ENVIRONMENTAL ASSESSMENT REPORT

Cell House Demolition

Burnie

Tas Paper Pty Ltd

Report and recommendations of the
EPA Division
Department of Primary Industries, Parks, Water and Environment

to the Board of the Environment Protection Authority
July 2011
Environmental Assessment Report

<table>
<thead>
<tr>
<th>Proponent</th>
<th>Tas Paper Pty Ltd (Tas Paper)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal</td>
<td>Demolition of Redundant Cell House</td>
</tr>
<tr>
<td>Location</td>
<td>Marine Terrace Burnie</td>
</tr>
<tr>
<td>NELMS no.</td>
<td>8594</td>
</tr>
<tr>
<td>DA number</td>
<td>2011/39</td>
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<td>File</td>
<td>11 13 14</td>
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<tr>
<td>Document</td>
<td>G:\EEO_Enviro_Ops\EAS_Assessments\EAS_Projects\Tas Paper\AR</td>
</tr>
<tr>
<td>Class of Assessment</td>
<td>2A</td>
</tr>
</tbody>
</table>

Assessment process milestones

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>13/1/2008</td>
<td>Notice of Intent submitted</td>
</tr>
<tr>
<td>21/1/2009</td>
<td>EER Guidelines issued</td>
</tr>
<tr>
<td>24/5/2011</td>
<td>Permit application submitted to Council</td>
</tr>
<tr>
<td>24/5/2011</td>
<td>Application received by Board</td>
</tr>
<tr>
<td>28/5/2011</td>
<td>Start of public consultation period</td>
</tr>
<tr>
<td>10/6/2011</td>
<td>End of public consultation period</td>
</tr>
</tbody>
</table>

Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board</td>
<td>Board of the Environment Protection Authority</td>
</tr>
<tr>
<td>EER</td>
<td>Environmental Effects Report</td>
</tr>
<tr>
<td>DPIPWE</td>
<td>Department of Primary Industries, Parks, Water and Environment</td>
</tr>
<tr>
<td>EIA</td>
<td>Environmental impact assessment</td>
</tr>
<tr>
<td>EMPC Act</td>
<td><em>Environmental Management and Pollution Control Act 1994</em></td>
</tr>
<tr>
<td>EPBC Act</td>
<td><em>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</em></td>
</tr>
<tr>
<td>LUPA Act</td>
<td><em>Land Use Planning and Approvals Act 1993</em></td>
</tr>
<tr>
<td>SD</td>
<td>Sustainable development</td>
</tr>
</tbody>
</table>
Recommendations

It is recommended that the Director, Environment Protection Authority under delegation from the Board of the Environment Protection Authority:

1. Consider the Division’s evaluation of environmental issues associated with the proposal in Section 6 of this report.

2. Note that the evaluation has concluded that the proposal is capable of being managed in an environmentally acceptable manner such that it is unlikely that the RMPS and EMPCS objectives would be compromised, provided that the recommendations made in this report are satisfactorily implemented. These recommendations include the implementation of the commitments made by the proponent in the EER.

3. Approve the proposal subject to the conditions attached to this report.

4. In accordance with s.25(5)(a)(i) of the EMPC Act, notify Burnie City Council that the conditions and restrictions detailed in Appendix 1 (recommended permit conditions) must be contained in a permit granted by the planning authority under the LUPA Act in respect of the proposal, if a permit is to be granted.

5. In accordance with s.25(5)(a)(ii) of the EMPC Act, provide Council with a copy of this report to outline the reasons for the conditions and restrictions.

Report approval

Prepared by:

John Gorrie
Senior Environmental Officer
Date: 21/7/2011

Reviewed by:

Anthony Cook
Senior Environmental Officer
Wood Processing Section
Date: 21/07/11

Recommendations accepted:

Alex Schaap
Director, Environment Protection Authority
Under delegation from the Board of the Environment Protection Authority
Date: 25/7/2011
1 Approvals process

An application for a permit under the *Land Use Planning and Approvals Act 1993* (LUPA Act) in relation to the proposal was submitted to Burnie Council on 24 May 2011.

The proposal is defined as a ‘level 2 activity’ under Schedule 2 Subsection (2)(f) of the *Environmental Management and Pollution Control Act 1994* (EMPC Act), being the demolition of a building previously associated with the manufacture of paper. Section 25(1) of the EMPC Act required Council to refer the application to the Board of the Environment Protection Authority (the Board) for assessment under the Act. The application was received by the Board on 24 May 2011.

The assessment has been undertaken by the Director, Environment Protection Authority under delegation from the Board.

One draft of the EER was submitted to the Department for comment prior to its formal submission. A final EER was submitted to Council with the permit application. The EER was released for public inspection for a 14-day period commencing on 28 May 2011. Advertisements were placed in the Advocate newspaper and on the EPA web site. The EER was also referred at this time to relevant government agencies for comment. No public submissions were received. The A/Director EPA submitted a representation to Burnie Council. This representation stated “In making this representation the Board is not expressing a view in relation to the above proposal, but is implementing written advice of the Chairman of the Resource Management and Planning Appeals Tribunal dated 15 April 2011 in order to ensure that the EPA is able to join any appeal that may arise in future”.

Consequently, for the purposes of this Assessment Report, it is considered that no representations in relation to environmental issues were received.
2 SD objectives and EIA principles

The proposal must be considered by the Director in the context of the sustainable development objectives of the Resource Management and Planning System of Tasmania (RMPS), and in the context of the objectives of the Environmental Management and Pollution Control System (EMPCS) established by the EMPC Act. The functions of the Board are to administer and enforce the provisions of the Act, and in particular to use its best endeavours to protect the environment of Tasmania, and to further the RMPS and EMPCS objectives.

The Director must undertake the assessment of the proposal in accordance with the Environmental Impact Assessment Principles defined in Section 74 of the EMPC Act.

3 The proposal

The main characteristics of the proposal are summarised in Table 1. A detailed description of the proposal is provided in Part B of the EER.

Table 1: Summary of key proposal characteristics

<table>
<thead>
<tr>
<th>Activity</th>
<th>Demolition of a redundant Cell House contaminated with mercury and containing an asbestos roof, and remediation of contaminated soil surrounding the Cell House.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>72 Marine Terrace, South Burnie</td>
</tr>
<tr>
<td>Land zoning</td>
<td>Industrial</td>
</tr>
<tr>
<td>Land tenure</td>
<td>Owned by proponent</td>
</tr>
</tbody>
</table>

Existing site

- **Location**: Industrial site formerly used for paper production
- **Topography**: The site slopes to the north
- **Geology**: The Cell Plant area comprises Quaternary gravel, sand, clay (marine deposits).
- **Soils**: Clays and sand
- **Hydrology**: A network of bores is established on site. The inferred groundwater flow is to the northeast (towards Bass Strait).
- **Fauna**: The Cell House area is covered with concrete and surrounded by other buildings etc
- **Flora**: There is no flora within the proposed activity

Local region

- **Climate**: Rainfall approximately 950mm per annum.
- **Surrounding land and uses**: The area is surrounded by residences to the west, lightly forested areas to the south, Emu river to the east and Bass Strait to the north (Figure 1).
- **Species of conservation significance**: The Proposal is located within 300 metres of the coast, and therefore near a Council and Crown Reserve Foreshore Area adjacent to Bass Strait. One sighting of *Engaeus yabbimunna* Burrowing Crayfish (Burnie) is recorded on the Natural Values Atlas.

Proposed infrastructure

- **Major equipment**: Typical machinery required for demolition and remediation of soil contamination.
- **Other infrastructure**: None
## Inputs

<table>
<thead>
<tr>
<th>Input</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water</td>
<td>Some water required for dust suppression</td>
</tr>
<tr>
<td>Energy</td>
<td>Diesel for transport and machinery</td>
</tr>
<tr>
<td>Other raw materials</td>
<td>Clean fill sourced from on or off site to profile areas of removed soil back to acceptable levels to suit the surrounding site.</td>
</tr>
</tbody>
</table>

## Wastes and emissions

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquid</td>
<td>Water used for dust suppression</td>
</tr>
<tr>
<td>Atmospheric</td>
<td>Potential dust from demolition</td>
</tr>
<tr>
<td>Solid</td>
<td>Contaminated building materials and soils</td>
</tr>
<tr>
<td>Noise</td>
<td>Demolition and earthmoving activities</td>
</tr>
</tbody>
</table>

## Commissioning and operations

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating hours</td>
<td>700 to 1800 hours, Monday to Saturday</td>
</tr>
<tr>
<td>Project timetable</td>
<td>Begin ASAP after approval, completion within three years of commencement.</td>
</tr>
</tbody>
</table>

## Other key characteristics

The proposal will require the transport and disposal of contaminated waste that is classified as Level 2, 3 and 4 as per Bulletin 105*. It is proposed that Level 2 waste would be disposed of at a licensed Tasmanian landfill. According to the EER, Level 3 and 4 wastes were to be shipped to Queensland to be treated by a private company (Virotec Global Solutions Pty Ltd). The remediated waste would then be disposed of in a Queensland landfill, or returned to Tasmania for disposal at an appropriate landfill. The proponent has subsequently advised that they are in negotiations with several Tasmanian companies to treat the Level 3 and 4 materials to a level that would allow disposal within Tasmania (Level 2).

*Information Bulletin 105, Classification and Management of Contaminated Soil for Disposal

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**Figure 1: Locality of the Burnie Mill and Surrounds (from Figure 2 of the EER)**
4 Need for proposal and alternatives

Tas Paper proposes to close the operation at Burnie and seek a buyer for the site. As part of that process, Tas Paper decided to remove liabilities such as historic contamination to improve the prospects of a sale.

5 Public and agency consultation

The Development Application and EER were released for public inspection for a 14-day period commencing on 28 May 2011. An advertisement was placed in the Burnie “Advocate”

No public representations were received (other than EPA).

The EER was referred to a number of government agencies/bodies with an interest in the proposal. Responses were received from the following:

- Workplace Standards Tasmania;
- Public and Environmental Health (DHHS)

The following Divisions/Areas of the Department of Primary Industries, Parks, Water and Environment also provided submissions on the EER:

- Aboriginal Heritage Tasmania;
- Waste Management Section EPA Division;

According to the EER, consultation within the wider community was to be undertaken via the Burnie City Council Development Application process.

6 Evaluation of environmental issues

The environmental issues considered relevant to the proposal have been evaluated by the EPA Division. Details of this evaluation, along with recommended permit conditions, are shown in the table below.
### Table 2  Assessment of environmental issues

<table>
<thead>
<tr>
<th>Issue</th>
<th>Description of potential impacts</th>
<th>Management measures proposed in EER</th>
<th>Public and agency comment</th>
<th>Evaluation and recommendation</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aboriginal heritage</td>
<td>Impacts on Aboriginal heritage through ground disturbance.</td>
<td>According to the EER, the proponent was advised by Aboriginal Heritage Tasmania (AHT) that the area has low probability of Aboriginal heritage being present. Accordingly there is no requirement for an Aboriginal heritage investigation and Aboriginal Heritage Tasmania have no objection to the project proceeding.</td>
<td>AHT provided the same advice to the EPA Division as provided to the proponent</td>
<td>Considering the advice from AHT, it is recommended that the standard advice relating to legal obligations under the <em>Aboriginal Relics Act 1975</em> (L03) be included in the permit.</td>
<td>It is recommended that the standard advice relating to legal obligations under the <em>Aboriginal Relics Act 1975</em> (L03) be included in the permit.</td>
</tr>
</tbody>
</table>

*Aboriginal Relics Act 1975* (L03)
<table>
<thead>
<tr>
<th>Issue</th>
<th>Description of potential impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atmospheric (dust)</td>
<td>Impacts on environmental and human health from asbestos and mercury contaminated dust.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Management measures proposed in EER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacuum Cleaning of all areas of potentially contaminated dust and removal by a registered waste transporter.</td>
</tr>
<tr>
<td>Containment and disposal of any contaminated materials generated by the demolition process (e.g. dust, and asbestos fibres).</td>
</tr>
<tr>
<td>Potential human health impacts associated with asbestos and mercury contamination will be addressed using an established Mercury and Asbestos Hygiene Training Session (Commitment 3).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public and agency comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workplace Standards Tasmania (WST) advised that the past management of a mercury contaminated cell house at the Tas Paper Wesley Vale site was handled appropriately. Inspectors will attend initial training sessions to ensure that appropriate procedures are put in place. WST provided a list of the relevant regulations that would control the demolition and remediation. This list was passed on to the proponent.</td>
</tr>
<tr>
<td>Public and Environmental Health (DHHS) advised that adherence to the WST legislation to protect staff within the site would ensure that there would be minimal risk to the public off-site from dust emissions.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Evaluation and recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed measures appear appropriate based on the advice of WST, and Public and Environmental Health. It is recommended that the permit contain a condition requiring the proponent to comply with Best Practice Environmental Management (BPEM) and the EER (G1), and a condition to control dust (A1).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is recommended that the proponent be required to comply with standard condition G1 (Compliance with BPEM and EER), and non-standard conditions A1 (Control of dust emissions) and G6 (Commitments). It is also recommended that the proponent is advised of their legal obligations in Schedule 3 (L05).</td>
</tr>
<tr>
<td>Issue</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>Flora and fauna</td>
</tr>
</tbody>
</table>

**Description of potential impacts**

Impacts on flora and fauna from demolition and soil remediation activities.

**Management measures proposed in EER**

The disturbance of vegetation will, as far as practical, be minimised (Commitment 1). The Proposal will not result in filling, excavation or impoundment of a river, creek, wetland or estuary (Commitment 2)

**Public and agency comment**

There was no comment relating to flora and fauna

**Evaluation and recommendation**

There is no native vegetation within the proposed demolition area (The Land). It is therefore considered highly unlikely that flora and fauna would be impacted as a result of this demolition, and the proponent has committed to not fill in any water body.

**Recommendation**

It is recommended that the proponent be required to comply with non-standard condition G6 (Commitments).
### Issue

**Effluent disposal**

<table>
<thead>
<tr>
<th>Description of potential impacts</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>In order to control dust, dampening using water may be required. This has the potential to result in mercury contaminated effluent.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Management measures proposed in EER</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>According to the EER;</td>
<td></td>
</tr>
<tr>
<td>“The method of dust suppression and retaining dust dampening water is to be approved by the Tas Paper Site Supervisor as determined by the work procedures for each section”</td>
<td></td>
</tr>
<tr>
<td>“Water use will be minimised to every extent possible while ensuring that WST procedures are met (such as vacuuming dust prior to demolition)”</td>
<td></td>
</tr>
<tr>
<td>“Only minimal runoff should occur during dampening down, and any runoff should only have low contamination and would collect on to soil which is already contaminated.”</td>
<td></td>
</tr>
<tr>
<td>“Temporary bunds will be created down slope of the Cell Plant.”</td>
<td></td>
</tr>
<tr>
<td>After the asbestos has been removed, soil that has received any dampening water will be sampled. The Proposal should not result in the discharge of contaminated liquid effluent (Commitment 5).</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Public and agency comment</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>No comments were received in relation to effluent disposal.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Evaluation and recommendation</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The use of water is likely to be unavoidable in order for the proponent to protect human health from mercury contaminated asbestos dust. The measures proposed such as vacuuming dust would be expected to limit the amount of water required. Appropriate bunds down slope of the Cell House would also retain any potentially contaminated water on the Land. While this water could contaminate the Land, the proposed remediation process (including sampling and removal of the soil post-demolition) would be expected to remove the potential for long term contamination.</td>
<td></td>
</tr>
<tr>
<td>The EPA Division's Waste Section recommended that the proponent be required to undertake an environmental site assessment post remediation to assess whether the site is suitable for ongoing use as an industrial site (G8). This condition also requires the proponent to demonstrate that pollution has not, and will not, migrate off the Land. It is recommended that the permit contain a condition preventing the discharge of potentially contaminated water from the Land (E3). Condition E1 requires perimeter drains to be established around the Land, and E2 is a standard condition relating to management of stormwater on the Land.</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Recommendation</th>
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<tbody>
<tr>
<td>It is recommended that the proponent be required to comply with standard conditions E1 (Perimeter drains) and E2 (Stormwater) and non-standard conditions E3 (Dust suppression water) G8 (Environmental site assessment) and G6 (Commitments).</td>
<td></td>
</tr>
<tr>
<td><strong>Issue</strong></td>
<td><strong>Groundwater</strong></td>
</tr>
<tr>
<td>-----------</td>
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</tr>
<tr>
<td><strong>Description of potential impacts</strong></td>
<td>Impact on groundwater from soil contamination</td>
</tr>
<tr>
<td><strong>Management measures proposed in EER</strong></td>
<td>No specific measures were proposed</td>
</tr>
<tr>
<td><strong>Public and agency comment</strong></td>
<td>No comment was received regarding groundwater.</td>
</tr>
<tr>
<td><strong>Evaluation and recommendation</strong></td>
<td>A groundwater monitoring network is established on this site. A total of seventeen monitoring bores (MB) were originally installed throughout the site - four of which were strategically placed near the Cell Plant Area. Slight exceedances of ANZECC marine water quality trigger values have been recorded. Removal of the mercury under the Cell House will reduce the risk of further groundwater contamination. The EPA Division’s Waste Management Section advised that the environmental site assessment (proposed condition G8) requires soil samples to be taken after excavation (validation sampling) to ensure all the mercury has been removed.</td>
</tr>
<tr>
<td><strong>Recommendation</strong></td>
<td>It is recommended that the proponent be required to comply with non-standard condition G8 (Environmental site assessment).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Issue</strong></th>
<th><strong>Hazardous materials</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description of potential impacts</strong></td>
<td>According to the EER, it is likely that small quantities of oxy-acetylene gases will be required, plus diesel for machinery (eg excavator).</td>
</tr>
<tr>
<td><strong>Management measures proposed in EER</strong></td>
<td>Contractors will be required to use their own storages and manage their hazardous goods accordingly. All contractors will undertake works under the close supervision of Tas Paper. All works will comply with Tas Paper’s Permit to Work system.</td>
</tr>
<tr>
<td><strong>Public and agency comment</strong></td>
<td>No comments received in relation to hazardous goods.</td>
</tr>
<tr>
<td><strong>Evaluation and recommendation</strong></td>
<td>The management measures appear appropriate</td>
</tr>
<tr>
<td><strong>Recommendation</strong></td>
<td>It is recommended that the proponent be required to comply with standard condition G1 (Compliance with BPEM and EER).</td>
</tr>
<tr>
<td>Issue</td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td></td>
</tr>
<tr>
<td>Noise</td>
<td></td>
</tr>
</tbody>
</table>

**Description of potential impacts**

Noise impacts on residences resulting from demolition and earth works

**Management measures proposed in EER**

- The proponent considered it unlikely that nuisance would be caused because the nearest residence is 250 metres away and the Cell House is located at the rear of the site.
- If a noise complaint is received, it will be investigated (Commitment 8).

**Public and agency comment**

The EPA Division noise specialist advised that the activity is not expected to cause a noise nuisance to neighbouring residences providing the proposed noise emission limits are met.

**Evaluation and recommendation**

The nearest residences are approximately 250 metres away. The current activity operates under Environmental Protection Notice (EPN) 7433/1 This EPN has a noise condition that limits noise at another domestic premises to 50 dB(A) from 0600 to 2300 hours a day, and 45 dB(A) 2300 to 600 hours a day. Considering that this noise limit currently exists, and the proponent stated that the proposed activity would be carried out during business hours, the noise specialist recommended that the noise limit should be 50 dB(A) from 0700 hours to 1800 hours Monday to Friday, and 0800 hours to 1600 hours on Saturday. 40 dB(A) is recommended for all other times (N1). It is recommended that operating hours be limited to 0700 to 1800 Monday to Friday and 0800 to 1600 Saturday (N2).

**Recommendation**

It is recommended that the proponent be required to comply with non-standard conditions G6 (Commitments), N1 (Noise limits) and N2 (Operating hours).
<table>
<thead>
<tr>
<th><strong>Issue</strong></th>
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</thead>
<tbody>
<tr>
<td>Rehabilitation</td>
<td></td>
</tr>
<tr>
<td>Description of potential impacts</td>
<td>Erosion and visual impact</td>
</tr>
<tr>
<td>Management measures proposed in EER</td>
<td>The proponent stated that The Proposal encompasses rehabilitation of the Burnie Cell Plant area.</td>
</tr>
<tr>
<td>Public and agency comment</td>
<td>No public comments received. The Waste Management Section recommended that the proponent be required to undertake an environmental site assessment post remediation.</td>
</tr>
<tr>
<td>Evaluation and recommendation</td>
<td>As stated by the proponent, the proposal entails the rehabilitation of the site. The remediation is part of a site-wide rehabilitation of the site. An environmental site assessment post remediation to assess whether the site is suitable for ongoing use as an industrial site (proposed condition G8) would allow assessment of the success of the remediation.</td>
</tr>
<tr>
<td>Recommendation</td>
<td>It is recommended that the proponent be required to comply with non-standard condition G8 (Environmental site assessment).</td>
</tr>
</tbody>
</table>
**Issue**

**Waste management**

**Description of potential impacts**

Impact resulting from the removal, transport and disposal of contamination waste materials. These materials include building materials and soil contaminated with asbestos and mercury.

**Management measures proposed in EER**

- All Level 2 materials (as defined in Bulletin 105) will be disposed of at an appropriate licensed landfill facility in Tasmania (Commitment 6).
- Level 3 and 4 waste (as defined in Bulletin 105) will be managed by external contractors and transported interstate (Commitment 7).

Subsequent to the public consultation period, the proponent advised the EPA Division that they were exploring options for the treatment and disposal of Level 3 and 4 wastes within Tasmania.

**Public and agency comment**

No public representations were received. The EPA Division’s Waste Section provided advice on the regulatory mechanisms under *Environmental Management and Pollution Control (Waste Management Regulations) 2010*, that the proponent must adhere to in relation to the transport and disposal of any controlled waste within Tasmania, and *National Environment Protection (Movement Of Controlled Waste Between States And Territories) Measure as Varied November 2010* for interstate movements.

**Evaluation and recommendation**

The EPA Division’s Waste Section advised that the proposed approach by the proponent complies with the above regulations. The contaminated sites unit advised that a contaminated site must be cleaned up to the extent necessary so that environmental harm would not be caused off-site, and that the site is suitable for the designated future land use. In this case, the EER stated that the site use would remain as industrial.

It is the opinion of the EPA Division that waste from the site can be managed in an appropriate manner through compliance with the *Environmental Management and Pollution Control (Waste Management) Regulations 2000*, and *National Environment Protection (Movement Of Controlled Waste Between States And Territories) Measure as Varied November 2010 (L06)*, controlled waste transport regulations (WM1) and the waste management hierarchy (WM2).

**Recommendation**

It is recommended that the proponent be required to comply with standard conditions WM1 (Controlled waste transport) and WM2 (Waste management hierarchy), and advice relating to legal obligations under the *Environmental Management and Pollution Control (Waste Management) Regulations 2000*, and *National Environment Protection (Movement Of Controlled Waste Between States And Territories) Measure as Varied November 2010 (L06)*. It is also recommended that the relevant sections of EMPCA are brought to the attention of the proponent via a letter from the Director.
7 Conclusions

The EPA Division is of the view that:

(i) the RMPS and EMPCS objectives have been duly and properly pursued in the assessment of the proposal; and
(ii) the assessment of the proposal has been undertaken in accordance with the Environmental Impact Assessment Principles; and
(iii) the recommendations set out in this report accord with the Board’s responsibilities in relation to these objectives and principles.

This assessment has been based upon the information provided by the proponent in the permit application, and the EER.

This assessment has incorporated specialist advice provided by Divisions of DPIWPE in relation to a number of key issues.

It is concluded that the proposal is capable of being managed in an environmentally acceptable manner such that it is unlikely that the RMPS and EMPCS objectives would be compromised, provided that the recommendations made in this report are satisfactorily implemented, including the commitments made by the proponent in the EER.

8 References


9 Summary of appendices

Appendix 1 Proposed permit conditions, includes Attachment 2 EER commitments
Appendix 1  Proposed permit conditions
PERMIT PART B
PERMIT CONDITIONS - ENVIRONMENTAL No. 8594

Issued under the Environmental Management and Pollution Control Act 1994

Applicant: TAS PAPER PTY LTD
ACN 135 318 204
307 FERN TREE GULLY RD
MOUNT WAVERLEY VIC 3149

Activity: The demolition and remediation of a Cell House (ACTIVITY TYPE: Pulp and Paper Works)
BURNIE PAPER MILL, MARINE TCE
BURNIE TAS 7320

The above activity has been assessed as a level 2 activity under the Environmental Management and Pollution Control Act 1994 under delegation from the Board of the Environment Protection Authority.

Acting under Section 25(5)(a)(i) of the EMPCA, the Board of the Environment Protection Authority has required that this Permit Part B be included in any Permit granted under the Land Use Planning and Approvals Act 1993 with respect to the above activity.

Municipality: BURNIE
Permit Application Reference: 111314
EPA file reference:

Date conditions approved: 25 JUL 2011

Signed: DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
DEFINITIONS

Unless the contrary appears, words and expressions used in this Permit Part B have the meaning given to them in Schedule 1 of this Permit and in the EMPCA. If there is any inconsistency between a definition in the EMPCA and a definition in this Permit Part B, the EMPCA prevails to the extent of the inconsistency.

ENVIRONMENTAL CONDITIONS

The person responsible for the activity must comply with the conditions contained in Schedule 2 of this Permit Part B.

INFORMATION

Attention is drawn to Schedule 3, which contains important additional information.
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**Attachments**

Attachment 1: The Land (modified: 20/07/2011 15:19) .............................................................. 1 page  
Attachment 2: Commitments (modified: 29/06/2011 12:01) ....................................................... 1 page
Schedule 1: Definitions

In this Permit Part B:-

**Aboriginal Relic** has the meaning described in section 2(3) of the *Aboriginal Relics Act 1975*

**Activity** means any environmentally relevant activity (as defined in Section 3 of EMPCA) to which this document relates, and includes more than one such activity.

**Authorized Officer** means an authorized officer under section 20 of EMPCA

**Best Practice Environmental Management** or 'BPEM' has the meaning described in Section 4 of EMPCA

**Director** means the Director, Environment Protection Authority holding office under Section 18 of EMPCA and includes a person authorised in writing by the Director to exercise a power or function on the Director's behalf.

**Dust Suppression Water** means water used to suppress dust during demolition activities.

**EMP** means the Tas Paper - Burnie Mill EER for Demolition of Redundant Cell Plant Area prepared by Karen Pascoe dated May 2011 and includes any amendment to or substitution of this document.

**EMPCA** means the *Environmental Management and Pollution Control Act 1994*

**Environmental Harm** and **Material Environmental Harm** and **Serious Environmental Harm** each have the meanings ascribed to them in Section 5 of EMPCA

**Environmental Nuisance** and **Pollutant** each have the meanings ascribed to them in Section 3 of EMPCA

**Noise Sensitive Premises** means 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.

**Person Responsible** is any person who is or was responsible for the environmentally relevant activity to which this document relates and includes the officers, employees, contractors, joint venture partners and agents of that person, and includes a body corporate.

**Stormwater** means water traversing the surface of the land as a result of rainfall.


**The Land** means the land on which the activity to which this document relates may be carried out, and includes: buildings and other structures permanently fixed to the land, any part of the land covered with water, and any water covering the land. The Land falls within the area defined:

1. as delineated at Attachment 1

**Waste** has the meaning ascribed to it in Section 3 of EMPCA
Schedule 2: Conditions

**Maximum Quantities**

Q1 **Regulatory limits**
   1 The activity must not exceed the following limits:
      1.1 No limit has been set for the purposes of the Environmental Management and Pollution Control (General Fees) Regulations 2007.

**General**

G1 **Compliance with EMP and BPEM**
The Land must be developed and used, and the activity on The Land must be carried out and monitored, in accordance with the environmental management measures set down in the Environmental Management Plan ("EMP"), and in accordance with best practice environmental management, unless otherwise specified in these conditions or contrary to EMPCA.

G2 **Access to and awareness of conditions and associated documents**
A copy of these conditions and any associated documents referred to in these conditions must be held in a location that is known to and accessible to the person responsible for the activity. The person responsible for the activity must ensure that all persons who are responsible for undertaking work on The Land, including contractors and sub-contractors, are familiar with these conditions to the extent relevant to their work.

G3 **Incident response**
If an incident causing or threatening environmental nuisance, serious environmental harm or material environmental harm from pollution occurs in the course of the activity, then the person responsible for the activity must immediately take all reasonable and practicable action to minimise any adverse environmental effects from the incident.

G4 **No changes without approval**
   1 The following changes, if they may cause or increase the emission of a pollutant which may cause material or serious environmental harm or environmental nuisance, must only take place in relation to the activity if such changes have been approved in writing by the EPA Board following its assessment of an application for a permit under the Land Use Planning and Approvals Act 1993, or approved in writing by the Director:
      1.1 a change to a process used in the course of carrying out the activity; or
      1.2 the construction, installation, alteration or removal of any structure or equipment used in the course of carrying out the activity; or
      1.3 a change in the quantity or characteristics of materials used in the course of carrying out the activity.

G5 **Change of ownership**
If the person responsible for the activity is not the owner of The Land upon which the activity is carried out and the owner of The Land changes or is to change, then, as soon as reasonably practicable but no later than 30 days after becoming aware of the change, the person responsible must notify the Director in writing of the change of ownership.

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

25 JUL 2011
G6 Commitments
The activity must be carried out in accordance with the commitments contained in Attachment 2 unless otherwise specified in these conditions or unless otherwise approved in writing by the Director.

G7 Complaints register
1 A public complaints register must be maintained and made available for inspection by an Authorized Officer upon request. The public complaints register must, as a minimum, record the following detail in relation to each complaint received in which it is alleged that environmental harm (including an environmental nuisance) has been caused by the activity:
   1.1 the time at which the complaint was received;
   1.2 contact details for the complainant;
   1.3 the subject-matter of the complaint;
   1.4 any investigations undertaken with regard to the complaint; and
   1.5 the manner in which the complaint was resolved, including any mitigation measures implemented.
2 Complaint records must be maintained for a period of at least 3 years.

G8 Environmental site assessment
1 Prior to any sale or lease of The Land, a report must be submitted to the Director that details the results of an Environmental Site Assessment (ESA) on The Land. The aim of this report should be to demonstrate to the Director's satisfaction that The Land is suitable to be used as an ongoing commercial/industrial site, and that pollution has not, and will not, migrate off The Land. Unless otherwise approved by the Director in writing, the ESA must be conducted in accordance with the following documents.
   1.1 National Environment Protection (Assessment of Site Contamination) Measure, 1999 made by the National Environment Protection Council under the National Environment Protection Council Act 1994 (Cth) ('the NEPM');
   1.2 Australian Standard, Guide to the sampling and investigation of sites with potentially contaminated soil, Part 1: Non-volatile and semi-volatile compounds, Standards Australia, AS 4482.1 - 2005;
   1.3 Australian Standard, Guide to the sampling and investigation of potentially contaminated soil, Part 2: Volatile substances, Standards Australia, AS 4482.2 - 1999;
   1.5 Minimum construction requirements for water bores in Australia, Edition 2; Land and Water Biodiversity Committee, September 2003;
   1.6 Groundwater Sampling Guidelines Publication 669, EPA Victoria, April 2000; and
   1.7 Hydrogeological Assessment (Groundwater Quality) Guidelines, Publication 668, EPA Victoria, September 2006.
   1.8 Guidelines for the Assessment, Remediation and Management of Asbestos Contaminated sites in Western Australia, Dept of Health, Western Australia, May 2009.
2 The Land must not be sold or leased until the Director has indicated in writing that the report on the ESA addresses the requirements of this condition to the Director's satisfaction.
G9 Dealing with samples obtained for monitoring

1 Any sample or measurement required to be obtained under these conditions must be obtained in accordance with the following:

1.1 samples must be tested in a laboratory accredited by the National Association of Testing Authorities (NATA), or a laboratory approved in writing by the Director, for the specified test;

1.2 measurements must be made and samples must be collected and analysed in accordance with relevant Australian Standards, NATA approved methods, the American Public Health Association Standard Methods for the Analysis of Water and Waste Water or other standard(s) approved in writing by the Director;

1.3 noise measurements must be taken in accordance with the Tasmanian Noise Measurement Procedures Manual;

1.4 results of measurements and analysis of samples and details of methods employed in taking measurements and samples must be retained for at least three years after the date of collection; and

1.5 samples and measurements must be obtained and transported by a person with appropriate training and experience.

Atmospheric

A1 Control of dust emissions
Dust emissions from demolition activities, roads, disturbed areas, storage heaps, and machinery on The Land must be controlled to the extent necessary to prevent environmental nuisance.

Effluent Disposal

E1 Perimeter drains

1 Perimeter cut-off drains must be constructed at strategic locations on The Land to prevent surface run-off from entering the area used or disturbed in carrying out the activity. All reasonable measures must be implemented to ensure that sediment transported along these drains remains on The Land. Such measures may include provision of strategically located sediment fences, appropriately sized and maintained sediment settling ponds, vegetated swales, detention basins and other measures designed and operated in accordance with the principles of Water Sensitive Urban Design.

2 Drains must have sufficient capacity to contain run-off that could reasonably be expected to arise during a 1 in 20 year rainfall event. Maintenance activities must be undertaken regularly to ensure that this capacity does not diminish.

E2 Stormwater

1 Polluted stormwater that will be discharged from The Land must be collected and treated prior to discharge to the extent necessary to prevent serious or material environmental harm, or environmental nuisance.

2 Notwithstanding the above, all stormwater that is discharged from The Land must not carry pollutants such as sediment, oil and grease in quantities or concentrations that are likely to degrade the visual quality of any receiving waters outside the Land.
3 All reasonable measures must be implemented to ensure that solids entrained in stormwater are retained on The Land. Such measures may include appropriately sized and maintained sediment settling ponds or detention basins, vegetated swales or other measures designed and operated in accordance with the principles of Water Sensitive Urban Design.

4 Stormwater discharged in accordance with this condition must not be directed to sewer without the approval of the operator of the sewerage system.

E3 Potentially contaminated dust suppression water
Potentially contaminated dust suppression water, that may cause environmental harm if discharged from the Land, must be treated prior to discharge so that it will not cause environmental harm if discharged from the Land.

Noise Control

N1 Noise emission limits
1 Noise emissions from the activity when measured at any noise sensitive premises in other ownership and expressed as the equivalent continuous A-weighted sound pressure level must not exceed:
   1.1 50 dB(A) between 0800 hours and 1800 hours (Day time); and
   1.2 40 dB(A) between 1800 hours and 0800 hours.
2 Where the combined level of noise from the activity and the normal ambient noise exceeds the noise levels stated above, this condition will not be considered to be breached unless the noise emissions from the activity are audible and exceed the ambient noise levels by at least 5 dB(A).
3 The time interval over which noise levels are averaged must be 10 minutes or an alternative time interval specified in writing by the Director.
4 Measured noise levels must be adjusted for tonality, impulsiveness, modulation and low frequency in accordance with the Tasmanian Noise Measurement Procedures Manual.
5 All methods of measurement must be in accordance with the Tasmanian Noise Measurement Procedures Manual.

N2 Operating hours
1 Unless otherwise approved by the Director, activities associated with demolition or soil remediation must not be undertaken outside the following times:
   1.1 0700 hours to 1800 hours Monday to Friday; and
   1.2 0800 hours to 1700 hours Saturdays
2 Notwithstanding the above paragraph, the above activities must not be carried out on Sundays or Public Holidays that are observed State-wide without the written approval of the Director.

Waste Management

WM1 Controlled waste transport
Transport of controlled wastes to and from The Land must be undertaken only by persons authorised to do so under EMPCA or subordinate legislation.

WM2 Waste management hierarchy
1 Wastes must be managed in accordance with the following hierarchy of waste management:

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

2 5 JUL 2011
1.1 waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable, having regard to best practice environmental management;

1.2 waste must be re-used or recycled to the maximum extent that is practicable; and

1.3 waste that cannot be re-used or recycled must be disposed of at a waste depot site or treatment facility that has been approved in writing by the relevant planning authority or the Director to receive such waste, or otherwise in a manner approved in writing by the Director.
Schedule 3: Information

Legal Obligations

LO1 EMPCA
The activity must be conducted in accordance with the requirements of the Environmental Management and Pollution Control Act 1994 and Regulations thereunder. The conditions of this document must not be construed as an exemption from any of those requirements.

LO2 Storage and handling of Dangerous Goods and Dangerous Substances
1 The storage, handling and transport of dangerous goods and dangerous substances must comply with the requirements of relevant State Acts any regulations thereunder, including:
   1.1 Dangerous Goods (Road and Rail Transport) Act 2010;
   1.2 Dangerous Goods (Road and Rail Transport) Regulations 2010;
   1.3 Dangerous Substances (Safe Handling) Act 2005;
   1.4 Dangerous Substances (Safe Handling) Regulations 2009;
   1.5 Workplace Health and Safety Act 1995; and
   1.6 Workplace Health and Safety Regulations 1998.

LO3 Aboriginal relics requirements
1 The Aboriginal Relics Act 1975, provides legislative protection to Aboriginal heritage sites in Tasmania regardless of site type, condition, size or land tenure. Section 14(1) of the Act states that; Except as otherwise provided in this Act, no person shall, otherwise than in accordance with the terms of a permit granted by the Minister on the recommendation of the Director:
   1.1 destroy, damage, deface, conceal or otherwise interfere with a relic;
   1.2 make a copy or replica of a carving or engraving that is a relic by rubbing, tracing, casting or other means that involve direct contact with the carving or engraving;
   1.3 remove a relic from the place where it is found or abandoned;
   1.4 sell or offer or expose for sale, exchange, or otherwise dispose of a relic or any other object that so nearly resembles a relic as to be likely to deceive or be capable of being mistaken for a relic;
   1.5 take a relic, or permit a relic to be taken, out of this State; or
   1.6 cause an excavation to be made or any other work to be carried out on Crown land for the purpose of searching for a relic.

2 If a relic is suspected and/or identified during works then works must cease immediately and the Tasmanian Aboriginal Land and Sea Council and the Aboriginal Heritage Office be contacted for advice before work can continue. In the event that damage to an Aboriginal heritage site is unavoidable a permit under section 14 of the Aboriginal Relics Act 1975 must be applied for. The Minister may refuse an application for a permit, where the characteristics of the relics are considered to warrant their preservation.

3 Anyone finding an Aboriginal relic is required under section 10 of the Act to report that finding as soon as practicable to the Director of National Parks and Wildlife or an authorized officer under the Aboriginal Relics Act 1975. It is sufficient to report the finding of a relic to Aboriginal Heritage Tasmania to fulfil the requirements of section 10 of the Act.

DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

25 JUL 2019
LO4 Change of responsibility
If the person who is or was responsible for the activity ceases to be responsible for the activity, they must notify the Director in accordance with Section 45 of the EMPCA.

LO5 Workplace Health and Safety
1 All activities associated with the handling of asbestos, and mercury contaminated materials, must be conducted in accordance with the following legislation and documents;
   1.1 Workplace Health and Safety Act 1995
   1.2 Workplace Health and Safety Regulations 1998
2 In the event that the demolition activities extend beyond January 2012; the following legislation (if enacted) and documents must also be complied with;
   2.1 National Work Health and Safety Act
   2.2 National Work Health and Safety Regulations
   2.3 How to Safely Remove Asbestos Code of Practice
   2.4 How to Manage and Control Asbestos in the Workplace Code of Practice

LO6 Waste Management
Waste management must be conducted in accordance with the Environmental Management and Pollution Control (Waste Management) Regulations 2010, and National Environment Protection (Movement Of Controlled Waste Between States And Territories) Measure as Varied November 2010.
Attachment 1: The Land
Attachment 2: Commitments

MANAGEMENT COMMITMENTS
From Part D, EER

Commitment 1: The disturbance of vegetation will, as far as practical, be minimised.

Commitment 2: The Proposal will not result in filling, excavation or impoundment of a river, creek, wetland or estuary.

Commitment 3: Potential human health impacts associated with asbestos and mercury contamination will be addressed using an established Mercury and Asbestos Hygiene Training Session.

Commitment 4: The Demolition will be managed to prevent the discharge of contaminated liquid effluent.

Commitment 5: All Level 2 materials will be disposed of at an appropriate Licensed Landfill Facility in Tasmania.

Commitment 6: Level 3 and 4 waste will be managed by external contractors and transported interstate.

Commitment 7: Transport will be managed to prevent off site contamination

Commitment 8: If a noise complaint is received, it will be investigated.