



Assessment Requirement Notice

Issued under the *Land Use Planning and Approvals Act 1993*

I, Wes Ford, Director, Environment Protection Authority (EPA), acting in accordance with section 60ZA(1)(b) of the *Land Use Planning and Approvals Act 1993* (LUPAA), for the reasons specified in this notice, require that the Development Assessment Panel (the Panel) include the matters specified in this notice in the assessment criteria to be determined under section 60ZM of LUPAA for the Whaleback Ridge Renewable Energy Major Project (the Major Project).

General Reasons for Requirements

I have considered the Major Project proposal referred to me by the Tasmanian Planning Commission on 13 March 2024. The EPA Board's assessment criteria requirements, as outlined below, address matters that will be relevant to the EPA Board's environmental impact assessment of the Major Project under the *Environmental Management and Pollution Control Act 1994* (EMPCA), and subsequent decision regarding the content of final advice that will be given under section 60ZZF(1) of LUPAA for the Major Project.

The indicative guidance provided by the EPA Board in Schedules 1, 2, and 3 of this notice is in accordance with section 60ZC(6) of LUPAA and the Environmental Impact Assessment Principles in section 74 of EMPCA. The indicative guidance sets out the information base that the EPA Board requires the proponent to establish under section 74(9) of EMPCA in order for the Board to undertake the environmental impact assessment of the Major Project as required by section 60ZC(4) of LUPAA. Noting, final guidance will be provided by the EPA Board in accordance with section 60ZC(7) of LUPAA in due course.

Matters to be included in Assessment Criteria

1. Avian fauna - Potential adverse impacts of the Major Project on native avian fauna, particularly those listed under the *Threatened Species Protection Act 1995* (Tas) (TSP Act), must be avoided, minimised, and mitigated, and if necessary, offset, to protect and enhance the quality of the environment and to prevent environmental degradation.

Reason for Matter 1: There is a likelihood of a number of threatened and non-threatened native avian fauna species and their habitat residing within or within 1 km of the boundary of the Major Project site, including, but not limited to, the orange-bellied parrot (Neophema chrysogaster), Tasmanian wedge-tailed eagle (Aquila audax subsp. fleayi), white-bellied sea-eagle (Haliaeetus leucogaster), blue-winged parrot (Neophema chrysostoma), grey goshawk (Accipiter novaehollandiae), swift parrot (Lathamus discolor), Tasmanian masked owl (Tyto novaehollandiae castanops) and Tasmanian azure kingfisher (Ceyx azureus subsp. diemenensis), indicating the potential for the Major Project to cause adverse impacts on these species.

2. Non-avian fauna – Potential adverse impacts of the Major Project on native non-avian fauna, particularly those listed under the TSP Act, must be avoided, minimised and mitigated and, if

necessary, offset, to protect and enhance the quality of the environment and to prevent environmental degradation.

Reason for Matter 2: There is a likelihood of a number of threatened and non-threatened non-avian fauna species and their habitat residing within or within 1 km of the boundary of the Major Project site, indicating the potential for the Major Project to cause adverse impacts on these species.

3. Flora, vegetation communities, and reserved areas – Potential adverse impacts of the Major Project on native flora and vegetation communities, particularly those listed under the TSP Act and the *Nature Conservation Act 2002* (Tas) (NC Act), and areas reserved under the NC Act, must be avoided, minimised and mitigated and, if necessary, offset, to protect and enhance the quality of the environment and to prevent environmental degradation.

Reason for Matter 3: There are a number of threatened native vegetation communities listed under the NC Act which may occur within the Major Project site, indicating the potential for the Major Project to cause adverse impacts on these communities. There is also the potential for threatened native flora listed under the TSP Act and flora species of conservation significance to be present and impacted by the Major Project. The Major Project site also includes areas of reserved land including Meredith Range Regional Reserve, Mount Heemskirk Regional Reserve, and Parting Creek Regional Reserve.

4. Aquatic natural values – Potential adverse impacts of the Major Project on aquatic natural values must be avoided, minimised and mitigated and, if necessary, offset, to protect and enhance the quality of the environment and to prevent environmental degradation.

Reason for Matter 4: The location of the Major Project includes waterways and wetlands, indicating the potential for adverse impacts on aquatic flora and fauna species, aquatic habitat, and riparian areas.

5. Noise and vibration emissions – Noise and vibration emissions from construction and operation of the Major Project must be avoided, minimised, and mitigated, such that they do not cause unreasonable loss of amenity to sensitive receptors or adverse impacts on human health.

Reason for Matter 5: Noise and vibration emissions from construction and operation of the Major Project have the potential to cause environmental nuisance or environmental harm to sensitive receptors.

6. Air emissions – Potential adverse impacts of emissions to air from construction of the Major Project including dust, odour and engine emissions must be avoided, minimised and mitigated, such that they do not cause unreasonable loss of amenity to sensitive receptors or cause impacts on human health.

Reason for Matter 6: Air emissions generated during construction of the Major Project have the potential to cause environmental nuisance or environmental harm to sensitive receptors.

7. Shadow flicker - The intermittent shading of the sun by the blades of turbines during operation of the Major Project must be avoided, minimised, and mitigated, such that it does not cause unreasonable loss of amenity to sensitive receptors or cause impacts on human health.

Reason for Matter 7: The Major Project site intersects with, and is close to, sensitive receptors including the communities of Granville Harbour and Zeehan. The intermittent shading of the sun by the blades of turbines during operation has the potential to cause environmental nuisance or environmental harm to sensitive receptors.

8. Geoconservation – Potential adverse impacts of the Major Project on geoconservation values must be avoided, minimised and mitigated and, if necessary, offset, to protect and enhance the quality of the environment and to prevent environmental degradation.

Reason for Matter 8: The Major Project site intersects with recognised geoconservation sites, including sites of national and global significance, and has potential to adversely impact geodiversity values and geomorphic processes.

9. Peat soils – Potential adverse impacts of the Major Project on the health and integrity of blanket bog peatland soil systems must be avoided, minimised, and mitigated, and, if necessary, offset, to protect and enhance the quality of the environment and to prevent environmental degradation.

Reason for Matter 9: The Western Tasmanian Blanket Bogs cover much of the Major Project site. Disturbance, fragmentation, or drainage of bogs during construction of the Major Project may cause environmental nuisance or environmental harm by adversely impacting habitat that supports native species and vegetation communities and through hydrological changes, soil erosion, and loss of cover to underlying erodible surfaces.

10. Surface water quality – Potential adverse impacts of the Major Project on surface water quality, including release of sediment and other pollutants during construction, or any sediment scouring and deposition changes post-construction, must be avoided, minimised, and mitigated to protect and enhance the quality of the environment and to prevent environmental degradation.

Reason for Matter 10: Changes to water quality as a result of the release of sediment and other pollutants to receiving surface waters can cause environmental nuisance or environmental harm through degradation of water quality, ecotoxic impacts, and changes to sediment mobilisation and deposition. The State Policy on Water Quality Management 1997 (Tas) sets out principles in relation to the management of pollution discharges to surface waters, focusing on protecting identified environmental values through the maintenance and improvement of water quality.

11. Hydrogeology and groundwater quality – Potential adverse impacts of the Major Project on groundwater quality, including hydrogeological changes and the release of sediment or other pollutants during construction, must be avoided, minimised and mitigated to protect and enhance the quality of the environment and to prevent environmental degradation.

Reason for Matter 11: Changes to groundwater quality or flows have the potential to impact on groundwater beneficial uses including groundwater dependent ecosystems and surface water ecosystems receiving groundwater. The State Policy on Water Quality Management 1997 (Tas) sets out principles for the maintenance of groundwater quality in relation to potential beneficial uses of groundwater aquifers.

12. Waste management – Production of waste materials as a result of the Major Project must be avoided and minimised as far as reasonably practicable to reduce the use, handling, and transport of raw resources. All waste produced must be stored, handled, reused, and/or disposed in such a manner to protect and enhance the quality of the environment and to prevent environmental degradation.

Reason for Matter 12: Use of raw resources may result in environmental harm in the extraction of those resources, and inappropriate management, storage, and disposal of waste material, including potential acid sulfate soils, may result in the discharge of pollutants to air, land, or water and cause impacts on human and ecosystem health.

13. Dangerous goods and environmentally hazardous materials – Use or production of dangerous goods or environmentally hazardous materials as a result of the Major Project must be avoided and minimised as far as reasonably practicable. All dangerous goods or environmentally hazardous substances must be used, handled, stored, transported, and disposed of in a manner that protects and enhances the quality of the environment and prevents causing environmental degradation.

Reason for Matter 13: Inappropriate management, storage and disposal of dangerous goods and environmentally hazardous materials may result in the discharge of pollutants to air, land, or water and cause impacts on human and ecosystem health.

14. Environmental impacts of traffic – Potential adverse impacts of traffic associated with the Major Project, including roadkill, noise, and dust emission impacts, must be avoided, minimised, and mitigated to protect natural values and to prevent causing unreasonable loss of amenity to sensitive receptors or impacts on human health.

Reason for Matter 14: Environmental impacts of traffic from altered traffic flows and use of roads during construction and operation of the Major Project have the potential to adversely impact native fauna species and cause environmental nuisance or environmental harm to sensitive receptors.

15. Greenhouse gas emissions, ozone depleting substances, and climate change – Emission of greenhouse gases and ozone depleting substances as a result of construction or operation of the Major Project, including production of major components used in the Major Project, must be avoided, minimised, mitigated and, if necessary, offset, to protect and enhance the quality of the environment and to prevent environmental degradation and impacts to human and ecosystem health.

Reason for Matter 15: Construction of the Major Project, including production of materials, may result in emission of greenhouse gases and ozone depleting substances which result in pollution of air and increased climate change.

16. Rehabilitation – Areas disturbed during construction of the Major Project must be rehabilitated as soon as those areas are no longer required for construction or operation of the Major Project, to protect and enhance the quality of the environment and to prevent environmental degradation.

Reason for Matter 16: Unrehabilitated disturbed areas may result in dust emissions to air or sediment emissions to water, invasion of weed species, or loss of natural values.

17. Decommissioning – The Major Project must include plans for decommissioning of wind turbines and the Major Project site to ensure stabilisation of surfaces and rehabilitation of vegetation and natural values, to protect and enhance the quality of the environment and to prevent environmental degradation.

Reason for Matter 17: Future use of the Major Project Site needs to be considered in planning the Major Project, including disposal or reuse of materials. Unrehabilitated disturbed areas may result in dust emissions to air or sediment emissions to water, invasion of weed species, or loss of natural values.

18. Fire risk – Fire risk associated with the Major Project must be avoided, minimised, and mitigated, to protect and enhance the quality of the environment and to prevent environmental degradation and impacts to human and ecosystem health.

Reason for Matter 18: Potential fire risk associated with the Major Project including consideration of fire within the Major Project site, fire escaping from the site, wildfire originating outside the site, and measures taken to control any such fires may result in environmental nuisance or environmental harm for sensitive receptors and adversely impact ecosystem health.

19. Socio-economic issues – Social and economic impacts of the Major Project must be established to allow the EPA Board to evaluate both the benefits and adverse impacts that may result and the appropriateness of measures to be implemented to protect and enhance the quality of the environment and to prevent adverse impacts on communities and ecosystem health.

Reason for Matter 19: Projects with high-level or broader-scale environmental, social, and economic impacts require comprehensive analysis of the social and economic benefits to ensure such impacts are considered in the design and development of the Major Project.

20. Cumulative and interactive impacts – Cumulative and interactive impacts of the Major Project must be established in the context of existing, associated, proposed, or approved development in the region and adverse impacts must be avoided, minimised, and mitigated to protect and enhance the quality of the environment and to prevent environmental degradation and impacts to human and ecosystem health.

Reason for Matter 20: Projects of this scale have the potential to cause adverse offsite impacts and where there are associated, or similar developments established or proposed at a local or statewide level, the cumulative and interactive impacts of such developments on resources, emissions, and environmental disturbance must be established in order to protect and enhance the quality of the environment and to prevent environmental degradation and impacts to human and ecosystem health.



Signed:

Wes Ford
DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY

Date: 15 April 2024