

Environmental Effects
Report Guidelines
Tasmania Oil
Oil Recovery Facility
Wivenhoe

September 2022



ENVIRONMENT PROTECTION AUTHORITY

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Introduction

Purpose of the Guidelines

These Guidelines provide instructions for proponents on how to prepare an Environmental Effects Report (EER) for an activity being assessed in Tasmania by the Board of the Environment Protection Authority (the Board). An EER is a document that provides information about the environmental impacts of the proposed activity and the proposed mitigation measures. The Board uses the EER as a 'case for assessment', to assess the environmental impact of an activity, as required under the *Environmental Management and Pollution Control Act 1994* (EMPCA).

Guidelines will be adapted for each proposal, where Part B and Part C include project-specific information requirements. The EER must be prepared in accordance with the project-specific Guidelines, which are issued under section 74(4) of the EMPCA.

The EER will be advertised during the public consultation period and remain publicly available on the EPA website. After consultation, the proponent may be required to supply additional information in response to public and government agency submissions. This generally takes the form of a Supplement to the EER.

Further information is available on the [EPA Assessment Process](#)¹ website.

Preparing an EER

The EER should contain five parts as follows:

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

Other relevant information, such as survey reports, should be attached to the EER as appendices.

The EER must be typed, A4 sized and submitted electronically (in a searchable format). All images must be of high quality, have a descriptive caption, and be capable of being easily copied and pasted into other documents such as a permit (i.e., all objects should be 'grouped'). All maps, plans, and aerial photographs must be oriented in the same direction as far as practicable and include a north arrow and scale.

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

Where the proposal is for a production increase/intensification/modification of the activity, the EER must provide a case for assessment of the entire activity at the proposed production level/as modified.

¹ Available at <https://epa.tas.gov.au/assessment/assessment-process>

Planning Information

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

- as a separate response to an additional information request from Council under section 54 of the LUPAA, 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.

Commonwealth legislation

The Commonwealth Government may also have a role in the environmental assessment and approval of the proposed activity. Approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA) is required for an action which is on Commonwealth land or is likely to have a significant impact on a matter of national environmental significance.

Information on the EPBCA can be obtained from the [Australian Government Department of Climate Change, Energy, the Environment and Water](https://www.environment.gov.au/epbc) website², or by calling 1800 803 772.

The EER must include a statement on whether Commonwealth approval is likely to be required.

Environment Protection Authority Contact

For information about the assessment process, contact the Environmental Assessment Branch:

GPO Box 1550

Hobart, Tasmania 7001

Telephone: 0427743988

Email: assessments@epa.tas.gov.au

Website: www.epa.tas.gov.au

At least one draft of the EER should be submitted for review prior to formal submission to the Board. This should be emailed or file shared to assessments@epa.tas.gov.au and your nominated contact officer.

² Available at <https://www.environment.gov.au/epbc>

Content of EER

Part A – Proponent Information

Provide the following information regarding the proponent:

Proponent entity name	(Consistent with any intended or current permit application for the activity under the LUPAA)
Proponent trading name	
Registered address of proponent	
Postal address of proponent	
ABN/ACN of proponent	
Contact person's details	Name Telephone number Email address
Consultant's details	Name Telephone number Email address

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

Part B – Proposal Description

Where the proposal is subject to a permit application under the LUPAA, the proposal description and specification of the site 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. As 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.

I Description of proposed activity

Complete the following tables and provide additional text, diagrams or flowcharts as required.

Proposed Activity

Activity	Provide a general description of the proposed activity, including the classification of the activity under Schedule 2 of EMPCA.
New or existing	State if this is an intensification/modification of an existing activity or a new activity.
Product or purpose	Describe the product or purpose of the activity.
Maximum quantity/limit	State the intended activity production capacity or limit/s, with respect to the activity types listed in Schedule 2 of EMPCA. In this case the proposal is both an oil refinery (Schedule 21(c) with a volume of product produced per year, and a waste depot (Schedule 2, 3(b) with tonnes per year waste received. Provide both the volume of product produced and tonnes of waste received per year.
Method/s	State the method(s) of operation and the main items of equipment involved. Provide a diagram or flowchart below if necessary.
Industry standards	Detail any industry standards or guidelines applicable to the activity. Confirm if the activity is operating under the <i>Product Stewardship for Oil (PSO) Scheme</i> offered by the Australian Government and if so describe and demonstrate the relevant recycled oil quality standards are met by the process and recycled oil categories produced.
Transport	Describe the proposed transport route (can refer to figures), vehicle types, number of vehicle movements (per day), and time of day of vehicle movements.
Stockpiling	State any materials that will be stockpiled on site.
Major equipment	List all existing and proposed plant/machinery and other temporary or permanent equipment (distinguish between existing and proposed). A detailed description should be provided of key physical components of the proposal, including their function, composition, size, capacity, operational life, technical and performance requirements, operation, and maintenance.
Infrastructure	List the existing and proposed buildings, structures, access roads, internal haul roads, etc. (distinguish between existing and proposed).
Proposal timeline	State the key proposal timeline(s) and forecast life of the activity.
Operating hours	State the proposed operating hours and days.

Location and planning context

Location	State the address of the site, and CTs and PIDs (as applicable) for all titles on which the activity will take place.
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Planning Permit	Confirm whether a Planning Permit is required under the LUPAA. As an appendix, provide written advice from Council stating the requirement, if a planning application has not already been lodged.
Land zoning and tenure	Describe the land zoning and tenure of the site and surrounds. If rezoning of the site is required, provide details.
Use Class and Permissibility	If a permit is required under the LUPAA, state the Use Class and Permissibility of the activity under the relevant Planning Scheme.

Description of site and surrounds

Land use	Describe the land use of the site and surrounds, distance to the nearest residences, and any nearby conservation reserves or recreation areas.
Topography	Describe the topography of the site and surrounds.
Climate	State the annual rainfall, average temperatures, and predominant wind direction (provide wind roses if possible).
Geology	Describe the geology of the site, including the likelihood that potentially acid forming (PAF) material will be found on site. Describe any geoconservation values on or near the site (e.g., karst).
Soils	Describe the soils on the site (including erodibility), and state whether there is potential to encounter acid sulphate soils and/or contaminated soil.
Hydrology	Describe the waterbodies and aquatic values on site and in the surrounding area. State the distance from the activity to the nearest waterbody.
Natural Values	State the vegetation types on and near the site. List the threatened fauna, flora and vegetation communities known to occur on or near the site (use the Natural Values Atlas, TASVEG 4.0 ³ or results of a relevant survey).

2 Maps and site plan/s

To enhance understanding of the proposal, spatial information should be presented in maps, plans, diagrams, and photographs. These must be of high quality and reproducible in monochrome with all text and relevant features clearly visible. Maps and plans should include a north arrow and scale. When spatial data (including maps, plans, grid coordinates and heights) are provided or referred to, the coordinate reference system must be specified. At a minimum, provide the following:

- **General Location Map** (1:25,000 or other suitable scale), showing the site, the nearest residences in other ownership, other sensitive uses, and residential zones within 1.5 km of the proposed activity and within the applicable attenuation distance⁴, and the transport route(s) to and from the activity.
- **Map of the Land** on which the activity will take place and its boundary; by means of mining lease, land title information, map coordinates or other. The Land as defined by this figure must be consistent with any permit application submitted under the LUPAA (i.e., the Land cannot extend beyond the land titles referenced in the permit application). This figure may be combined with the Site Plan. The boundary of the Land should also be provided to the Board in a geospatial vector format (shapefile or DXF).

³ Both can be accessed at: <https://www.naturalvaluesatlas.tas.gov.au/>

⁴ Refer to relevant planning scheme or State Planning Provisions

- **Site Plan(s)** showing:
 - the boundary of the site.
 - the positions of facilities, buildings, structures, major items of equipment, storage areas and loading or unloading areas (existing and proposed).
 - the location of all wastes, products, and other materials on the site.
 - the locations of temporary and permanent storage areas for fuels, oils, reagents and other hazardous goods or chemicals.
 - watercourses and drainage lines on and near the site.
 - site water management (drains, settling ponds, bunding and monitoring points, as relevant).
 - vegetation types, clearly marking areas to be cleared, and records of any threatened species/vegetation communities.

3 Project rationale and alternatives

- Explain the rationale for the proposal.
- Evaluate the benefits and disadvantages of any alternative options that have been considered.

4 Existing activity

- As the proposed activity is associated with an existing activity, provide the following information 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 – Environmental Impacts and Management

The EER should evaluate all potential impacts of the proposal, with the level of detail provided on each issue reflecting its level of significance. For each issue, describe how the impact assessment has been performed (for example, surveys or desktop studies). Describe the existing environment in relation to the impact, including the vulnerability of the potentially affected environment. Clearly articulate the potential impacts, identifying plausible worst-case scenarios and the reversibility of the impact. Then, describe the management or contingency measures proposed to avoid, mitigate, or offset potential adverse impacts. Detail any specialist recommendations which have/will be implemented or justify otherwise. Finally, analyse how and to what degree the impacts will have been avoided, minimised, or offset, and any residual impacts.

Information from documentation relating to the existing activity (such as an Environmental Management Plan or survey reports) may be used or referenced in this EER, provided the information is current.

I Air quality

The air quality assessment should detail potential impacts of the proposed upgraded oil recovery system on local air quality, including the evaluation of the potential for environmental nuisance or harm. The EER must:

- Identify, describe and mark on a site map all potential sources of emissions to air (i.e. materials, equipment, activities conducted on the site, maintenance and transport to and from the site) from the proposal.
- Provide a map showing the land boundary and all nearest sensitive receptors. Include distances to the nearest residences.
- For each identified emission source, describe the likely composition (i.e., odour and any other identifiable compounds), approximate quantities and rates of emissions to the atmosphere. Information available from the reports of any air quality monitoring of gases undertaken at the facility site in the recent years should also be considered.
- Provide details of all sources of raw material processed at the facility.
- Provide an assessment of the potential for emissions to air from the oil disposal and recovery (refinery) facility to cause environmental nuisance or harm. Include environmental impact of the facility during the upgrading and full operational stages. Take into account land use, local terrain, prevailing winds and other climatic factors as well as distance to the nearest sensitive receptors.
- Identify and discuss measures to be implemented to mitigate any air emissions that may cause environmental nuisance or harm at or beyond the site boundary.
- Provide a history of complaints received in relation to the existing oil disposal and recovery (refinery) facility.

Legislative and policy requirements – air quality

Management and regulatory controls for unavoidable emissions should be in accordance with the requirements of the *Environment Protection Policy (Air Quality) 2004*.

2 Water quality (surface, discharge, and groundwater)

- Identify and characterise all liquid emissions, including surface water runoff, which could arise from the proposal.
- Describe the potential impacts of the activity to the receiving environment (surface water and groundwater).
- Provide details, with detailed drawings, of:
 - the bunding arrangements on site to contain surface contamination and prevent contamination of stormwater;
 - the stormwater collection system servicing the site including all connections, treatment components, pipework, and discharge locations of the stormwater system.
- Provide reports to demonstrate the condition of any dirty water containment and/or treatment facilities and of the stormwater system.
- Provide details of existing and proposed management measures to improve stormwater management on site.
- If discharge to the environment is proposed:
 - describe the nature of the receiving environment (e.g., downstream waterways) and potential impacts of the discharge.
 - provide details about how potential impacts will be mitigated and managed. 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 Program⁵.
- Describe the waterbodies and aquatic values on site and in the surrounding area, including relevant Protected Environmental Values as per the *State Policy on Water Quality Management 1997*:
<https://epa.tas.gov.au/environment/water/pevs-for-tasmanian-surface-waters>
- State the distance from the activity to the nearest waterbody.
- It is noted that the activity will discharge wastewater to sewer. Provide details of the nature of the discharge (estimated volume and characteristics). Provide details of the associated trade waste agreement including discharge treatment and quality requirements.

3 Noise emissions

- Describe all noise sources, including the size and sound power level, noise attenuation and hours of operation for each main piece of equipment.
- Provide a map of the location of all major sources of noise and any noise sensitive premises⁶ within 3km of the boundary of the Land.
- Describe the potential impacts of noise generated by the activity.
- Evaluate the potential for the activity to create a noise nuisance, taking into consideration the:
 - distance to nearest residences and other noise sensitive premises;
 - hours of operation;

⁵ Available on the internet at: <http://www.derwentestuary.org.au/index.php?id=31>.

⁶ '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.

- topography; and
- site layout showing locations of activities (refer to the Site Plan).
- Describe the noise attenuation measures that will be implemented and evaluate the proposal against relevant criteria in the *Environment Protection Policy (Noise) 2009*⁷.

4 Natural values

- Provide records from the Natural Values Atlas and TASVEG 4.0⁸ 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.
- Provide details and results of any flora or fauna surveys undertaken on the site. Surveys must comply with the requirements of the *Guidelines for Terrestrial Natural Values Surveys related to Development Proposals*⁹ and any relevant species-specific guidelines. The survey report must be appended to the EER.
- Detail 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).
- Describe the potential impacts to threatened fauna, flora, and vegetation communities, taking into account:
 - the clearance or disturbance of native vegetation or other potential habitat. Provide details of the vegetation and habitat values to be cleared or disturbed, and the area to be affected, in hectares;
 - movement, noise, or lights during sensitive avifauna breeding seasons;
 - roadkill from vehicles¹⁰.
- Describe the potential impacts to geoconservation sites (e.g., karst systems), aquatic or riparian environments and other natural values, and the management measures proposed to mitigate these impacts.
- Describe the management measures that will be implemented to mitigate or avoid impacts to threatened fauna, flora and vegetation communities or other natural values.

5 Weeds, pests, and pathogens

- List the weeds¹¹, pests and pathogens occurring on or near the site.
- Evaluate the potential for the activity to introduce or spread weeds and diseases to, from and within the site.
- Discuss the proposed management measures for preventing the spread of weeds, pests and pathogens (e.g., vehicle washdown procedures).

⁷ Available on the EPA website at [https://epa.tas.gov.au/policy/statutory-policies/state-policies-and-environment-protection-policies/environment-protection-policy-\(noise\)-2009](https://epa.tas.gov.au/policy/statutory-policies/state-policies-and-environment-protection-policies/environment-protection-policy-(noise)-2009)

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

⁹ Available at: <https://nre.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments>

¹⁰ Information on roadkill risk for Tasmanian Devils is available at: <https://nre.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>

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

6 Waste

- Describe the solid and liquid wastes, including controlled wastes¹² that will be produced by the activity (e.g. metal and machinery service wastes, used oils, general refuse).
- Describe the proposed methods for avoidance, reuse, recycling, treatment, and disposal of waste.

7 Environmentally hazardous substances

- Detail the nature and quantity of any environmentally hazardous substances¹³ that will be stored (permanently or temporarily) and/or handled on site. This includes fuels, oils, waste, and chemicals.
- Describe the storage method and location of any environmentally hazardous substances and discuss the proposed management measures to prevent release and respond to accidental spills (e.g., provision of spill kits).
- Identify any dangerous goods¹⁴ and controlled wastes¹⁵ that will be present on the site, with reference to standard classification. Detail how they will be managed.
- Provide contingency plans for when control measures, equipment breakdowns or accidental releases to the environment occur, including proposed emergency and clean-up measures and notification procedures.

8 Site contamination

- The EER must provide a statement, with supporting information, on the likelihood for previous contamination of the site. If the site is thought to be contaminated include details of any assessments of soil or groundwater contamination.

9 Environmental impacts of traffic

- Provide details of the vehicle types, number of vehicle movements, times of movements and route(s).
- Evaluate the potential for transport to and from the site to cause a noise nuisance to residences and other noise sensitive premises in proximity to the Land, considering the type, volume and time of traffic associated with the proposal.
- Evaluate the potential to cause a dust nuisance as a result of traffic in proximity to the Land.
- Will the activity result in a night-time (between one hour before dusk and one hour after dawn) traffic increase of more than 10% on roads in proximity to the Land? If so, roadkill mitigation measures for Tasmanian Devils may need to be addressed. See the *Survey Guidelines and Management Advice for Development Proposals that may impact on the Tasmanian Devil (Sarcophilus harrisii)*¹⁶ for more information.

¹² Information on controlled waste identification and classification is available at: <https://epa.tas.gov.au/business-industry/regulation/waste-management/controlled-waste>

¹³ 'Environmentally hazardous substance' is defined as: 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.

¹⁴ As defined in the Australian Code for the Transport of Dangerous Goods by Road and Rail.

¹⁵ Information on controlled waste identification and classification is available at: <https://epa.tas.gov.au/business-industry/regulation/waste-management/controlled-waste>

¹⁶ Available at [Devil Survey Guidelines and Advice.pdf \(nre.tas.gov.au\)](https://nre.tas.gov.au/Devil_Survey_Guidelines_and_Advice.pdf)

10 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).

11 Monitoring

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

12 Decommissioning and rehabilitation

- Describe the proposed decommissioning and rehabilitation measures in the event of cessation of the activity.

13 Greenhouse gas emissions and climate change

- 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 strategy¹⁷.
- Describe the potential impacts of climate change upon the proposal. For example, it may be appropriate to plan for more intense storm events, more severe fire weather, long-term sea level rise, etc.

¹⁷ Available on the internet at: <http://www.dpac.tas.gov.au/divisions/climatechange>

Part D – Summary of Proposed Management Measures

This section should contain a table of the proposed measures for avoiding, minimising and managing the potential environmental impacts of the proposal (as identified in Part C). These should be written as specific, unambiguous statements of action (see example below).

Table 1. Examples of proposed management measures

No.	Proposed Management 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

- Describe any public or stakeholder consultation that has taken place or is intended (such as with other government agencies, community groups or neighbours).
- Provide details of the outcome or main findings of any community consultation.
- *Guidance on Community Engagement* is available on the EPA website at [Guidance Documents | EPA Tasmania](#).

Appendix A: Other Agency Contacts

In addition to a permit under the LUPAA and the EMPCA, 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 LUPAA or the EMPCA.

Your proposal may have been referred to other agencies in the process of preparing Guidelines. Should assessments or approval outside of the Board's responsibilities be required, you should engage with the respective agency to progress them. The following list identifies some of the key agencies you may need to contact.

Conservation Assessments

Department of Natural Resources and Environment Tasmania

Telephone: (03) 6165 4396

Email: conservationassessments@nre.tas.gov.au

Website: www.nre.tas.gov.au/conservation

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

Heritage Tasmania

Department of Natural Resources and Environment Tasmania

Telephone: (03) 6165 3700

Email: enquiries@heritage.tas.gov.au

Website: www.heritage.tas.gov.au

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

Department of Natural Resources and Environment Tasmania

Telephone: 1300 487 045

Email: aboriginal@heritage.tas.gov.au

Website: www.aboriginalheritage.tas.gov.au

Purpose: Aboriginal heritage, including desktop assessment, artefact survey requirements, permits and advice.

Parks and Wildlife – Property Services

Department of Natural Resources and Environment Tasmania

Telephone: (03) 6169 9015

Email: PropertyServices@parks.tas.gov.au

Website: www.parks.tas.gov.au

Purpose: Impacts on parks and reserves managed by Parks and Wildlife, or Crown land.

Agriculture and Water

Department of Natural Resources and Environment Tasmania

Telephone: 1300 368 550

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

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

Purpose: Water licences and works impacting natural waterway flow (e.g., dams or fords).

Transport Services

Department of State Growth

Telephone: (03) 6166 3369

Email: permits@stategrowth.tas.gov.au

Website: www.transport.tas.gov.au

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

Mineral Resources Tasmania

Department of State Growth

Telephone: (03) 6165 4800

Email: info@mrt.tas.gov.au

Website: www.mrt.tas.gov.au

Purpose: Mining Leases

