopt the draft Environmental Assessment Report, and amendment as discussed.
- Authorise the Chairperson to sign the final Environmental Assessment Report on its behalf.
- Amend condition WW1 in Appendix 3 of the Environmental Assessment Report (Permit Conditions – Environmental No. 11288) to insert the words “or via a trade waste agreement with TasWater” after the word after phrase “Attachment 2”
- Resolve, in accordance with section 25(5)(a)(i) of EMPCA, to notify George Town Council that the conditions and restrictions as amended detailed in Appendix 3 of the Environmental Assessment Report (Permit Conditions – Environmental No. 11288) 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.
- Resolve, in accordance with section 25(5)(a)(ii) of EMPCA, to provide Council with a copy of the final Environmental Assessment Report to outline the reasons for the conditions and restrictions.

172.12 Marinus Link Environmental Performance Requirements

The Board accepted the papers as read, and an EPA Officer updated the Board with further information as request by the Board at the May 2023 meeting.

The Board resolved to:

- Note the information in the briefing paper;

- Endorse Attachment I as a basis for further engagement and discussion with Marinus Link about the appropriateness of EPRs, and guidance about the need for the Board to consider and have access to management plans or survey results and/or baseline data at the time of making its decision.
- Approve for a cover letter to be drafted highlighting reasons for sign-off by the EPA Director.

172.13 Fee remission application for Venture Minerals' Riley Mine

The Board accepted the paper as read, and resolved to:

- Approve the fee remission application for Venture Minerals' Riley Mine, with amendments to letter as discussed.
- Noted that the applicant needs to provide sufficient supporting information and submit the application within 60 days of the permit date

Presentations

172.14 Care and Maintenance Plans (EPA Regulatory Officer)

The Board resolved to note the information provided in the presentation.

Items for Noting

172.15 Assessments in Progress

The Board resolved to:

- Note Assessments in Progress and Other Assessments Report.

172.16 Media Releases

The Board resolved to:

- Note new media releases were on the EPA website.

172.17 Correspondence

a. Letter to EPA Board Chair from Minister for Environment and Climate Change re: draft Ministerial Statement of Expectation

The Board discussed the correspondence from the Minister for Environment and Climate Change, and resolved to:

- Review and formalise a response to the Minister at the next EPA Board meeting scheduled for 4 July 2023.

172.18 Other Business

There was no other business discussed at the 172nd EPA Board meeting.

172.19 Strategic Issues

There were no strategic issues discussed at the 172nd EPA Board meeting.

172.20 Next Meeting

The next meeting is scheduled for **Tuesday the 4th of July 2023 at 2.00 pm.**

The 172nd EPA Board meeting closed at 4.08pm.

Minutes endorsed by:



Andrew Paul
CHAIRPERSON
BOARD OF THE ENVIRONMENT PROTECTION AUTHORITY

DATE: 4 July 2023