

Report to the Commission on exhibition of draft planning criteria for the North West Transmission Upgrades Project

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SUMMARY

This report considers the representations made to the draft planning criteria for the North West Transmission Upgrades Project during their exhibition. As a consequence of matters raised in the representations, it is recommended that the Commission modify the draft planning criteria before they are finalised.

This report is to be considered by the Commission in conjunction with the representations.

BACKGROUND

Major infrastructure project description

The Major Infrastructure Development Approvals (North West Transmission Upgrades Project) Order 2020 (the order) under section 7(2) of the *Major Infrastructure Development Approvals Act 1999* (the MIDA Act) declared the North West Transmission Upgrades Project a major infrastructure project under the MIDA Act.

The major infrastructure project:

- (a) broadly comprises the use and development of a 220kV overhead electricity transmission line, transmission towers, substations, and ancillary facilities, such as, storage, communications, conductor winching and braking, concrete batching, site administration, infrastructure assembly areas, vehicle access tracks, and the like;
- (b) includes the construction and operation of transmission lines between:
 - (i) Palmerston and Sheffield;
 - (ii) Sheffield, Heybridge and Burnie;
 - (iii) Burnie and East Cam;
 - (iv) East Cam and Hampshire;
 - (v) Hampshire and Staverton; and
- (c) includes the construction and operation to substations at:
 - (i) East Cam;
 - (ii) Heybridge;
 - (iii) Hampshire; and
 - (iv) Staverton.

Section 12 of the MIDA Act requires any application for permit for the major infrastructure project to be determined against planning criteria.

The Commission prepared and then publicly exhibited the draft planning criteria for the major infrastructure project from 5 December 2020 to 4 January 2021. The exhibition was supported by an explanatory document.

Summary of issues raised in representations

Twelve representations were received covering the following issues:

- (a) road and rail assets;
- (b) Aboriginal heritage;
- (c) bushfire-prone areas;
- (d) karst;
- (e) natural values, ESD principles and environmental impact statement requirements;
- (f) socio-economic issues;
- (g) climate change and carbon footprint;
- (h) weeds and diseases;
- (i) visual impact and landscape character; and
- (j) drafting.

A list of representors is provided in Annexure A to this report.

Legislative requirements

Under section 12(5) of the MIDA Act, the Commission is required to finalise the planning criteria having regard to any relevant planning scheme and any representations received by the Commission.

Under section 6 of the MIDA Act, the Commission must when performing its functions and powers, further the objectives set out in Schedule 1 of the *Land Use Planning and Approvals Act 1993* (the LUPA Act).

CONSIDERATION OF REPRESENTATIONS

Road and Rail Assets

Representation: TasRail (1)

The representor requested that clause 5.9 Standards for road and rail assets be expanded to include the following considerations:

- (a) infrastructure or structures do not reduce or obscure the line of site at a passively controlled railway crossing;
- (b) an application for new rail crossings is required to be submitted to TasRail, with TasRail determining any application at its discretion; and
- (c) reference to sections 29, 30, 44 and 45 of the *Rail Infrastructure Act 2007* or at least references to the considerations within those sections.

The representor further noted that:

- (a) railway is defined in section 3(2) of the *Rail Infrastructure Act 2007* and includes 'a reference to a railway is taken to be a reference to the track of the railway, the land corridor along which the track of the railway is laid and all of the attendant rail infrastructure'.
- (b) TasRail is both the rail infrastructure manager and rail infrastructure owner.
- (c) there are requirements for obtaining permits to access the rail corridor and undertake any works within the rail corridor; and
- (d) TasRail policy does not permit installation of third party infrastructure above ground in the rail corridor; however, TasRail acknowledged that high voltage lines can be strung across the rail corridor and that the minimum depth of an underground utility is 2m.

Consideration of issues raised

Separate and distinct approvals exist outside of the assessment of an application for a discretionary permit under the LUPA Act for the use and development within a railway.

Section 29, 30, 44 and 45 of the *Rail Infrastructure Act 2007*, relate to installation of service infrastructure on the rail network, compliance with installation conditions, notification and control of major excavations, and control of drainage.

The draft planning criteria follow the drafting approach of the State Planning Provisions of minimising duplication of assessment where approvals are required under other legislation, and do not provide for explicit consideration of development and works in a railway.

Under other planning instruments, such as planning schemes, the issue of buildings near a property boundary impacting on line of sight would be addressed by standards for setbacks from a boundary.

The draft planning criteria do not include standards for setbacks as transmission line infrastructure is constructed within an easement and is not dependent upon property boundaries.

While clause 5.9 Standards for road and rail assets includes matters related to traffic generation and level crossing it is focused on vehicle traffic. The issue of line of sight is more consistent with clause 5.1.4 that is concerned with location of buildings (which includes structures).

The issues raised by TasRail are equally applicable to roads.

Recommendation:

Revise clause 5.1.4 siting to account for impact on line of sight for vehicle crossings, junctions and level crossings.

Aboriginal heritage

Representation: Department of Parks, Primary Industries, Water and Environment (DPIPWE) (4), Ron Nagorcka and Sarah Lloyd (6), Patricia Ellison (7), and SOLVE Tasmania (8)

Some representors requested that Aboriginal heritage be included in the planning criteria and that details of the assessment be made public.

DPIPWE requested that the draft planning criteria include a level of integration with the Aboriginal heritage assessment and approval processes, and at a minimum provide for the synchronisation of approval processes in order to avoid potential constraints on the Minister in relation to consideration of Aboriginal heritage under the *Aboriginal Heritage Act 1975*.

DPIPWE noted:

The Aboriginal Heritage Act 1975 provides for the protection and management of Aboriginal cultural heritage and requires a permit for impacts to Aboriginal cultural heritage. The requirements of this Act apply separately and in addition to the state planning provisions.

Consideration of issues raised

Separate and distinct approvals outside of the assessment of an application for a discretionary permit under the LUPA Act for the use and development impacts on Aboriginal cultural heritage. Publication of details of assessment of other approvals is a matter for the relevant assessment body.

Neither the MIDA Act, LUPA Act nor the *Aboriginal Heritage Act 1975*, currently provide for an integration of assessments of impacts on Aboriginal cultural heritage, unless declared as a major project under the LUPA Act.

It is noted that DPIPWE is currently undertaking a review of the *Aboriginal Heritage Act 1975*. The DPIPWE website¹ suggests a review report is to be provided to the Minister in February 2021 and tabling a report on the outcome of the review in Parliament in April 2021.

One of the issues raised in the *Review of the Aboriginal Heritage Act 1975 - Consultation Feedback Report, November 2019, DPIPWE*, is the interface between Aboriginal heritage management legislation and other legislative processes (primarily relating to resource management and planning processes).

There is no existing identified process or best practice for integrating the assessment of impacts on Aboriginal cultural heritage, including for the synchronisation of approval processes the respective statutory and non-statutory timelines.

A review of Environmental Protection Authority (EPA) Tasmania project specific development proposal and environmental management plan guidelines identifies that these guidelines require limited provision of information beyond a discussion of impacts on many place listed on the Tasmanian Aboriginal Site Index.

The EPA Tasmania assessment of this information appears to defer to the decision under the *Aboriginal Heritage Act 1975* and lists Aboriginal heritage advice under the information section of the permit, rather than as a condition.

Similarly to EPA Tasmania permit conditions, the consequences of permit conditions issued by the planning authority are likely to be indirect, such as confirming the siting of development and works. As such the level of integration and information required is limited.

Information on Aboriginal heritage values and impacts while not directly related to a standard, could provide contextual information, for example by highlighting constraints for route selection and impacts on other values.

Including a clause within the application requirements that requires identification of potential impacts on Aboriginal heritage would provide an indication of values present. Assessment by Aboriginal Heritage Tasmania could then be undertaken concurrently.

While assessment of a registered place (a place on the Tasmanian Heritage Register) is legislatively integrated with assessment of a permit under the LUPA Act, the planning criteria should for the same reasons, require identification of potential impacts on registered places.

¹ <https://dPIPWE.tas.gov.au/about-the-department/aboriginal-heritage-act>

Recommendation:

Revise the application requirements, as set out in Annexure 2, to require identification of the location and potential impacts on Aboriginal heritage values and registered places.

Bushfire-prone areas

Representation: Ron Nagorcka and Sarah Lloyd (6), Patricia Ellison (7), SOLVE Tasmania (8), and Harrison for Planning Matters Alliance Tasmania (11)

Some representors stated that a bushfire risk assessment and management plan must be included and available for comment, while some representors further indicated that bushfire risk assessment and should not be accepted just because it is certified, as this is inconsistent with Schedule 1 of the LUPA Act.

Other representors suggested the planning criteria should include an assessment of bushfire risk, or raised concerns over bushfire risk and how it would be managed.

Consideration of issues raised

The State Planning Provisions limit consideration of bushfire risk to vulnerable uses, hazardous uses and subdivision. Broadly, this limitation is due to bushfire risk to buildings being assessed under the provisions of the *Building Act 2016*.

Review of the *Building Act 2016*, *Building Regulations 2016* and *Director's Determination – Requirements for Building in Bushfire-Prone Areas (transitional)* identifies that structures, such as Transmission towers and lines are likely to be considered a class 10b building and exempt from assessment of bushfire risk.

Because assessment of bushfire risk from structures is exempt from assessment under the *Building Act 2016*, advice was sought from TasFire on risks associated with transmission lines.

A copy of the request for advice to TasFire and its response is included at Annexure 3.

In summary TasFire advised:

- (a) it supported the standards within the draft planning criteria;
- (b) it did not expect an increase in fire ignition risks from the operation of the transmission line;
and
- (c) it was of the view that there is insufficient increase in risk arising from this proposal to warrant additional assessment requirements by the Commission.

While acceptance of a certified bushfire risk assessment was raised by representors, under section 51(2)(i) of the LUPA Act when determining an application the planning authority must accept:

any relevant bushfire hazard management plan, or other prescribed management plan relating to environmental hazards or natural hazards, that has been certified as acceptable by an accredited person or a State Service Agency;

Recommendation:

Make no revisions to standards related to bushfire risk.

Karst

Representation: Ron Nagorcka and Sarah Lloyd (6), Patricia Ellison (7), SOLVE Tasmania (8), and Amarlie Crowden (10)

Some representors requested that standards for karst, cave and springs, including drainage/catchment areas that require a hazard report and management plan should be included due to the presence of karst systems in the Loongana valley.

Other representors considered that the impacts on the Karst system at Loongana need to be thoroughly assessed.

Consideration of issues raised

Section 6.3 Other Biodiversity and Natural Values of Schedule 2 environmental impact statement requirements includes Karst with reference to geodiversity and geomorphic processes.

Matters included in this section, such as, identification of values and impacts, requiring identification of proposed avoidance and mitigation strategies and any offset strategies along with monitoring, is intended to provide for an assessment outcome consistent with what would be obtained in a hazard report or management plan.

Review of this section to explicitly identify Karst would provide clarity.

Recommendation:

Revise sections 5.1 and 6.3 of schedule 2, as set out in Annexure 2 to include reference to Karst values.

Natural values, ESD principles and environmental impact statement requirements

Representation: TasNetworks (2), Ron Nagorcka and Sarah Lloyd (6), Patricia Ellison (7), SOLVE Tasmania (8), Geoffrey Lea (9), Amarlie Crowden (10), Planning Matters Alliance Tasmania (11), and Jane Malecky (12)

Some representors expressed concern over the potential impacts on natural values with one representor citing concern for the impacts of wind farms and transmission lines on wedge tailed eagles and other species listed in the planning criteria.

Some representors generally considered that the planning criteria needed strengthening particularly around biodiversity protection, or that impacts on biodiversity generally required consideration.

Representors also stated that the ESD principles:

- (a) should be applied across the entire project. Special attention should be given to areas where disproportionate direct and indirect impacts occur;
- (b) should be applied across small areas, of the project and not considered on balance as impacts on small areas such as Loongana will be higher than parts of the project such as where an existing easement is being widened;
- (c) should be fairly applied; and
- (d) should be included in the performance criteria.

TasNetworks suggested:

- (a) the term environmental impact statement considerations should be used instead of environmental impact statement requirements or environmental impact statement guidance, to enable the environmental impact statement to focus on key issues;
- (b) the definition of ESD Principles in schedule 1 and reference in the environmental impact statement requirements (Schedule 2) of the planning criteria could be the same as defined in the *Environment Protection Biodiversity Conservation Act 1999 (Cth)* (EPBC Act) (rather than defining and redefining the term outside of that Act); and
- (c) to exclude some emergency access and repair works from provisions related to eagles.

One representor supported the retention of the following environmental impact statement requirement:

It should be noted that other matters deemed to be significant that emerge as significant from environmental studies, public comment or otherwise during the course of the preparation of the environmental impact statement, should not be excluded from consideration.

Consideration of issues raised

Changing the term environmental impact statement requirements to another term will not change the operation of the planning criteria, and appears to be an issue of preference.

The environmental impact statement requirements in Schedule 2 are based on guidance from EPA Tasmania, with minor editorial revisions.

The guidance from EPA Tasmania is best practice assessment of natural values as it incorporates advice from threatened species, environmental, and conservation specialists.

Making substantive change to the EPA Tasmania guidance risks changing the intent on the requirements, which may lead to unintended assessment outcomes.

Section 6.3 Other Biodiversity and Natural Values of Schedule 2 provide for the consideration of biodiversity generally, where it is not specifically identified in sections 6.1 and 6.2. However, it is noted that the structure, format and consistency of expression in section 6.3, could be more clarified.

The EPBC Act refers to ESD principles in a manner different to the format of the definition in the planning criteria. It is repeated in Schedule 1 to improve the contextual interpretation of the definition.

The TasNetworks representation seeking to exclude emergency access and repairs using helicopters when within 1,000m of an eagle nest is consistent with works not regarded as development for the purposes of section 55 and 57 of the *Electricity Industry Supply Act 1995* (EIS Act).

Section 55 provides for an electricity entity to enter land and carry out works for the protection of electricity infrastructure or public safety.

Section 57 of the EIS Act effectively exempts work of a minor environmental impact listed in regulation 8 of the *Electricity Supply Industry Regulations 2018*. Regulation 8 lists both repair, maintenance and modification of existing powerlines for the transmission of electricity, and clearing and lopping of trees and the like, to the extent necessary for the protection of electricity infrastructure and public safety, as work of minor environmental impact.

The revisions sought by TasNetworks appear generally consistent with powers under the EIS Act, and if revised as proposed, impacts on eagle nests from likely maintenance will be considered.

Support for assessment of natural values, inclusion of ESD principles is noted, or specific clauses is noted.

Recommendation:

- (1) No substantive revisions are necessary to the consideration of natural values and ESD principles; and
- (2) Revise the format and expression of section 6.3 of Schedule 2 as set out in Annexure 2 to clarify the provisions and exclude use of helicopters for emergency access and repair from consideration of impact upon eagles due to proximity of eagle nests.

Socio-economic issues

Representation: Ron Nagorcka and Sarah Lloyd (6), Patricia Ellison (7), SOLVE Tasmania (8), Amarlie Crowden (10), and Planning Matters Alliance Tasmania (11)

Some representors stated that social and economic impacts, both positive and negative, should have quantitative analysis and cost/benefit analysis must be based on true costs, including consideration of employment opportunities.

Some representors noted:

- (a) the socio-economic criteria are too vague and leave a level of responsibility on the proponent; and
- (b) the socio-economic analysis should include a tourism impact analysis, citing potential impacts on nearby ecotourism operations from impacted views, and in the local area, such as, the Leven Canyon and The Penguin Cradle Trail, with some representors noting impact on nearby tourism facilities and their operators should be compensated.

Some representors noted TasNetworks should sign up to the Clean Energy Council's Best Practise Charter for Renewable Energy Development, which includes a charter for building power lines, and commit to an ethical supply chain.

One representor indicated that section 5.2 socio-economic aspects of schedule 2 was not adequate. While another considered that assessment of the economic and social impact should be expanded.

One representor considered that an exclusive analysis of social and economic benefits should be undertaken for Loongana, due to higher impacts at Loongana.

Some representors considered that the analysis or requirements should include that local people are employed in all aspects of the project and that the proponent should commit to using an ethical supply chain.

Consideration of issues raised

Socio-economic considerations are divided into two parts in the Schedule 2, environmental impact statement requirements. Section 5.2 socio-economic aspects is about describing the existing social and economic environment, while section 6.11 socio-economic issues details the information required on impacts.

As will all aspects of the environmental impact statement requirements, the extent to which socio-economic considerations need to be described and discussed will depend on the nature and extent of negative impacts.

The linear nature of the major infrastructure project and its components, ranging from use and development of new transmission lines on new routes to new towers in existing easements, is likely to have varied socio-economic impacts at different localities that have differing socio-economic characteristics.

While a level of flexibility in addressing socio-economic issues is consequently necessary and could appear vague, it is balanced by opportunities for public comment during exhibition of an application for permit.

Potential socio-economic impacts on tourism are not clearly identified in either section 5.2, 6 or 6.3 of schedule 2. Identifying tourism as a socio-economic issue in both section 5.2, 6 and 6.3 will aid in consideration of the impact of the proposal against the ESD principles.

Similarly, socio-economic impacts related to local employment while identified in section 6.3 of Schedule 2, by reference to local labour markets, could be additionally clarified.

The Clean Energy Council's Best Practise Charter for Renewable Energy Development is a high level document that includes commitments for how renewable energy projects will be undertaken, including engagement with the community.

Whether TasNetworks sign up to the Clean Energy Council's Best Practise Charter for Renewable Energy Development or apply equivalent or alternative approach is a matter for TasNetworks and is beyond the scope of the planning criteria.

Recommendation:

Revise section 5.2, 6 and 6.11 of Schedule 2, as set out in Annexure 2, to clarify consideration of impacts on tourism and local employment opportunities within socio-economic considerations.

Climate change and carbon footprint

Representation: Ron Nagorcka and Sarah Lloyd (6), Patricia Ellison (7), SOLVE Tasmania (8), Geoffrey Lea (9), Amarlie Crowden (10), and Planning Matters Alliance Tasmania (11)

Representors raised a range of issues concerning climate change and the major infrastructure project's carbon footprint, including that:

- (a) climate change impacts for the project should be assessed, such as, including climate change as an ESD sub-principle;
- (b) climate change impacts for the project should be assessed in more detail, such as, climate modelling forming part of all assessments mitigation and management plans; and
- (c) the planning criteria should require demonstration of a thorough cost-benefit analysis, including real costs borne by the community, of the carbon footprint and environmental damage of the project.

Some representors considered that:

- (a) the carbon footprint for the entire project should be calculated to determine impact on the Earth's climate; or
- (b) impact on climate is a candidate as a third key issue in the environmental impact statement requirements.

One representor suggests that the project should compensate for the destruction of carbon sequestering vegetation at a market rate.

Consideration of issues raised

The planning criteria do not separately require assessment of impacts from the major infrastructure project on climate change.

Section 6 potential impacts and their management under the subheading Environmental Impacts of Schedule 2, includes consideration of the impacts and climate change, as follows:

The EIS should also address the potential cumulative impact of the proposal on ecosystem resilience. The cumulative effects of climate change impacts on the environment must also be considered in the assessment of ecosystem resilience.

Section 6.10 Greenhouse gases and ozone depleting substances includes some consideration of climate change.

While the cumulative impacts of climate change on environmental impacts and ecosystem resilience are clearly set out, requirements to address the direct and indirect impacts of the major infrastructure project, both positive and negative are not clearly expressed.

The ESD principles that includes the principle of inter-generational equity is particularly relevant to consideration of climate change issues.

While representors consider that the carbon footprint for the entire project should be calculated or a cost benefit analysis be undertaken, the interlinked nature of climate change impacts make such analysis challenging given it is linked to socio-economic issues and there are indirect impacts, both positive and negative.

A qualitative identification of impacts on climate change against the qualitative ESD principles allows interlinked impacts and indirect impacts to be considered.

Recommendation:

Revise section 6.10 of Schedule 2, as set out in Annexure 2, to provide for the clear consideration of the potential direct and indirect impacts, both positive and negative, on climate change.

Weeds and diseases

Representation: Ron Nagorcka and Sarah Lloyd (6), Patricia Ellison (7), and SOLVE Tasmania (8)

Two representors considered that the planning criteria in relation to weeds and diseases is vague and does not match the vast scale of the proposed project, and its risks, or where responsibilities and obligations of the proponent start and finish and that feral animals must be included in the criteria.

One representor suggested that continuing weed management along the route should be included in the planning criteria.

Consideration of issues raised

Section 6.2 - Threatened flora and vegetation communities of Schedule 2 covers weeds and disease in both the discussion of impacts and under the separate heading, weeds and diseases.

This section covers on most issues raised by representors as it requires both the identification of weeds a discussion of the potential for migration and introduce of pests, weeds or diseases, along with requiring a weed management plan that details how impacts will be avoided or mitigated.

While feral animals are not explicitly identified they are likely intended to be captured in the term pests. A minor revision to this section could clarify the inclusion of feral animals, without changing the intent of this section.

Recommendation:

Revise section 6.1 and 6.2 of Schedule 2, as set out in Annexure 2, to provide for the clear inclusion of feral animals as an impact to be considered.

Visual impact and landscape character

Representation: TasNetworks (2), Patricia Ellison (7), Geoffrey Lea (9), Amarlie Crowden (10), and Planning Matters Alliance Tasmania (11)

TasNetworks suggested the definition of landscape character and visual impact assessment report should be revised to adopt an approach applicable to Tasmania, such as, the sensitivity assessment including analysis of the alteration type, landscape context, sensitivity, visual absorption and opportunities for public involvement.

One representor considered that the planning criteria must include consideration of visual impacts and the height of towers.

One representor noted they were concerned about the impact on the landscape character.

Once representor considered that a as the visual aspect of these mega transmission towers would affect property values, tourism and communities, accurate images of what the development would look like across the northwest is required.

One representor considered it a requirement for the planning criteria to include a visual impact statement as major infrastructure will impact on tourism in Tasmania.

Consideration of issues raised

The matters raised by TasNetworks appear to be largely encompassed in the definition of 'sensitivity of the landscape'. Minor revisions to the definition of sensitivity of the landscape would add clarity.

The definition of landscape character and visual impact assessment report requires representative viewpoints from sites to be identified, such as, tourist facilities, public roads and public places; and assesses the magnitude of change from each viewpoint.

The definitions of magnitude of change, sensitivity of the landscape, and landscape character and visual impact assessment report combined with planning provision 5.8 standards for visual impact appear to adequately respond to the issues raised.

Support for inclusion a standard for visual impact is noted.

Recommendation:

Revise the definitions of 'sensitivity of the landscape', as set out in Annexure 2, to clarify it includes aspects such as, analysis of the alteration type, landscape context, sensitivity, visual absorption.

Drafting

Representation: TasNetworks (2), John Thompson (5), and Patricia Ellison (7)

Representors noted that use of the word, 'should', throughout the document is ambiguous. Suggesting it is unclear whether it means the proponent has an obligation to carry out an action or is being advised to carry out an action.

TasNetworks further noted terms, such as, provide, should and must include, need to be used consistently so that the environmental impact statement can be targeted and risk-weighted to avoid the need to address all points and provide clarity on the amount of information required.

TasNetworks considered that modification may be or was required to some operative provisions, application requirements and definitions, as follows:

- (a) that clause 3.1.2(b) that requires landowners consent may be redundant as notice would be given under s.11(2) of the MIDA Act, as noted in clause 3.1.2(c);
- (b) that clause 3.1.3 should be reframed for linear infrastructure, such as:
 - (i) by reference to envelope instead of specific footprint as minor changes will occur during construction;
 - (ii) by requiring an indicative layout plan rather than a plan for each tower;
- (c) that clause 4.0, 4.1 and 4.1.1 needs to allow sufficient flexibility for the environmental impact statement to respond to matters as appropriate, rather than every item in the environmental impact statement requirements and to specify it is expected the environmental impact statement would only cover the gap for matters already dealt with in the planning provisions (as set out in the explanatory document);
- (d) the definition of planning scheme should be revised to specify the dates of the planning scheme, to provide certainty for preparation of any development application;
- (e) apply numbering to all points in Schedule 2, rather than dot points;
- (f) to clarify that only the Hampshire Hills to Staverton Transmission line and Heybridge spur was subject to the EPBC Act accredited assessment.

Representors also proposed revisions to Schedule 2 to:

- (a) ensure the criteria are written broadly enough to capture any new matters/controlling provisions/new species and communities that may be triggered from a controlled action decision on the North West Transmission Developments;
- (b) be reframed so that only matters relevant to each portion of the use and development are required to be addressed;
- (c) provide clarification of criteria weighting in project alternatives.

Consideration of issues raised

Use of the term 'should'

The term 'should' is ambiguous. Practice Note No. 5 Tasmanian Planning Scheme drafting conventions recommends use of 'must' when expressing a mandate and 'is to' when giving a direction, rather than terms such as, 'shall' or 'will'.

As noted by one representor the Macquarie Dictionary definition of 'should', can either indicate obligation or indicate advisability.

While Schedule 2 is necessarily drafted so that the environmental impact statement provided responds to the on ground conditions found during surveys and the like, and the subsequent discussion of potential impacts, and proposed avoidance, mitigation or offset measures is intended to scale based on the potential for impact, additional clarity and consistency will improve the consistency of interpretation by both the proponent and planning authority.

Revisions to the term 'should', 'to provide' and the like, will require general revisions and some restructuring to apply consistent expression.

In some cases, where information in Schedule 2 is a recommendation or guidance, revising terms such as 'should' to 'must', 'is to' or 'may' and the like, risks changing the intent of the recommendations or guidance.

Modifications to some operative provisions, application requirements and definitions

The existing drafting of clause 3.1.2 is proposedly qualified by the term 'required' to account for operation of section 11(2) of the MIDA Act, that provides for circumstances where landowners consent for making an application is not required and where consent from the Crown or Council under section 52(1B) of the LUPA Act is still required.

The drafting of clause 3.1.3 and 3.1.3(b) require a detailed layout plan for each structure, and has the potential to be repetitive and onerous on the applicant for transmission towers that have no or only minor variation from a standardised layout.

The drafting of clause 3.1.3(a) is more flexible than 3.1.3(b), as it requires a site plan at a scale acceptable to the planning authority with detail of feature shown depending on site features.

The drafting of clause 3.1.3 could be refined to continue to require plans for substations and similar infrastructure while providing for a typical detailed layout plan for transmission towers balanced by requiring site plans to additionally provide information on tower location and height. These revisions would reduce the onerous requirement to provide a detailed plan of every tower, while still capturing all relevant required information.

Clauses 4.0, 4.1 and 4.1.1 cross reference the environmental impact statement requirements in Schedule 2. There is limited duplication between matters listed in the planning provisions in clause 5 and in the environmental impact statement requirements in Schedule 2.

Duplication primarily occurs in the application requirements of the planning criteria and the information required under clause 2 Project description of Schedule 2. However there is some potential for crossover of some standards and requirements, such as:

- (a) 6.9 Dangerous goods and environmentally hazardous materials with 5.4 standards for natural hazards;
- (b) 6.6 Noise emissions with 5.7 standards for attenuation; and
- (c) 6.12 Infrastructure and off-site ancillary facilities with 5.9 Standards for road and rail assets.

Clarifying that the environmental impact statement requirements considers matters not explicitly dealt with by the planning provisions, will aid in the interpretation of the requirements and minimise duplication.

The definition of planning scheme has the same meaning as in the LUPA Act. This means that where the planning criteria calls up a provision in a planning scheme, such as, in the definition of bushfire-prone area, the provision applicable will be the one in each planning scheme at the time the application is made.

There are limited circumstances where provisions of a planning scheme are cross referenced in the planning criteria. However, this reflects a best practice approach recognising that natural hazards, heritage values or scenic values may change over time. This information would only change following either a scheme amendment or the making of a new planning scheme, such as where the Tasmanian Planning Scheme became effective in a municipal area.

Both scheme amendments and the making of a new scheme provide for public exhibition affording TasNetworks and opportunity to make representation on matters that would impact on the major infrastructure project.

Points in Schedule 2 are not numbered. Numbering points in Schedule 2 would aid referencing for the proponent, representors and planning authority. To effectively number Schedule 2 minor revisions to the structure and format will be required to provide consistency between sections.

While contained in the general information to the proponent, Schedule 2 includes an error where it refers to accredited assessment of the project under the EPBC Act, as only part of the major infrastructure project is currently subject to assessment accreditation. It is notable that other portions of the major infrastructure project may be given EPBC Act assessment accreditation in the future. The drafting error needs to be corrected along with further revisions to provide for possible future assessment accreditation under the EPBC Act.

Other drafting revisions

Schedule 2 includes a mixture of both guidance / advisory information and information required to be provided in in the environmental impact statement.

While this mixture of information is broad, there is no certainty in the flexibility or level of detail and information required to be provided. Short of substantial revision of the expression that risks changing the intent of provisions, only a limited amount of additional clarity on both the flexibility and level of detail required can be provided.

Minor revisions can be made to clarify the operation of sections, particularly section 6 to make reference to the inclusion of relevant listed matters and to have regard to the guidance to provide certainty while limiting the risk of changing the intent of the provisions.

The existing provisions in Schedule 2 require detail of the criteria and methodology used for site selection.

Recommendation:

Revise the planning criteria, as set out in Appendix 2, as follows:

- (a) Schedule 2 to the use of the term 'should' to 'must', excluding where 'should' is used primarily as guidance or as a recommendation;
- (b) clause 3.1.3 to provide for provision of a detailed plan of a typical transmission tower and consequential revisions to require advice on tower height and location in other site plans;
- (c) clause 4.1.1 to clarify the environmental impact statement requirements considers matters not explicitly dealt with by the planning provisions;
- (d) Schedule 2 to number provisions; and
- (e) Schedule 2 to clarify information requirements,

and make any consequential revisions required to implement these recommendations.

Matters outside the scope of the planning criteria.

Representation: TasWater (2), John Thompson (5), Ron Nagorcka and Sarah Lloyd (6), Patricia Ellison (7), SOLVE Tasmania (8), Geoffrey Lea (9), Amarlie Crowden (10), Planning Matters Alliance Tasmania (11), and Jane Malecky (12)

Representors raised issues such as:

- (a) that all separate and secondary assessments and management plans must be included in the assessment and available for public comment to meet the Schedule 1 objectives of the Act;
- (b) information on secondary assessments should include when these are approved and all assessment details including permit conditions by the issuing body;
- (c) that all mitigation measures, offsets and monitoring proposed must be detailed and all assurances and agreements made or proposed be enforced and the details made available for public comment;
- (d) the explanatory document fails to inform the reason for the project. The reasons should be clarified in the explanatory document and Environmental Impact Statement, so that it can be determined if the project is in the interest of the Tasmanian and Australian public;
- (e) risks to the project from other renewable energy projects on the mainland should be considered;
- (f) that the Transmission line should not be assessed in isolation to other projects that form part of Tasmanian Renewable Energy Action Plan;
- (g) that the proposed development was not required for Tasmanian electricity supply;
- (h) that an underground cable may be more cost effective once all costs are accounted for;
- (i) landowners, neighbours and the Community should be compensated due to lower property values and other impacts;
- (j) that prior assessment by the Commission should be made public;
- (k) advised they had no comment on the planning criteria; and
- (l) that the environmental impact statement should not rely on the Tasmanian Government for natural values surveys as they cannot be impartial; or
- (m) that the Commission should reject the proposal or require a different route to be considered.

These matters raised are related to other legislative processes and requirements outside of assessment under the MIDA Act, are matters that are relevant to the assessment of a permit, or are matters about processes required by the MIDA Act and the LUPA Act, rather than consideration of the draft planning criteria.

Representations in support

Some representations indicated support for the inclusion of provisions in the planning criteria.

Some representations requested the planning criteria include consideration of topics or issues that are already included in the draft planning criteria.

The support is noted.

Relevant planning schemes

Excluding matters raised by TasNetworks about the planning scheme date, no issues were raised about relevant planning schemes.

The draft planning criteria have regard to relevant planning schemes with standards related to natural hazards being triggered by the mapping in planning schemes and standards related to heritage and visual impact requiring consideration of management objectives.

State Policies and Resource Management and Planning System Objectives

The representations raised no issues that identify inconsistencies with State Policies.

Excluding matters outside the scope of consideration of the draft planning criteria, the representations raised no issues that the draft planning criteria does not seek to further the Objectives of the Resource Management and Planning System in Schedule 1.

Recommendation

That subject to the draft planning criteria being modified, as set out in Annexure 2, the Commission finalises the planning criteria.

Attachments

Annexure 1 – Copy of representations

Annexure 2 – Modified draft planning criteria

Annexure 3 – Copies of request to and advice from Tasfire

Annexure 1

Copy of representations

Representation No.	Name / Organisation
1	TasRail
2	TasWater
3	TasNetworks
4	Department of Primary Industries, Parks, Water and the Environment
5	John Thompson
6	Ron Nagorcka and Sarah Lloyd OAM
7	Patricia Ellison
8	Supporting Our Loongana Valley Environment (SOLVE) Tasmania
9	Geoffrey Lea
10	Amarlie Crowden
11	Planning Matters Alliance Tasmania
12	Jane Malecky

From: [Jennifer Jarvis](#)
To: [TPC Enquiry](#)
Subject: Draft Planning Criteria - NW Transmission Upgrades Project
Date: Tuesday, 22 December 2020 4:14:20 PM
Attachments: [image001.jpg](#)

Your Reference: DOC/20/132756 – Officer: Luke Newman

Thank you for notifying TasRail of the exhibition of the draft planning criteria in relation to the Major Infrastructure Development Approvals for the North West Transmission Upgrades Project – Order 2020.

TasRail has reviewed the documentation and makes the following comments:

1. We note 5.9 of the draft planning criteria considers traffic generation at a vehicle crossing/level crossing or new junction, but we request this be expanded to include the following considerations:
 - Infrastructure or structures do not reduce or obscure the line of sight at a passively controlled railway crossing (i.e. a crossing that has signage but no lights and bells), including railway crossings on private land. This request is made in the context that railway crossings must comply with Australian Standard 1742 – Part 7 – Railway Crossings. This Standard mandates sighting distances that must be maintained for STOP controlled and GIVE Way controlled railway crossings.
 - Where a new crossing over the railway is contemplated, a formal application is required to be submitted to property@tasrail.com.au and any approval will be at TasRail discretion taking into account the policy of the independent Office of the National Rail Safety Regulator and Rail Safety National Law.

2. Additional considerations that we ask be included or at least referenced in the draft planning criteria include reference to relevant sections set out within the *Rail Infrastructure Act 2007* – which is the Act to provide for and facilitate the operation of the State’s Major Rail Network including its attendant land and infrastructure. Specifically of relevance to the draft planning criteria are the following:
 - Section 29 – installation of service infrastructure on rail network
 - Section 30 – Compliance with installation conditions
 - Section 44 – notification and control of major excavations
 - Section 45 – control of drainage

Under the Rail Infrastructure Act, a reference to a railway is taken to be a reference to:

- A reference to the track of the railway,
- The land corridor along which the track of the railway is laid (all State Rail Network land); and
- And all of the attendant rail infrastructure

Please note that as per the Rail Infrastructure Act 2007, TasRail is the Rail Infrastructure Manager and the Rail Infrastructure Owner for the State Rail Network.

3. TasRail's Policy is to protect the rail corridor land (State Rail Network land) so that it remains available for the purpose of operating, maintaining and upgrading the rail infrastructure for current and future purposes. While acknowledging legacy issues exist across the network and notwithstanding section 34 of the *Rail Infrastructure Act*, TasRail's Policy does not permit the installation of third party infrastructure above ground within the rail corridor.

Where High Voltage Towers are required to be installed to support the NW Transmission Upgrades Project, TasRail requests these towers be constructed outside of the rail corridor (State Rail Network land) but acknowledges the HV power lines themselves can be strung across the rail corridor. New Low Voltage power lines are not permitted to be installed within the rail corridor land as the installations impede rail operations and pose a safety risk.

Should there be a requirement to install underground power infrastructure within the rail corridor, please note that it must comply with Australian Standard 4799-2000 for the Installation of underground utility services and pipelines within railway boundaries. For the Tasmanian Rail Network, the minimum depth that applies for all installations is 2 metres.

4. Notwithstanding that the NW Transmission Upgrades Project has Major Infrastructure Development Approval status, nothing in this Order or the Planning Criteria exempts the related works from having to comply with TasRail's Safety Rules and Requirements. This includes a requirement for all persons wanting to access/enter State Rail Network land to apply to property@tasrail.com.au for a Permit to Access the Rail Corridor and/or a Permit for Works within the Rail Corridor and to comply with the terms and conditions of access which are designed to protect safety of all persons on rail land as well as train operations and rail assets. The Permit process ensures that TasRail is appropriately managing and complying with its rail safety obligations as per its rail safety accreditation (issued and oversighted by the independent Office of the National Rail Safety Regulator) and as required under *Rail Safety National Law 2012*.

From what we can gather from available project information, the proposed NW Transmission Developments routes will interface with the rail corridor along these locations:

- between Palmerstone and Sheffield the tx route will interface with the rail corridor, particularly at Dunorlan, Deloraine and Exton (operational Western Line);
- between Staverton and Hampshire Hills the tx route will interface with the rail corridor along the operational Melba Line.

Please don't hesitate to contact me should you wish to discuss the above. I will be on leave between 23 December 2020 and 11 January 2021.

Jennifer Jarvis

Manager Group Property & Compliance |
Phone: 03 6335 2603 | Mobile: 0428 139 238

11 Techno Park Drive, Kings Meadows, Tasmania, 7249

Jennifer.Jarvis@tasrail.com.au

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From: [Taylor, Jason](#)
To: [TPC Enquiry](#)
Subject: TasWater Response - exhibition of draft planning criteria - North West Transmission Upgrades Project
Date: Wednesday, 23 December 2020 11:28:15 AM
Attachments: [image001.jpg](#)

Dear Sir/Madam,

Thank you for the opportunity to comment on the exhibition of draft planning criteria for the North West Transmission Upgrades Project.

TasWater have no comments in relation to the planning criteria, noting that any development applications and/or planning scheme amendments received related to the project, will be assessed in accordance with all of the usual principles applied at the time of application regarding impacts on TasWater operations and infrastructure.

Regards

[Jason Taylor](#)

Development Assessment Manager

M 0459 167 683

From: Lowe, Emma <Emma.Lowe@planning.tas.gov.au>
Sent: Monday, 7 December 2020 2:14 PM
To: TasWater Development Mailbox <Development@taswater.com.au>
Subject: TPC Notification Letter - exhibition of draft planning criteria - North West Transmission Upgrades Project - 7 December 2020

Good afternoon,

Please see attached correspondence from the Tasmanian Planning Commission.

Kind regards,

Emma Lowe

Administration Officer



Level 3 144 Macquarie Street Hobart TAS 7000

GPO Box 1691 Hobart TAS 7001

03 6165 6828

www.planning.tas.gov.au

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23 December 2020

Tasmanian Networks Pty Ltd
ABN 24 167 357 299
PO Box 606
Moonah TAS 7009

Tasmanian Planning Commission
GPO Box 1961
HOBART TAS 7001

Via email: tpc@planning.tas.gov.au

Attention: Sandra Hogue

Dear Sandra

NORTH WEST TRANSMISSION UPGRADES PROJECT – DRAFT PLANNING CRITERIA REPRESENTATION

I refer to the Tasmanian Planning Commission's (the **Commission**) invitation to make a representation on the draft planning criteria for TasNetworks' North West Transmission Upgrades Project. Please find attached TasNetworks' response for your consideration.

Firstly TasNetworks acknowledges and thanks you for the effort that has been taken to prepare the comprehensive set of criteria and supporting documentation to enable the project to be considered under an integrated assessment process.

We have undertaken a comprehensive review of the draft criteria for use in the consideration of our applications. In summary our comments primarily relate to:

- reframing criteria in certain sections to reflect that our applications relate to linear infrastructure as distinct from site specific projects;
- recommending that the information for preparing the environmental impact statement (EIS) be rephrased as 'considerations' or 'guidance' rather than 'requirements' to enable the EIS to focus on key issues, allow for flexibility to respond to matters as appropriate, provide consistency within the document and clarify on the relationship of those considerations to the planning provisions;
- providing clarity as to the date upon which the planning schemes should be applied;
- including headings and numbering in Schedule 2 (EIS considerations) for readability; and
- updating sections where necessary to reflect the *Environment Protection and Biodiversity Conservation Act 1999* accreditation of *Major Infrastructure Development Approvals Act 1999* (MIDAA) at this stage only extending to the Staverton to Hampshire Hills project, and the draft criteria being focused primarily on Staverton to Hampshire Hills considerations.

Thank you for the opportunity to comment on the draft criteria and guidance, and we look forward to your consideration of our response.

The TasNetworks team looks forward to continuing to work with the Commission, the Commonwealth Department of Agriculture, Water and Environment and the Tasmanian Environmental Protection Agency throughout the application, assessment and approval phases of our projects under MIDAA.

If you wish to discuss our response, please contact Kate Guard, Environment, Planning and Heritage Lead, Project Marinus at kate.guard@tasnetworks.com.au.

Thank you once again for your support in this matter.

Yours sincerely



Lance Balcombe
Chief Executive Officer
TasNetworks Pty Ltd

Encl.

Draft Planning Criteria for the North West Transmission Upgrade Project - TasNetworks comments 23/12/2020

Comment No.	Section No./ Page No.	Proposed change to text (<i>Text strike through – delete text, text underlined – add text</i>)	Supporting comment/ additional considerations
1.	Heading	Draft Planning Criteria for the Major Infrastructure Development (North West Transmissions Upgrades Project) Order 2020	
2.	3.1.2(b) (p 2)		<ul style="list-style-type: none"> The Order says that notice under s52(1) is not required so this may be redundant. Notice would be given under s11(2) MIDAA as reflected in planning criteria 3.1.2(c).
3.	3.1.3 (p 2)		<ul style="list-style-type: none"> Suggested to reframe section for linear infrastructure, maintain flexibility for tower locations (e.g. envelope instead of specific footprint) as minor changes always occur during construction. Suggested changes: Modify 3.1.3 to suit a linear project area which is more appropriate for an overhead transmission line. Specify the need for an 'indicative layout plan' rather than a plan for each tower.
4.	3.1.3 (b) (p 3)	Where it is proposed to erect or demolish any buildings or structures, a detailed layout plan of the buildings or structures with dimensions at an <u>appropriate scale of 1:100 or 1:200 as appropriate</u> showing, where applicable:	<ul style="list-style-type: none"> Suggested change: Change the scale of plans to suit a linear project (zoom out). A detailed layout plan for all structures is not practical or necessary to understand impacts of constructing new or demolishing existing linear transmission assets (towers in particular). Preference is for an indicative layout plan rather than one for each tower together with a set of plans indicating where the towers are but not at such a zoomed in scale. It's practical to provide a site specific layout for substation sites.

5.	4.0 (p 4) Heading	Environmental impact statement <u>requirements-considerations</u>	Considerations:
6.	4.1 (p 4) Heading	Content of environmental impact statement <u>requirements considerations</u>	<ul style="list-style-type: none"> EIS requirements should be stated to be 'considerations' or 'guidance' to be addressed 'as appropriate' rather than 'requirements', such that the EIS would need to consider all of the things referred to in the EIS Schedule as 'should' but the EIS is not defective if it does not do so. The point is not to reduce appropriate EIA, but rather to allow sufficient flexibility for the EIS to respond to matters to the extent appropriate, rather than having to forensically respond to every line item in the very detailed EIS requirements, if not warranted by the investigations.
7.	4.1.1 (p 4)	The <u>Considerations</u> for the environmental impact statement <u>requirements</u> are set out in Schedule 2 of these planning criteria <u>to be</u> addressed as appropriate for matters <u>which are not dealt with in the planning provisions, along with any supplementary guidance issued by the Board of the EPA prior to submission of the relevant development application.</u>	<ul style="list-style-type: none"> It would also be useful for 4.1.1 to reflect the concept at p4 of the explanatory document; that where there is overlap between the EIS requirements and the planning provisions, it's expected that the EIS would cover the 'gap' only, for matters not explicitly already addressed in the planning provisions.
8.	Schedule 1: Table (p 22) ESD principles		<ul style="list-style-type: none"> This definition and the reference in the EIS schedule (Schedule 2) could be explicitly the same, as defined in the EPBC Act (rather than appearing to define and redefine the term outside of the statutory framework).
9.	Schedule 1: Table (p 26) landscape character and visual impact assessment report		<ul style="list-style-type: none"> Suggested change: Adopt a visual impact assessment approach which is applicable within the Tasmanian context. For example a sensitivity assessment which incorporates and analyses several interrelated components including: <ul style="list-style-type: none"> alteration type, landscape context, sensitivity,

10.	Schedule 1: Table (p 29) planning scheme	has the meaning in section 10(2)(a) of the Act, as each applicable planning scheme is in force at the date on which these criteria are finalized.	<ul style="list-style-type: none"> ○ visual absorption capability, and ○ opportunities for public involvement. <ul style="list-style-type: none"> ● Suggested change: Clarify the date on which the planning scheme should be applied. Otherwise the uncertainty may undermine one of the fundamental benefits of the MIDAA process – one set of criteria specific to a linear infrastructure project. <p>Other matters to consider in this context:</p> <ul style="list-style-type: none"> ● TPC evaluates planning schemes for inconsistencies and amends planning schemes where inconsistent with the Major Infrastructure Project. ● As part of the local planning scheme or planning scheme amendment process, TPC requires all planning scheme amendments (including any new local planning scheme) for the 6 local Councils affected by the project to demonstrate how the planning scheme provisions are not inconsistent with the Major Infrastructure Project.
11.	Schedule 2: Heading (p 33)	Schedule 2: Environmental impact statement requirements -considerations	<p>Considerations:</p> <ul style="list-style-type: none"> ● Throughout Schedule 2 there is a mix of terms, “provide / should provide / must include”. While the discussion on page 3 envisages a targeted risk-weighted EIS to a limited extent, the level of detail otherwise set out across pages 4-22 is potentially onerous if there is an expectation that the EIS reflect each of these matters in turn. Rewording is suggested for consistent use of terms and clarity on the level of information expected to address the criteria. ● For clarity in addressing guidance, it would be helpful to use more headings with numbers and use numbers instead of dot points.

12.	Schedule 2 (p 1) <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)		<ul style="list-style-type: none"> This section may create the impression that the MIDAA process has been accredited for all applications that will be submitted under MIDAA. However, only Staverton to Hampshire Hills (including Staverton substation) has been referred under the EPBC Act and declared a controlled action. The remainder of the North West Transmission Developments has not been referred under the EPBC Act and as such, the MIDAA assessment process for this section has not been accredited. The MIDAA criteria need to apply to the whole of the project in the Order, not just Staverton-Hampshire Hills which is the subject of the EPBC decision referenced on this page. This discussion needs to clarify the referral and accreditation.
13.	Schedule 2 (p 10) Offsetting unavoidable adverse impacts	If adverse residual environmental impacts from the proposal are considered unavoidable despite the adoption of best practice environmental management avoidance and mitigation measures, then <u>any</u> proposals to offset such impacts should be detailed <u>having regard to the nature and significance of such impact</u> . For example, if the loss of <u>conservation values, or ecological community assets or amenities</u> is considered unavoidable, measures to offset these losses should be proposed in proportion to the loss	<ul style="list-style-type: none"> Suggested change: This section should be qualified by reference to significance and nature of such impact as a trigger for whether offsetting is required, not just for the proportionality of the offset response as this paragraph currently indicates (ie not all impacts to fauna would necessarily require offsetting).

14.	Schedule 2 (p 10-15) All Key Issues		<p>Comments for lists of all Key Issues.</p> <ul style="list-style-type: none"> It's noted that the EIS schedule references specific listed species for consideration in the EIS, however, these are specifically relevant to the Staverton-Hampshire Hills component, the subject of the recent EPBC Act referral, and may not necessarily be relevant for the remainder of the North West Transmission Developments. As we undertake further investigations, and commence preparation of the EIS for the remainder of the North West Transmission Developments, the EIS for this component might be saying 'not relevant' to some of these species and discussing other matters instead. Recommend ensuring criteria are written broadly enough to capture any new matters / controlling provisions/ new species and communities that may be triggered from a controlled action decision on remaining North West Transmission Developments.
15.	Schedule 2 (p 10) 6.1 Key Issue 1 : threatened fauna	Discuss impacts of the transmission line and any other ancillary infrastructure on threatened fauna <u>in the area subject to each application including as relevant:</u>	<ul style="list-style-type: none"> As per comment 14 above
16.	Schedule 2 (p 11) 6.1 Key Issue 1 : threatened fauna	Surveys should be undertaken in all areas proposed to be impacted, including but not limited to <u>areas proposed to be impacted for corridors, tower locations, power stations, substations, switching stations, access tracks and roads, and laydown areas.</u>	

17.	Schedule 2 (p 11) 6.1 Key Issue 1: threatened fauna Threatened eagle species	An eagle nest survey is required to be undertaken which covers all potentially suitable nesting habitat within the project area and at least 1km on each side of the proposed <u>transmission line route outside of the project boundary</u> . The results should be used to inform development activities and infrastructure layout.	
18.	Schedule 2 (p 12) 6.1 Key Issue 1: threatened fauna Threatened eagle species	Given the use of helicopters in “stringing” <u>transmission distribution</u> lines and the associated risks, including risks to both eagles and humans, from operating hovering helicopters near eagle nests during their breeding season, it is highly recommended that	
19.	Schedule 2 (p 12) 6.1 Key Issue 1: threatened fauna Threatened eagle species	If the use of helicopters is likely in maintenance and repair operations <u>of for</u> transmission lines (<u>excluding emergency access and repairs</u>) during the eagle breeding season, transmission lines should be located not less than 1,000m from known eagle nests.	<ul style="list-style-type: none"> Emergency repairs should be excluded from this requirement. It is essential that we have access for emergency repairs.
20.	Schedule 2 (p 14) 6.2 Key Issue 2: threatened flora and vegetation communities	Discuss impacts of the transmission line and any other ancillary infrastructure on threatened flora species and ecological communities <u>in the area subject to each application including as relevant:</u>	<ul style="list-style-type: none"> As per comment 14 above
21.	Schedule 2 (p 15) 6.2 Key Issue 2: threatened flora and vegetation communities. Threatened flora surveys	Surveys should be undertaken in all areas proposed to be impacted, including areas proposed to be impacted for corridors, tower locations, power stations, substations, switching stations, access tracks/roads and laydown areas.	

22.	Schedule 2 (p 18) 6.6 Noise emissions	- considering the potential for <u>noise emissions from project construction to have a long term or significant adverse effect on wildlife and livestock as relevant, to affect terrestrial, marine and freshwater wildlife and livestock.</u>	
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Department of Primary Industries, Parks, Water & Environment
NATURAL AND CULTURAL HERITAGE DIVISION

Hobart GPO Box 44, Hobart, Tasmania, 7001
Launceston PO Box 46, Kings Meadows, Tasmania, 7249
Devonport PO Box 303, Devonport, Tasmania, 7310
Ph 1300 368 550
Web www.dpipwe.tas.gov.au



24 December 2020

Tasmanian Planning Commission
GPO Box 1691
HOBART TAS 7001

**TPC Notification Letter - exhibition of draft planning criteria - North West
Transmission Upgrades Project - 7 December 2020**

Thank you for the notification of the major infrastructure development - North West Transmission Upgrades Project.

The *Explanatory Document - Draft Planning Criteria for the Major Infrastructure Development (North West Transmission Upgrades Project) Order 2020* provides for the standards against which the major infrastructure project use and development will be assessed. I note the standards specifically exclude consideration of matters subject to the *Aboriginal Heritage Act 1975*.

The *Aboriginal Heritage Act* provides for the protection and management of Aboriginal cultural heritage and requires a permit for impacts to Aboriginal cultural heritage. The requirements of this Act apply separately and in addition to the State Planning Provisions.

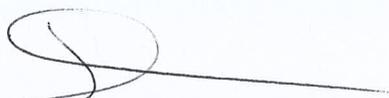
It is my view, that the draft planning criteria should establish a level of integration with the Aboriginal heritage assessment and approval process, and at a minimum provide for synchronisation of approval processes in order to avoid potential constraints on the Minister in relation to consideration of Aboriginal heritage under the *Aboriginal Heritage Act*.

I further note that numerous State projects subject to Project Specific Development Proposal and Environmental Management Plan Guidelines under the *Environmental Management and Pollution Control Act 1994* include consideration of Aboriginal heritage.

As you may be aware, Aboriginal heritage surveys for the North West Transmission Upgrades Project are currently being undertaken by the proponent, in parallel to consideration of other environmental factors.

I would appreciate a written response to this representation, explaining why Aboriginal heritage was excluded from the draft planning criteria and how the Commission intends to address the issues raised here.

Should you wish to discuss this submission further, please contact Brett Noble, A/Director AHT at brett.noble@heritage.tas.gov.au or by phone on 0409 804 743.

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line extending to the right.

Deidre Wilson
ACTING SECRETARY

220 Raymond Road
Gunns Plains TAS 7315

31 December 2020

Ms Sandra Hogue
Acting Executive Commissioner
Tasmanian Planning Commission
GPO Box 1691
Hobart TAS 7001

By email: tpc@planning.tas.gov.au

Representation on ‘Draft planning criteria for the North West Transmission Upgrades Project’ – recommendation to include site selection criteria weightings in the interests of transparency

Dear Commissioner Hogue

In Section 3 Project Alternatives (p 6 of Schedule 2 Environmental Impact Statement requirements) the Draft states

Transparency around alternatives and the criteria on which decisions have been based is encouraged as it can lead to better outcomes.

The process by which TasNetworks arrived at its preferred route for the Hampshire Hills to Staverton 220 kV transmission line through Loongana was not transparent. While TasNetworks undertook extensive community consultation and published a lengthy Route Options Report document on 18 August 2020, the justification for selecting their preferred route through Loongana was deliberately vague and at best qualitative.

The qualitative nature of TasNetworks analysis is evident in Section 8 of their Route Options Report which uses a ‘traffic light’ graphic to justify its preferred Central Corridor route (Table 8-1, pp 37-38). The ‘traffic light’ analysis also failed to include two of the criteria that it earlier claimed were a priority, namely overall route length and use of existing transmission corridors. It also selectively disaggregated criteria for visual effect.

As the preferred route is selected on a mix of financial, technical, social and environmental criteria it is essential that their relative weighting is known. It is possible that the potential effects on threatened fauna, flora and ecological communities may not be minimised by the preferred route but this needs to be understood in the broader context.

Only through a quantitative comparative analysis of all route options can the public and the Commission as planning authority understand TasNetworks decision making process and be satisfied that the proposed development will deliver the best overall outcome.

To achieve this it is recommended that the requirements associated with describing the site selection process in paragraph 2 of Section 3 Project Alternatives be amended as follows:

*Describe the site selection process, including site selection criteria, **criteria weightings**, alternative sites considered and a ~~a~~ **quantitative comparative** assessment of those alternatives.*

These additions to Schedule 2 of the Draft Planning Criteria will improve the transparency around site selection for all stages of the North West Transmission Upgrades Project.

Yours sincerely

A handwritten signature in blue ink, appearing to read "John Thompson", with a stylized flourish at the end.

John Thompson

Phone: 0424 055 125

Email: thompsonjohng@gmail.com

TASMANIAN PLANNING COMMISSION: PUBLIC COMMENT**Draft Planning Criteria for the Major Infrastructure Development (North West Transmission Upgrades Project) Order 2020**

Submissions to: tpc@planning.tas.gov.au

INTRODUCTION:

The Northwest Transmission Upgrades Project covers a large area, with several different components including relatively simple upgrades with taller towers replacing old towers within an existing easement.

However, the component proposed between Hampshire and Staverton is entirely new infrastructure and needs to be given separate treatment. It is clearly not an upgrade as it includes 60 km of new overhead line, 50-60-metre-high towers and 60-metre-wide easements (with provision to increase to 90 metres). These new easements will cover 380 hectares, use 160 km of access tracks and require 25 km of new tracks to be built.

This new route will have long lasting social, economic and environmental impacts. Loongana in particular will be impacted disproportionately from anywhere else in this project and must be assessed separately using strict planning criteria.

We request that The Tasmanian Planning Commission ask the proponent to re-assess this route based on the Planning Criteria. It is crucial that route selections consider fire risk, environment and climate change, and be assessed against all feasible technical options, in all locations. Simple infrastructure cost must not be a constraint without being compared to the true costs to communities and the environment.

CRITERIA TO BE ASSESSED**1. Use Ecological Sustainable Principles (ESD) across the entire Project**

The geographical area of The Project needs to be broken up and special attention given to areas where the project will carry disproportionate direct and indirect impacts. If an exclusive EIS using ESD principles is not applied to areas such as Loongana then the whole project will fail to meet Planning Criteria objectives. It will also fail to obtain social licence or meet public expectations from a major project which is claimed to benefit all Tasmanians.

2. Aboriginal Heritage must be included

Aboriginal Heritage matters need to be included in the Planning Criteria and details of the Assessments made public.

3. All Separate and Secondary Assessments and management plans must be included

It is in the public interest that these matters are assessed stringently, to know what compliance and mitigation has been agreed and be able to comment. Total transparency is required in-order to

meet Schedule 1 objectives of the Land Use Planning and Approvals Act and ESD principles of the Planning Criteria.

4. Standards for land use around sensitive areas are incomplete: Karst, cave, and springs, including drainage/catchment areas are absent and must be included.

A hazard report and management plan for Karst is crucial. The Hampshire to Staverton route runs adjacent to a protected karst system along the Loongana Valley. The risks to the karst are well known to landholders in Loongana so the omission of an assessment and management plan for this sensitive area with wide-ranging consequences to social, economic and environment cannot be overlooked.

5. Width of transmission line easement: Any plans for easement expansion must be considered as part of this assessment.

The proposed Hampshire to Staverton transmission line easements are 60 m wide initially but allow for 90 m wide easements to accommodate a second line of towers during the project's life. The extra 30 m presents additional impacts to natural values and extra long-term social and economic disruption and needs to be assessed.

6. Climate Change: Climate impacts for EVERY aspect of the project must be properly assessed.

This is ostensibly a renewable energy project but there is very little in the criteria regarding climate change. To avoid unnecessary, lengthy and costly appeals and inappropriate development from the start, this scientific reality cannot be ignored. The most straightforward way to incorporate climate change in a manner fitting for this project would be by making an ESD sub-principle, or ensuring it is in all aspects of planning criteria. It is only through planning criteria that climate change can be addressed.

7. SOCIO-ECONOMIC ISSUES:

Economic and social impacts, both positive and negative, must have quantitative analysis, and cost/benefit analysis must be based on True Costs.

Employment opportunities details need clarity and conditions:

The proponent is not a signatory to the Clean Energy Council's Best Practice Charter for Renewable Energy Developments, which includes a charter for Building Powerlines for Renewable Energy Developments. Therefore, it is in the public interest that the Planning Criteria ensures that local people are employed in all aspects of the project.

8. Mitigation measures and monitoring, offsets: All mitigation measures, offsets and monitoring proposed must be detailed and all assurances and agreements made or proposed be enforced and the details made available for public comment.

9. A Bushfire Risk Assessment and Management Plan must be included and available for comment:

10. Project Alternatives:

Site selection and assessment of alternatives must be re-analysed by the proponent comparing all alternative technologies, TPC Planning Criteria, ESD principles, include Climate Change modelling, have the environment as a key restraint, include life-cycle costs and use true costs. Only by taking such an analysis is it possible to determine whether one option carries lower or higher true costs than another.

11. Weed and Diseases: The Criteria is vague and does not match the vast scale of the proposed project, and its risks, or where responsibilities and obligations of the proponent start and finish. Feral animals must be included in the criteria.

CONCLUSION

Overall, the planning criteria need strengthening to raise biodiversity protection to the highest priority. ESD principles must be applied to small high biodiversity geographical areas and communities, such as Loongana, that will be affected disproportionately. Mitigation and management plans need strict enforcement, be flexible in a problem-solving approach and include new research and genuine community involvement for the entire operation. Conditions need to extend and apply to permits to ensure that the proponent strictly follows all recommended guidelines alongside the most up-to-date research for the entire operation.

Biodiversity is considered to be the foundation for human health. Protecting the world's biodiversity starts by protecting local biodiversity. Over-exploitation of ecosystems is resulting in a global extinction crisis with global species populations reduced by 68% over the last century and accelerating. Transitioning to renewable energy is an important step, and Australia needs to be a world leader in that, but in doing this the proponent must also be a global citizen by ensuring the least negative environmental consequences.

In the interests of the entire community, The Project must have the most rigorous planning criteria possible.

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TO THE TASMANIAN PLANNING COMMISSION

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RESPONSE FROM PATRICIA ELLISON TO THE TASMANIAN PLANNING COMMISSION'S INVITATION TO MAKE A REPRESENTATION ON THE DRAFT PLANNING CRITERIA FOR THE NORTH WEST TRANSMISSION UPGRADES PROJECT

Thank you for the invitation to make a representation on the Draft Planning Criteria for the North West Transmission Upgrades Project. After reading through the documents, I would like to make the following comments for your consideration.

1. Ambiguous Use of the Word, 'Should', in 'Schedule 2: Environmental Impact Statement Requirements, General Information for the Proponent'

The use of the word, 'should', throughout the document is ambiguous. It is unclear whether it means the proponent has an **obligation** to carry out an action or is being **advised** to carry out an action. (I have referred to the Macquarie Dictionary for meanings of 'should'.) In my reading of the text, I have assumed that 'should' is being used in its obligatory sense but I have spoken to another reader of the document who considered its use is advisory only and the decision whether or not an action is carried out is at the discretion of the proponent. This lack of clarity needs to be resolved before the document is finalised to ensure the proponent and everyone else with an interest in the document fully understand what is required in the Environmental Impact Statement. In my opinion, most of the nearly 150 occasions in the document when 'should' is used need to be classed as obligatory actions.

2. Reason for the Project

It is disappointing that the Explanatory Document does not include the reason for the project. It states that it will involve the construction and operation of an overhead transmission line and transmission towers to transmit electricity between certain locations, with accompanying electricity substations and ancillary facilities, but fails to inform the reader why they are necessary.

From what I have heard in the media, I assume the reason is to accommodate the extra supply of electricity that will come on line when wind farms, such as those planned for Jim's Plain and Robbins Island, become operational and provide a link between them and the proposed Marinus Link to the mainland. But this needs to be clarified and the true reason for the project detailed in both the Explanatory Document and the Environmental Impact Statement.

Because commercial and overseas-owned enterprises are involved in the development of the wind farms it is critical that the reason for the project is in the best interests of the Tasmanian and Australian public. This needs to be clearly and impartially calculated and open to public comment. From the limited information that I have had access to, I am concerned that commercial interests will dominate.

3. Calculation of the Project's Carbon Footprint

The carbon footprint of the entire project will need to be calculated to determine its impact on earth's climate. This should include but not be limited to: the manufacture of all components, their transportation to the site and their need for maintenance once installed; the amount of vegetation that is planned to be removed along the route (whether it is native forest or part of a plantation) and the accompanying loss of photosynthetic activity during the lifetime of the project; impacts on adjacent forests that could reduce their capacity to absorb carbon from the atmosphere. Calculating the carbon footprint is particularly important if the electricity transmitted by the project is claimed to be renewable.

4. One-off assessment accreditation for the TPC under the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* for the Hampshire to Staverton transmission line, including the Staverton substation

I am concerned whether this will put extra pressure on the TPC to carry out its duties and ask whether the Commonwealth has provided funding to facilitate the delegation of its responsibilities. I am also concerned that this delegation of responsibilities may be a conflict of interest because the TPC is acting as the planning authority for the project and request clarification as to whether my concern is justified.

5. Key Issues to be addressed in the Environmental Impact Statement

Only two key issues are identified for inclusion: potential effects on threatened fauna and potential effects on threatened flora and ecological communities; but impacts on climate change is a very good candidate for a third issue. It is essential that the following paragraph is carried over from the draft to the final version of the EIS Requirements to allow for inclusion of other issues that have not yet been identified:

'It should be noted that other matters deemed to be significant that emerge as significant from environmental studies, public comments or otherwise during the course of the preparation of the EIS, should not be excluded from consideration.'

6. Other factors which must be taken into consideration

Other factors which must be used or considered in assessment of the project include:

- Ecologically Sustainable Development Principles
- Aboriginal Heritage
- Bushfire risk and how this will be managed
- Visual impacts, including heights of the towers

- In-depth socio-economic studies of the genuine impacts of the project on the economy and society (The brief description required in Section 5.2 is not adequate.)
- The risks associated with the project, such as competition from other renewable projects on the mainland
- Transparency and public consultation in the development of all secondary documents associated with the project, such as management plans for easements
- Continuing weed management along the route
- A hazard and management plan for the karst areas of Loongana
- A comprehensive assessment of project alternatives
- Use of the most stringent planning criteria for all aspects of the project
- Stringent and legal enforcement of all mitigation measures, carried out in a transparent manner, with opportunity for public comment

Conclusion

This is a very large project and it is critical that the planning criteria used for its assessment are sufficiently stringent and comprehensive to ensure that it will only be approved if it can demonstrate environmental, social and economic benefits for all members of the Tasmanian and Australian public.

Patricia Ellison

(pellison@inet.net.au)

(3rd January 2021)

TASMANIAN PLANNING COMMISSION
PUBLIC COMMENT ON : Draft Planning Criteria for the Major Infrastructure Development (North West Transmission Upgrades Project) Order 2020
FROM SOLVE – Supporting Our Loongana Valley Environment

INTRODUCTION:

We ask that the planning criteria break new ground and have the most rigorous planning criteria possible.

The Project covers a large geographical area, with several different components. Some components are upgrades with taller towers replacing old within an existing easement, however the component proposed between Hampshire and Staverton is entirely new infrastructure and needs to be given separate treatment through the planning criteria.

60km of new overhead line, 50-60m high towers and 60m wide easements (with provision to increase to 90m), these new easements will cover 380 hectares, use 160km of access tracks and require 25km of new tracks to be built.

Introducing new infrastructure into a landscape is not an upgrade. This new route will have long lasting social, economic and environmental impacts. Loongana in particular, an area of high biodiversity and with many threatened and endangered species, will be impacted disproportionately from anywhere else in this project and must be assessed exclusively through a strict planning criteria.

Not only does this section need to be assessed exclusively, but the Tasmanian Planning Commission must also ask the proponent to take a step back in their process and re-assess this route based on the Planning Criteria. It is absolutely crucial that route selections have fire risk, environment and climate change as top priorities, and be assessed against alternatives for better long-term outcomes. Alternatives must include all feasible technical options, in all locations. Simple infrastructure cost must not be a constraint without being compared to the true costs to communities and environments. Doing this would properly meet all the objectives of the planning criteria, create better outcomes long-term, and better reflect our present moment in time of the climate and extinction crises.

COMMENTS:

1. Using Ecological Sustainable Principles (ESD) has merit but only if applied fairly.

The project covers a large geographical area. ESD principles, used broadly, should not be a way of allowing the proponent to ignore true costs and then apply benefits away from where impacts occur. This would risk enabling the proponent to ignore their obligations.

- Using ESD principles broadly implies that the project as a whole has a fair distribution of impacts and benefits, whereas there are clearly areas with very little impacts and areas which carry an unreasonable amount.
- The geographical area of The Project needs to be broken up and exclusive attention be given to areas where the project will carry disproportionate direct and indirect impacts. If an exclusive EIS using ESD principles is not applied to areas such as Loongana then the whole project will fail

to meet Planning Criteria objectives. It will also fail to obtain social licence or meet public expectations from a major project which is claimed to benefit all Tasmanians.

Loongana is a biodiversity hotspot, heavily forested with large areas of native vegetation providing habitat for a long list of threatened and endangered species, formal and informal public reserves, private reserves, conservation covenants and tourist businesses that rely on high wilderness values. It is unreasonable for one community to take on so many impacts without ESD principles of social, economic and environmental being applied and analysed exclusively.

- An example of using the ESD principles broadly: This project is electricity infrastructure, with the Hampshire to Staverton Line being part of Project Marinus, and given that 90% of the power will go direct to the mainland (*House of Assembly Estimates Committee A, Thursday 26 November 2020 – Barnett pg 131*) there is an argument that ESD principles could be applied even more broadly. If that were the case, the social and economic benefits enjoyed further away will be at the cost to Tasmanians.
- The Hampshire to Staverton transmission line is being built for UPC Renewables to connect Jims Plains and Robbins Island wind farms to the Marinus Link so power can go into the National Energy Market. It could be argued that there is negligible benefit from the transmission line itself when a private company is the sole user of this section of the line for the foreseeable future and the energy and profits go out of Tasmania. It is also noted that the rush to finish this project for a private company may not be in the best interests of our regions natural values, local communities and taxpayers when there are better alternatives that may take longer but be a better outcome long-term.

The Staverton and Hampshire line is being constructed to connect into the UPC's, I am trying to think of the name, the north-west development.....We will build that line in time to connect into the UPC Jim's Plain development, which they are targeting for around 2024 commissioning. We will recover the costs of that line from UPC until such time as there are other users of that line, other generators connecting into that line, and it will then become a regulated asset. Balcombe GBE 9 December 2020

- It is in the public interest for Tasmania, Australia and globally that the ESD principles include climate change as a sub-principle so it is applied to all aspects of the project.

2. **Aboriginal Heritage should be included: It is in the public interest that the detail any assessments and management plans be included for comment.**

The proponents' EPBC referral (1.12) states that Indigenous heritage matters for the Hampshire to Staverton transmission line will be assessed under the Aboriginal Heritage Act 1975. Aboriginal Heritage matters need to be included in the Planning Criteria and details of the Assessments made public.

'A large number of registered Aboriginal heritage sites are mapped within 3.5km of the SV-HH route.'... 'there are known values in the region which could indicate a higher potential for stone artefacts within or adjacent to the SV-HH route' from EPBC referral.

3. **All Separate and Secondary Assessments and management plans should be included: Any decision, assessment, certificate of exemption or approval made prior to, or completed separately, and to be incorporated into the TPC assessment, needs to be listed, detailed and available for public comment.**

It is in the public interest that these matters are assessed stringently, to know what compliance and mitigation has been agreed and be able to comment. Total transparency is required in-order to meet Schedule 1 objectives of the Land Use Planning and Approvals Act and ESD principles of the Planning Criteria.

Doing this will bring these assessments in line with the rest of the planning criteria.

It should be noted that other matters deemed to be significant or matters that emerge as significant from environmental studies, public comments or otherwise during the course of the preparation of the EIS, should not be excluded from consideration. (Schedule 2 environmental impact statement requirements: 3)

It is important that separate and secondary assessments be available for public comment as it would go some way to address the public concern that some key departments are becoming increasingly politically compromised.

A recent CPSU survey of DPIPWE staff found that 46 per cent of staff have said that they've felt morally compromised in what they have been asked to do or stopped from doing, and that fact that frank and fearless advice is a career-limiting move with only 17.5 per cent felt that their advice was actually acted upon.

The proponent should be required to:

- List all separate and secondary approvals completed or that may be required. (eg. permits under the Threatened Species Protection Act 1995).
- List details of all separate and secondary approvals including:
 - When approvals be secured.
 - Assessment details, permit conditions, mitigations and monitoring recommended by the issuing body.
- Outline in detail all mitigation and management plans in separate and secondary approvals. These plans will directly and indirectly affect the environment of local communities and require absolute rigour to meet ESD principles and planning objectives. The public requires evidence that the proponent approach these matters with absolute commitment to long-term benefits.
 - That they be open to public comment.
 - That they will incorporate new information gathered
 - All mitigation and management plans need to involve local landholders, whether directly indirectly or potentially impacted.
 - All mitigation and management plans need to incorporate ESD principle (b)

4. **Standards for land use around sensitive areas are incomplete:
Karst, cave, and springs, including drainage/catchment areas are absent.**

A hazard report and management plan for Karst is a crucial addition. The Hampshire to Staverton route runs adjacent to a protected karst system along the Loongana Valley. The risks to the karst are well known to landholders in Loongana so the omission of an assessment and management plan for this sensitive area with wide-ranging consequences to social, economic and environment cannot be overlooked.

The Loongana Karst (2587) is a Category A Karst System that extends 1,300 hectares throughout the valley.

Category A: Intensely karstified or probably intensively karstified: Carbonate rock formations known to be highly susceptible to karstification; on the basis of existing knowledge well developed karst is to be anticipated. (Kiernan 1995)

DPIPWE in their guidelines for managing Karst systems state that:

‘Effective planning for karst regions demands a full appreciation of all their economic, scientific and human values, within the local cultural and political context’ and that ‘More than in any other landscape, a total catchment management regime must be adopted in karst areas. Activities undertaken at specific sites may have wider ramifications in the catchment due to the ease of transfer of materials in karst.’

Management prescriptions for Tasmania’s cave fauna were formed for the RFA in 1997, recommendations include:

‘In land areas adjoining karst where there is no accurately mapped boundary to define the karst hydrological limits, a buffer zone extending 1,000m beyond the known extent of Category A karsts should be established on the downslope side of a known karst area and similarly for a distance of 2,000m on the upslope side of the known karst area’. (Clarke 1997)

The proposed route will have vegetation clearance, earthworks and construction for two 60m towers directly above the karst system, this affects public land and two private reserves, one is an internationally renowned wilderness tourist destination where visitors come to visit the Mostyn Hardy Cave which has cave fauna only found at that site.

Habitat protection of the surface environments adjacent to Category A karsts or known karstified carbonate outcrops is vital to the maintenance of neighbouring karst processes and their cave fauna, because unless the adjoining carbonate rock boundary and its karst hydrology have been accurately defined, the same risk factors apply to ground disturbance directly above the karst. (Clarke 1997)

It is in the public interest that assessing, managing and monitoring is done specifically for this karst system, the impacts may have many social, economic and environmental consequences. Of particular concern are the detrimental effects on fauna and geomorphology within the karst, tourism, personal water supplies and health of the River Leven Catchment with serious consequences downstream to agricultural areas. It should also be noted that the River Leven Catchment is the water source for the towns of Ulverstone and Penguin.

5. Width of transmission line easement:

Any plans for easement expansion should be considered as part of this assessment.

The new Hampshire to Staverton transmission line easements are 60m initially but allow for 90m to accommodate a second line of towers during the project lifecycle. The extra 30m presents additional impacts to natural values and extra long-term social and economic consequences.

This future component of this project needs to be part of this assessment if ESD (c) of inter-generational equity are to be applied. The full 90m must be assessed for comparison to alternatives to ensure ESD (d) that the conservation of biological diversity and ecological integrity be a fundamental consideration in decision making.

SCHEDULE 2: ENVIRONMENTAL IMPACT STATEMENT REQUIREMENTS:

Using Desktop data for the route selection through Loongana was insufficient to make an informed decision on natural values present. This area has large sections of high conservation forest and non-forest communities which will be impacted by this project. An exclusive EIS is required for the Loongana area, using the planning criteria and ESD principles, include an independent social-economic analysis, and a cost benefit analysis using true costs.

Species in the Loongana area:

<p><u>EPBC Critical:</u> Swift Parrot (suitable habitat) Lowland native grasslands (not yet surveyed) <u>EPBC endangered:</u> Wedge-tailed eagle Tasmanian Devil Eastern Quoll Swift Parrot Ptunarra brown butterfly Native wintercress (suitable habitat) Alpine sphagnum bogs (suitable habitat) <u>EPBC vulnerable:</u> Masked Owl Spotted-tail quoll Giant freshwater crayfish Australian grayling (recorded in Leven system) Eastern barred bandicoot (potential suitable habitat) Maidenhair spleenwort (suitable habitat) <u>EPBC threatened:</u> E.viminalis (nominated) <u>EPBC migratory:</u> Satin flycatcher</p>	<p><u>TSP endangered:</u> Grey Goshawk Wedge-tailed eagle Masked Owl Tasmanian Devil Native wintercress (suitable habitat) <u>TSP threatened:</u> E. viminalis wet forest community <u>TSP rare:</u> Spotted-tail quoll Showy willowherb Forth River Peppermint (suitable habitat, unconfirmed observations) <u>TSP vulnerable:</u> White-bellied sea eagle Giant freshwater crayfish <u>Category A Karst covering over 1,300 hectares.</u></p>
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6. Climate Change:

Climate impacts for each aspect of the project need to be properly assessed.

“Human interference with the climate system is occurring, and climate change poses risks for human and natural systems.” IPCC Summary for policymakers 2014.

This is ostensibly a renewable energy project so it is disappointing to see little emphasis in the criteria regarding climate change. The current wording in the ESD, using the term “precautionary principle” is outdated, considering that the science clearly supports the fact climate change is real, and urgent action is required. Including this scientific reality avoids inappropriate development from the start, and may avoid unnecessary, lengthy and costly appeals. The most straightforward way to incorporate climate change in a manner fitting for this project would be by making an ESD sub-principle, or ensuring it is in all aspects of planning criteria. It is only through planning criteria that climate change can be addressed. It cannot be left up to proponents, whose imperatives are commercial and come well before the environments they exploit or even the wider public interest.

The proponents’ EPBC referral has just one single reference to climate change, that is disappointing in itself but when it is in reference to the use of agricultural land in response to climate change, this is alarming.

The Hampshire to Staverton route selection is a climate destroyer. Permanently removing trees from forests and plantation land removes long-term carbon dioxide storage and sequestration above and below ground, with a further 30m of forests removed over time for a second set of towers, this is a huge carbon footprint. The use of fossil fuels in vegetation management and herbicides in weed management is a negative climate action. The clear easement, will over time of changing climate conditions, dry out and degrade surrounding soils and forests and increase risk of bushfires. These aspects need to be quantified by the proponent and included in true costs and compare this route to alternatives.

If climate change was the highest priority, the proponent would properly consider taking transmission lines through agricultural land, whether overhead or underground, as a route having lesser climate impact, as well as lesser economic impacts. Soils, under or above farm land, can still be used for economic purposes as well as carbon storage. The current route is an example of destroying environment to prioritise cheapest and least contentious pathways. Most importantly the choice of route through Loongana raises moral questions about the Tasmanian State government’s renewable energy action ‘plan’, and whether renewable energy that is transported in this way can be called green.

The lack of emphasis on climate change is unacceptable, and must be addressed through planning criteria:

- Climate modelling needs to be included for all assessments, mitigation and management plans.
- Climate change must be analysed in every part of the criteria, having it as a separate question to be addressed briefly is unacceptable. It is not what a proponent says but what they do that is important here.
- All projects, including renewable energy projects, need to be scrutinised through the lens of climate change. The most stringent attention to this is required for social, environment and economic long-term futures for the region but most importantly to protect Tasmania’s threatened and endangered wildlife and biodiversity.
- A CSIRO study (Quantifying Extinction Risk) suggests that climate change is a ‘threat multiplier’ and that species loss will increase fivefold "without purposeful intervention". Rigorous

assessment and managing any existing, potential and perceived conflicts of interest in development planning and approvals are also crucial interventions.

- One of the biggest metrics of assessing environmental impact is greenhouse gas emissions. A quantitative analysis should be required of all stages of the project throughout its entire life-cycle.

Climate change and Extinction Crisis.

It is well known fact that Australia has the highest rate of mammal extinctions in the world. Climate change will amplify the negative impacts already caused to threatened species by this project; land clearing, habitat degradation, habitat loss, and introduced species. Tasmania threatened species are found no-where else in the world, their loss is therefore a loss to the world. The planning criteria must show global citizenship in this regard.

6. **SOCIO-ECONOMIC ISSUES:**

Economic and social impacts, both positive and negative, must have quantitative analysis, and cost/benefit analysis must be based on True Costs.

Examples of TRUE COSTS include: reduced land values proximal or adjacent to lines, added burdens and stress costs to residents who are already working to preserve their local wilderness and threatened species habitats, increased expense on weed control and feral cats and dogs, increased fire risk leading to additional insurance costs, or even availability of getting insurance, Tourist business loss. Etc. Community benefits need to be real and obtained at the source of the impact.

Employment opportunities details need clarity and conditions:

It is noted that the proponent is not a signatory of the Clean Energy Council's Best Practice Charter for Renewable Energy Developments, which includes a charter for Building Powerlines for Renewable Energy Developments. Therefore, it is in the public interest that the Planning Criteria ensures best practice employment standards that benefit the region affected.

- The proponent must commit to an ethical supply chain that provides adequate wages and conditions for employees, now and into the future.
- The proponent's responsibilities to extend to contractors and labour hire companies engaged for the entire operation of the project.
- The proponent must ensure that contractors and labour hire companies make every effort to hire locals and that this information is transparent and publically available.
- The main area of long-term employment for this project will be weed and vegetation management. It is absolutely crucial for environmental outcomes that this is done to best practice. Standards on employment, training and oversight are central to this but unfortunately recent answers to questions in Government Business are not encouraging in this regard.

At the moment we pay our contractors by the hour, and that is inefficient....We are going to a new regime which will basically have three regions in the state, the north, the north-west and the south. Essentially, we hand over control of those zones to those contractors. They have prescribed requirements. The vegetation has to be cut to a certain standard and they then charge us by the span.....Then we reassign the team that is currently dealing out all

this work to do the quality controls in behind the contractors. If we find a span is not cut properly they recut it and don't charge us for that time. It drives efficiency. We think it will contribute close to a 20 percent saving once we get this new system up and running. (Lance Balcombe Government Business Wednesday 9 December 2020)

There are many risks presented here. Contractors can be registered in Tasmania but employ workers from afar, and that contract arrangements like this may drive down workers pay and entitlements, and put these jobs on a pathway similar to seasonal workers, where exploitation is a pressing issue. A situation similar to seasonal workers during covid restrictions is a perfect example of how this would negatively impact the environment, and cause long-term consequences to landholders and public reserves. If the proponent plans to cut costs by driving down wages and conditions then one must question where else cost cutting will occur at the cost of taxpayers. Planning criteria is a way to ensure mistakes that have a potential impact on a vast scale cannot happen.

The proponent currently spends \$22million on vegetation clearing. One could argue that building a new transmission line through forested areas is not only environmentally and socially destructive it is not even the most economical route in the long-term.

Socio-economic criteria are too vague, and leave the level of response up to the proponent.

***'The extent to which socio-economic considerations need to be described depends on the nature and extent of any negative impacts or risks to the environment from the proposal'.
(Draft Planning Criteria 6.11)***

Words like 'a brief description', 'discuss', 'details may include' are not encouraging.

Socio-economic issues are an important aspect of the project and many claims have been presented by the proponent to date, all of which have had no analysis beyond a simple modelling of the business case for private companies operating in the context of a commercial energy market. The Planning Criteria must ensure there is utmost clarity to who benefits and who pays for a given project proposal.

This includes the contract arrangements surrounding the large sections of timber plantation that will be used for the entire operation of the project. Will these be owned by the proponent? at what cost? or will offsets be made, perhaps in exchange for public land or forests? This is in the public interest.

What risks are associated with the project, such as competition from other renewable projects, if other windfarms do not get built, or long storage from pumped hydro is not wanted, assessment of these risks are in the public interest.

Proposals with higher level or broader scale environmental impacts will need a more comprehensive analysis of economic and social benefits. This may include an explanation of the methods used to model impacts and describe the manner and results of engagement with the local community to determine their needs and aspirations in relation to the proposal.

Loongana will clearly have a higher level of, and broader scale environmental impacts from, the new Hampshire to Staverton line, but the draft criteria allows the proponent to decide where and if detailed analysis is required. An independent detailed cost-benefit analysis must be a requirement for local communities, like Loongana, whose residents will be disproportionately impacted by new infrastructure.

Analysis of economic and social benefits: comprehensive exclusive analysis for Loongana is needed.

Residents and landholders in Loongana are being burdened with the most impacts from this Project, including degradation of their private forests, nature reserves and covenants, decreased land values, increased risk of bushfires, added expense for weed control. There are three tourist accommodation properties whose businesses rely on the wilderness, and all new tourism business enterprises are on hold.

- Any socio-economic analysis should be independent, best practice and evidence-based analysis. The Criteria needs to outline this standard to ensure the process is genuine, thorough and transparent. Eg: Who will do the analysis, what methodology will be used, how will this information be gathered and analysed, how will economic and social issues be monitored, how will negative and un-intended consequences be addressed?
- Any benefits must be compared against true costs. No-one benefits from direct or indirect impacts from infrastructure that is sited in inappropriate locations, and it should also be noted that these impacts have inter-generational consequences. It is in the public interest to see a detailed analysis of claims of economic benefits, numbers of jobs, occupations, duration, where workers will be sourced and how this compares with true costs.

A specific Tourism impact analysis must be included:

- The consequences of building infrastructure through wilderness areas have economic impacts of local and regional tourism in the short and long-term, this must be analysed and use in true costs. Loongana currently enjoys an international reputation as a destination to see threatened species in the wild.

Research undertaken at one Loongana business showed that ***'nature-based tourists tend to avoid destinations which have transmission lines running through or past'*** (River Consulting 2020). This means this project will damage the region's image, tourist demand and consequently tourist businesses and jobs.

Analysis needs to be quantified to understand the level of impact, including:

- ***Disturbance to wildlife during construction: (eg. Devils being scared off).***
- ***Visual impacts from local trails: Leven Canyon, Brookes Track, Winterbrook Falls and Rainforest Walk, Taylors Flat, Penguin to Cradle Trail, Black Bluff Recreational Area***
- ***Penguin to Cradle Trail: This has seen a steadily growing market with numbers up this year despite closed borders.***
- ***Downturn in guided walks affecting local tour operators.***

- *Downturn in unguided independent hikers: these visitors stay in the region longer and spend money in a wide range of local businesses.*
- *Downturn on day visitors and an avoidance of the local area.*
- *Reputation of all North West experiences.*
- *Reputation of the Tasmanian Brand.*

7. **Mitigation measures and monitoring, offsets:**

All mitigation measures, offsets and monitoring proposed must be detailed and all assurances and agreements made or proposed be enforced and the details made available for public comment.

All measures must be implemented in a 'problem solved' basis to get the most effective outcomes, and be assessed for effectiveness and changed if required.

Proponents must commit that all mitigations, monitoring and offsets have input from adjacent landholders and local communities. Acknowledging the direct and indirect impacts to biological biodiversity, ecological integrity and EPBC and TSP listed species at a local level and working together with residents and community groups will create better outcomes environmentally, socially and economically now and for generations.

8. **A Bushfire Risk Assessment and Management Plan must be included and available for comment:**

The new transmission line Hampshire to Staverton goes through Loongana, a bush-fire prone area close to residents and through and adjacent to areas of high biodiversity with threatened and endangered species. Unmanaged vegetation and timber plantations already pose high fire-risk to this area. Loongana residents have tried to create a community fire plan but the TFS are unable to identify and place of last resort. A bushfire here has the potential to affect a large area region, risks personal safety of residents, and destruction of assets, native forests and three regional reserves. It is in the public interest that Fire Assessments and Management Plan details need complete transparency and are available to all stakeholders for public comment.

There is a public perception that transmission lines increase fire risk. Concerns surround safety and fire management during a bushfire; the ability to evacuate safely, especially if passing under a transmission line is the only option, the safety of fire fighters and emergency personnel working around transmission lines, and the ability of water bombers working to protect property around transmission lines. There are also known incidences of forest fires being caused by transmission lines, incidences of flashovers being caused by smoke, dust, mist and fog, low maintenance standards leading to bushfire, pylons falling over in high winds, and commercial imperatives causing slow responses to local fire risks – cutting power early is safer for communities but costs the proponents, who have the say. Some of the devastating fires in California are an example of this conflict.

The proponent and Planning Commission must accept that this public perception exists and therefore it is in the best interest for all concerned that the assessment and management plan be transparent.

- Phrases such as 'negligible impacts' and 'tolerable risk' to summarise assessment, without providing details, are not enough to assure the public that infrastructure put in bushfire prone areas will not cause increased risk.

- At a local level this transparency of management plans is critical information for forming community and personal bushfire safety plans, and when deciding when or whether to leave or stay and defend.
- All fire assessment and management plans need to use climate modelling.

BOM recently told the Bushfire Royal Commission that global warming was the cause of a long-term warming trend, drier forests, drier fuel loads create better burning conditions and overall increased fire risks. This development will introduce cleared easements, introduction of weeds and wind tunnels, all contributing to higher fire dangers with additional unnecessary increased fire risk.

It is essential that climate modelling be used for Fire Risk Assessments. This new infrastructure has a long operating lifespan and the risks increased during that time with a larger easement and second row of towers, it will be tested by known and unknown impacts of climate change. Any development in bushfire prone areas should not give rise to unreasonable increased risks.

- Although The Land Use Planning and Approvals Act 1993 51 (2) state that a planning authority be asked to accept any bushfire hazard management plan or certificates issued or certified by an accredited person or a State Service Agency; they must also balance the desires of the proponent with the needs of the public.

Accepting and incorporating bushfire assessments without public involvement is not in line with the objectives of Schedule 1 of the Land Use Planning and Approvals Act 1993, particularly:

Part 1: Objectives of the Resource Management & Planning System of Tasmania
1 (c) to encourage public involvement in resource management and planning; and
1 (e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

Part 2: Objectives of the Planning Process
(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation;

- In the broader context, public, communities and businesses, regionally and state-wide, need to be sure that the infrastructure assets placed in high risk areas are not presenting them with unnecessary increased risk.

Part 2: (h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.

9. **Project Alternatives:**

Site selection and assessment of alternatives need to be re-analysed by the proponent comparing all alternatives of technology, TPC Planning Criteria, ESD principles, include Climate Change modelling, have the environment as a key restraint, include life-cycle costs and use true costs. Only by taking such an analysis is it possible to determine whether one option carries lower or higher true costs than another.

- The criteria used by the proponent to date may be distinctly different to the final TPC criteria which will have gone through a public submission process. All stakeholders need to be assured that site selection, route selection, alternative routes, preferred technology and justifications for each meet the objectives of the TPC Planning Criteria and withstand long-term objectives for ESD principles.
- If micro-siting within an inappropriate route is used as a mitigation option, but still presents social, economic and environmental long-term consequences, this is simply not acceptable.
- developers usually plan knowing exactly what planning criteria will apply. In this instance having the planning criteria generated through the MIDA Act, after the planning is complete, must not close any opportunity for better planning, no matter how inconvenient it is to timelines.

10. **Weed and Diseases: The Criteria is vague and does not match the vast scale of the proposed project, and its risks, or where responsibilities and obligations of the proponent start and finish.**

Feral animals: must be included in the criteria.

Australia has the highest rate of mammal extinction in the world, and [Recent research](#) highlights that invasive species are their number one threat. The consequences of this from over a century of land-clearing is not slowing down, it seems to be accelerating.

- The new transmission line from Hampshire to Staverton will have the largest impact on threatened species in this project, particularly in Loongana. Open cleared easements through high biodiversity areas and timber plantations will not only degrade habitats through edge affect, allowing weeds to spread, it will provides ideal conditions to introduce new invasive species.
- Easements favour predator behaviour, and feral animals (such as cats and dogs) will benefit significantly from clear wide easements. A management plan for this is essential.
- Effective prevention and management is not only a high priority for landholders with easements on their land but will likely have direct and indirect impacts to adjoining landholders, forests and potentially affect the whole catchment of the River Leven and public reserves. Infestation through forests and waterways is of great concern to Loongana. The management of weeds on a broad scale using herbicides is also a major concern in respect to the Karst System and private drinking water sources.
- First and foremost careful analysis of alternatives that don't have increased risks of this scale should be explored and justification of preferred routes made taking into account costs of management and economic and environmental consequences of worst case scenarios.
- A broadly-worded weed management plan is not enough in this instance. The Planning Criteria is a chance to address serious risks to the environment by ensuring there are detailed management plans created specifically to sensitive areas like Loongana and that these plans have community input. Like the promises made by the proponent in their factsheet:

We are committed to working with you and recognise that effective prevention and management of identified weeds, pathogens and pests is a high priority for landholders. We will work with you to identify potential biosecurity risks and develop effective and appropriate management methods throughout the project lifecycle. Local knowledge is essential for effective weed

management and we encourage you to provide input wherever possible. We also work cooperatively with government agencies in our shared responsibility to establish management requirements appropriate to the level of risk. TasNetworks Environmental Management Fact Sheet : Nov 2020

- All obligations need to be outlined, use weed-mapping and be tailored for local conditions.
- Management plans require strict enforcement of mitigation and management measures, and some new thinking around solutions.
- There needs to be clarification over what timber plantations will be obliged to do from increased weeds caused by transmission lines. If not addressed, these weeds can spread rapidly. Whose responsibility will this be?
- The question of costs is an important one in this instance as the Hampshire to Staverton Transmission Line will be managed by Tasnetworks on behalf of UPC Renewables with costs being covered by UPC by an annuity. The annuity amount must reflect detailed costed best practice management plans for the entire operation life of the line to avoid cost-cutting with negative impacts with costs being burdened on the environment, local landholders, councils, ratepayers and Tasmanian public.
- The control of invasive species has an economic cost. Not having detailed management plans and enforcement outlined at the start could be very costly to local council, land holders and degrade regional reserves. The economic costs of invasive weeds is another example of how the project be evaluated using true costs.

A recent UN report from the Intergovernmental Science-Policy Platform for Biodiversity and Ecosystem Services (IPBES) found that the effect on biodiversity from invasive species is at least as much as the economic costs of control and probably more.

Invasive species management is critical to preserve our local environment at Loongana. It is a sensitive environment with threatened forest communities, threatened species, karst and caves and is the catchment of the River Leven. It is also close to sensitive sub-alpine and alpine areas. Weeds in our windy climate have potential to spread to these environments and the consequences are very serious. Currently Loongana already has few weed species, mostly foxglove and blackberry, however there are more serious weeds on our doorstep. An Ox-eye daisy infestation at South Nietta is slowly making its way into Loongana unchecked. It is described as of 'minimal economic impact in Tasmania', but this merely reflects a weighting of concern directed to threats to agriculture rather than the environment. NSW are living with the expensive consequences of this mistake; like the area adjacent to Loongana, it is also sub-alpine area, which is sensitive to herbicide use. It is one example of what could happen with this project and the economic cost that new weeds being introduced into a wilderness area can cause.

Ox-eye daisy went from garden escapee to the most pernicious invasive plant, and threatens an area of 3,000h of subalpine community in Kosciuszko National park. It is a resilient species with a large seedbank of long-lived seed. Helicopters are required for monitoring. The economic cost is huge.

SUMMARY

Overall, the planning criteria need strengthening to raise biodiversity protection to the highest priority. ESD principles must be applied to small high biodiversity geographical areas and communities, such as Loongana, that will be affected disproportionately. Mitigation and management plans need strict enforcement, be flexible in a problem-solving approach and include new research and genuine community involvement for the entire operation. Conditions need to extend and apply to permits to ensure that the proponent strictly follows all recommended guidelines alongside the most up-to-date research for the entire operation.

Biodiversity is considered to be the foundation for human health. Protecting the worlds biodiversity starts by protecting local biodiversity. Over-exploitation of ecosystems is resulting in a global extinction crisis with global species populations reduced by 68% over the last century and accelerating. Transitioning to renewable energy is an important step, and Australia needs to be a world leader in that, but in doing this the proponent must also be a global citizen by ensuring the least negative environmental consequences.

In closing, all assurances and promises the proponent is allowed to make in this planning process will be met with public distrust. This is entirely the fault of the Proponent who have repeatedly shown they do not care about genuine community engagement and have failed to hear, acknowledge or discuss the environmental damage this project will cause, or the impacts this will have on communities.

We ask that the planning criteria break new ground and have the most rigorous planning criteria possible.



SOLVE – Supporting Our Loongana Valley Environment

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SIGNATURES

This submission is signed by Loongana residents, landholders and people with strong connections to the area, also children that have grown up here and grandchildren who will continue the work of caring for our Valley. The Christmas to New Year period is of course a difficult time to gather signatures, so please note there are many more supporters that were unable to be contacted in time. If more details are required please contact solvetasmania@gmail.com.

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Rebecca Piper, 1671 Loongana Road, Loongana

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Colleen Murfitt, 520 West Montagu Road, Montagu, 7330

Simon Dobson, 520 West Montagu Road, Montagu, 7330.

Dear Planning Commission,

Firstly, this new transmission line project should not be considered in isolation, it forms part of a much larger proposal outlined in the government's TREAP policy document. If the TREAP's ambition is fulfilled the proposal will have state wide implications for Tasmania's landscape character and significant impact on its natural values. If each part of the TREAP proposal is considered in isolation the cumulative impacts of the TREAP will not be realised.

We are custodians of Tasmania's landscape, its character is important to many of us as a source of great pleasure and as a contributor to our sense of what it is to be a Tasmanian. It also constitutes a significant economic resource, indeed the State itself has recognised that the perception of our island as being 'beautiful and unspoiled' underpins our 'brand' and is a major visitor attractor. Tasmania's landscape values also form the backdrop to the other components of our economy being associated with attributes of 'clean, green (in both senses of the word), unique (flora and fauna), small/niche, intimate, and restorative'. Unprocessed and processed food, fish, beer, wine, spirits production are all underlined by this foundation.

I accept that Tasmania, along with the rest of the world, has an obligation to become carbon neutral, I do not accept that Tasmania's landscape resources are best exploited by using them to become a net energy exporter. I believe hosting windfarms and their associated above ground transmission infrastructure in excess of our own requirements will not enhance but be detrimental to our community's long-term wellbeing. No one wants to look at or live near a windfarm or its high voltage transmission lines. Windfarms are no longer a visitor attraction, they are becoming ubiquitous. Beautiful landscape absent of windfarms will become more and more attractive.

The TREAP, as far as I am aware, has not come from a discussion with the Tasmanian community about what we want for our landscape, it has come from corporations (some foreign) engaging with a Tasmanian GBE. They have conceived something that suits them both with seemingly little or no consideration given to how the rest of us feel about where we live.

Tasmania's state government bureaucracy has a reputation for being sneaky, what was the mechanism that saw the New Hampshire to Staverton UPC transmission line reported in June 2019 becoming a TasNetworks 'upgrade' by August of the same year? Does TasNetworks have its own special legislative status that eases development? If so it is based on the presumption it exists to serve the fundamental utility needs of the entire Tasmanian community?

This proposal is designed to provide a benefit for the proponent, to enrich the owners of the UPC. For projects that supply basic services to the community we accept that we must bear some of the downside. However, when a for-profit project is being considered we must ensure the proponent bears all the costs associated and doesn't socialise the negative consequences of their development.

Wherever there is a negative impact, those impacted should be compensated, for example where the transmission line degrades the view field from a property compensation should be paid in the form of an annual payment to the property owner for as long as the line exists.

Where the woody matter currently sequestered in what will become the easement corridor and be permanently lost, its loss should be compensated for at the rate of \$70 per tonne (the reported current cost of taking CO₂ out of the atmosphere).

The loss of habitat in the easement clearing will result in the loss of individuals of the many species that currently inhabit the easement, including many that are on the threatened, endangered and critically endangered list. Each individual has value beyond money but seeing that this is after all a business proposal, a monetary value should be calculated for each individual lost and paid by the proponent as an annual fee paid to the state, indexed for inflation, until the habitat is restored and the individuals restored to it.

It's only when these and other matters are appropriately priced that the true cost of the proposal can be tabulated. Without this it is not possible to make a comparison with the cost of the proponent burying the cable underground along its route on a considerably narrower less unsightly and damaging easement.

Regards

Geoffrey Lea
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To the Tasmanian Planning Commission

Draft planning criteria for the major infrastructure development Northwest transmission upgrades project.

.....

Tasmania has sufficient transmission infrastructure for existing Tasmanian needs.

These proposed developments are a luxury item and are not needed for Tasmanian energy supply.

Planning matters and this third world infrastructure for Tasmania at the expense of Tasmanians is totally inappropriate. Marinus on the mainland is proposed to be over 90kms underground and Tasmania will have **1km** underground and **hundreds** of Mega transmission towers.

So, ALL impacts from these mega transmission developments need to be thoroughly assessed. With over 1,000 Tasmanian Homes within 300 metres of these unwarranted transmission lines the impacts on landowners, communities, tourism and environment must be assessed and addressed.

The true cost to Tasmanians in **this** poorly planned Renewable Energy Zone will be felt for generations.

1. The Project

- a) To assess the impacts the detail must be available on what is proposed. Clearly plenty of works has been done to get to this stage that has not been released or discussed with the public or affected communities.
- b) Number of transmission towers
- c) Number of transmission towers within all widened easements. When easements are filled with additional Mega Transmission lines. As this has been future proofed into the planning so during assessment these numbers must not be discounted.
- d) Visual Amenity. As the visual aspect of these mega transmission towers will affect property values, tourism and communities accurate images of what these developments will look like across the northwest is required.
- e) Land use under mega transmission towers for example pivot irrigators, stock management and maintenance access needs to be assessed.

2. The Process

- a) Any decisions, assessment, certificate of exemption or approval made prior to the TPC assessment must be made available to the public.
- b) All secondary approvals that may be required need to be made available to the public.
- c) Details must be made available of assessments permit conditions, mitigations, monitoring and compliance.
- d) the process must involve affected communities with an opportunity for public comment.

3. Ecological sustainable principles must be fairly applied.

- a) The Project covers a large geographical area and impacts will vary. There is a big difference between doubling transmission tower heights in existing easements and clearing a new transmission corridor.
- b) All new easements must have stringent guidelines.
- c) Fully assessing the natural values of a new transmission corridor is essential. The Loongana Valley in particular has a large number of listed species and biological diversity and this beautiful area must have its ecological integrity maintained.
- d) Also in Loongana is a Karst system so any impacts on the Karst, caves and the spring that runs through them need to be thoroughly assessed.

4. Economic and social Impact analysis

- a) The impacts criteria must be expanded to ensure the proponent is genuine when it comes to the social and economic impacts of this proposal.
- b) The impacts cover a large area and need to be assessed at the very least on a municipal borders scale and at best analysing individual community impacts.
- c) The impacts need to be acknowledged to be addressed.

Fire

- a) The increased fire risk of mega Transmission lines through heavily forested areas needs to be assessed and recommendations for reducing that risk implemented.
- b) Planning matters and placement of this type of mega transmission into inappropriate areas places communities at risk.
- c) Also who will be responsible should the worst occur.
- d) Any detailed bushfire risk assessment and management plan must be done with the community to be transparent and effective.

Tourism

- a) Currently any impact to tourism has been disregarded with the proponent delaying meetings with the local tourism association for over 12 months. Deliberately placing no value on the Coast to Canyon tourism brand
- b) The Hampshire to Staverton line is 2.5kms from the breathtaking Leven Canyon lookout and The Penguin Cradle Trail runs under these developments also.
- c) A ecotourism business that has been operating in Loongana for over 30 years and has a largely international clientele will be able to see this mega transmission from their property. This development will seriously impact their business for generations and for longer than Covid. The mega transmission is not on their land but will severely impact their economic future. How will they be compensated if the impact is not even acknowledged?

Jobs

- a) The proponent must commit to an ethical supply chain that provides adequate wages and conditions for employees. Their responsibilities must extend to contractors and labour for hire companies engaged for the entire operation of the project from construction to maintenance
- b) As the majority of the PR behind this proposal has been jobs and growth the proponent must ensure that every effort is made to hire locals.
- c) The proponent needs to become a signatory of the Clean Energy Council's best practise charter renewable energy developments which include a charter for building power lines.

5. Compensation and mitigation

- a) Clear criteria must be set for compensation.
- b) A yearly lease payment to landowners and neighbours is the only way to compensate.
- c) This unwarranted mega transmission will be a generational burden to Tasmanians and they must be compensated. The landowners and close neighbours will have the true cost of this with lower property values and other impacts.
- d) A meaningless 'community fund' that provide no compensation to actual victims is totally inappropriate and affected communities deserve better.

6. Cost

How has this Northwest transmission upgrades project been costed?

- a) Detailed costings covering, transmission towers, access roads, ancillary facilities, state owned land compensation and other arrangements must be available to the public.
- b) If the cost of infrastructure is 500 million what has been priced to compensate Tasmanians?
- c) Are tasmanians considered valueless?
- d) Any planning criteria must set a value on Tasmanian land owners.

7. Better Planning

- a) The TPC can only access what is proposed and it is a disgrace that such a dreadful proposal has been put in front of them.
- b) This will never be a renewable energy zone that Tasmanians could be proud of.
- c) Increasing our renewable energy output at the expense of tasmanians should be totally rejected.
- d) Planning matters and what we're seeing here has been designed purely for the end user, the mainland, at the expense of Tasmanians.
- e) Also this is not a upgrade and references to it as such should be removed. These are unwarranted developments to sell unbuilt surplus power to the mainland.

Communities don't deserve this and planning for a better future is clearly beyond our jurisdictional planner. Tasmanians deserve better.

Amarlie Crowden
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4 January 2021

Blackmans Bay, Tas 7052.

Email: masmjhar@bigpond.com

Dear Tasmanian Planning Commissioners,

**Planning Matters Alliance Tasmania Inc submission
Draft Planning Criteria for Major Infrastructure Development Order 2020**

Background Remarks

PMAT supports renewable energy initiatives but considers that:

- a State Policy on Energy is urgently needed to guide all major infrastructure projects
- renewable energy should largely be used close to its source and not transported on an industrial scale
- high voltage lines developed by UPC, Tas Networks and others, facilitating the transmission of renewables to Victoria will have wide implications for many areas of NW Tasmania
- robust discussion about the need for Marinus is urgently required, given the potential impact on state finances, possible energy bill increases for consumers and the broader environmental/planning effects
- rigorous planning criteria are required for this proposal



Planning Requirements & Criteria

In the view of many PMAT groups, some of these planning requirements and criteria should include:

1. Demonstration of a thorough cost-benefit analysis by the proponents. This includes the real costs borne by Tasmania and specific local communities affected by this proposal, the project's total carbon footprint, and any environmental damage. Benefits must also be assessed independently to show where electricity and profits may end up.
2. An Environmental Impact Statement to thoroughly investigate impacts on biodiversity generally, and any flora/fauna listed under EPBC Act and Threatened Species Act 1995.
3. Visual Impact Statements as major infrastructure will impact tourism in Tasmania.
4. Bushfire risks must be quantified, and thorough management plans made with input from community and TFS.
5. Any prior assessments and approvals which constitute part of this TPC assessment should be made public.
6. Compliance with permit conditions, if a permit is granted, must be monitored.
7. Timely and effective community consultation about points (3) & (4) should be mandated with affected communities, these communities being identified at (1).

Transitioning to renewable energy is an important step, and Australia needs to be a world leader. However, criteria to ensure good governance, transparency around compliance, effective community consultation and the least possible negative social and environmental consequences are critical.



Thank you for this opportunity to comment.

Yours faithfully,

Anne Harrison

Planning Matters Alliance Tasmania, State President



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4 January 2021

Tasmanian Planning Commission

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RE: DRAFT PLANNING CRITERIA FOR THE NORTH WEST TRANSMISSION UPGRADES PROJECT

I am a resident of the Central Plateau. I am extremely concerned about the impact of wind farms and any planned upgrades of existing transmission lines on the endangered wedge-tailed eagle, *Aquila audax fleayi*, and the many other avian and ground-dwelling species as listed in your guide lines.

The draft criteria refer to the Environmental Impact Statement. It is vital that any EIS **not** rely solely upon Tasmanian government agencies, such as the EPA, for any Natural Values surveys. The EPA board is remunerated by the Tasmanian government. It cannot be considered impartial, despite the fact that the federal EPBC Act (1999) often relies on agencies such as the Tasmanian EPA to provide input in relation to large-scale development proposals that are deemed to be controlled actions under the EPBC Act.

Thank you for the opportunity to comment on the draft criteria.

Jane Malecky

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Annexure 2

Modified draft planning criteria

TASMANIAN PLANNING COMMISSION



Modified ~~D~~raft Planning Criteria for the Major Infrastructure Development (North West Transmissions ~~s~~ Upgrades Project) Order 2020

Draft planning criteria prepared by the Tasmanian Planning Commission as required under section 12 of the *Major Infrastructure Development Approvals Act 1999*

~~30-27 January 2021~~ November 2020

Foreword

The draft planning criteria set out the requirements for use and development of land in relation to the major infrastructure project declared under the *Major Infrastructure Development (North West Transmission Upgrades Project) Order 2020* in accordance with the *Major Infrastructure Development Approvals Act 1999*.

The draft planning criteria includes the schedules.

The provisions of the draft planning criteria should be read together with the requirements of the *Major Infrastructure Development Approvals Act 1999* and the *Land Use Planning and Approvals Act 1993*.

The foreword, table of contents, headings and footnotes have been included to assist users' understanding of the planning criteria and its relationship with the *Land Use Planning and Approvals Act 1993*.

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1.0 Interpretation

1.1 Planning terms and definitions

1.1.1 Terms in these planning criteria have their ordinary meaning unless they are defined in:

- (a) the *Land Use Planning and Approvals Act 1993* (the Act);
- (b) the *Major infrastructure Development Approvals Act 1999* (the MIDA Act); or
- (c) are specifically defined in schedule 1.

2.0 Planning criteria operation

2.1 Operation of planning criteria

2.1.1 The controls for use or development of land are set out in the planning provisions and environmental impact statement requirements.

2.2 Compliance with planning criteria

2.2.1 The use or development must:

- (a) comply with each applicable standard in the planning provisions; and
- (b) take into account the ESD principles for matters set out in the environmental impact statement requirements.

2.2.2 A standard is an applicable standard if the standard deals with a matter that could affect, or be affected by, the proposed use or development.

2.2.3 The planning authority may consider the purpose of the relevant objective in an applicable standard to determine whether the use or development satisfies that standard.

3.0 Assessment of an application for use or development

3.1 Application requirements

3.1.1 An application must be made for any use or development for which a permit is required under these planning criteria.

3.1.2 An application must include:

- (a) a signed letter making application;
- (b) any written permission and declaration of notification required under section 52 of the Act and, if any document is signed by the delegate, a copy of the delegation;
- (c) a copy of any notice required under section 11(2) of the MIDA Act;
- (d) details of the location of the proposed use or development;
- (e) a list of the current folio of the Register for all land to which the permit sought is to relate, including identification of any agreements under section 71 of the Act on the land;
- (f) a full description of the proposed use or development; and
- (g) a report addressing the planning criteria, including the planning provisions and environmental impact statement requirements.

3.1.3 In addition to the information that is required by clause 3.1.2, the planning authority may, in order to enable it to consider an application, require such further or additional information as the planning authority considers necessary to satisfy it that the proposed use or development will comply with any relevant standards or allow the planning authority to take into account ESD principles for matters set out in the environmental impact statement requirements, applicable to the use or development including:

- (a) a site analysis and site plan at a scale acceptable to the planning authority showing, where applicable:
 - (i) the existing and proposed use(s) on the site;
 - (ii) the boundaries and dimensions of the site;
 - (iii) topography including contours showing Australian Height Datum (AHD) levels and major site features;
 - (iv) natural drainage lines, watercourses and wetlands on or adjacent to the site;
 - (v) soil type;
 - (vi) vegetation types and distribution including any known threatened species, and trees and vegetation to be removed;
 - (vii) the location and capacity and connection point of any existing services and proposed services;
 - (viii) the location of easements on the site or connected to the site;
 - (ix) existing pedestrian and vehicle access to the site;
 - (x) the location of existing and proposed buildings on the site;
 - (xi) the location of existing adjoining properties, adjacent buildings and their uses;
 - (xii) any natural hazards that may affect use or development on the site;
 - (xiii) proposed roads, driveways, parking areas, loading or unloading areas and footpaths within the site;

- (xiv) the route of roads, tracks and the like, for transporting on-site materials;
- (xv) the location of raw material storage areas;
- (xvi) proposed subdivision lot boundaries;
- (xvii) the number and location of transmission towers, transmission tower height, transmission line length, and transmission line easement width;
- (xviii) a landscape character and visual impact assessment; ~~and~~
- (xix) planning history of the site, including the potential for site contamination; and

~~(xix)~~(xx) the location and identification of potential impacts on Aboriginal heritage values or registered places.

- (b) Where it is proposed to erect or demolish any buildings or structures, a detailed layout plan of the buildings or structures with dimensions at a scale acceptable to the planning authority of 1:100 or 1:200 as appropriate showing, where applicable:

- (i) external storage spaces;
- (ii) major elevations of every building to be erected;
- (iii) the relationship of the elevations to existing ground level, showing any proposed cut or fill;

(iv) materials and colours to be used on roofs and external walls.

- (c) For the purpose of sub-clause 3.1.3(b) a scale acceptable to the planning authority includes:

(i) a detailed layout plan of the building or structures, excluding transmission towers, at a scale of 1:100 or 1:200; and

~~(iv)~~(ii) a detailed layout plan of a typical or representative transmission towers at a scale of 1:100 or 1:200.

3.2 Determining Applications

- 3.2.1 In determining an application for any permit for the major infrastructure project use or development, the planning authority must, in addition to the matters required by section 51(2) of the Act and section 11(1) of the MIDA Act take into consideration:

- (a) all applicable standards and requirements in these planning criteria;
- (b) any representations received pursuant to and in conformity with section 57(5) of the Act; and
- (c) any other submissions received pursuant to and in conformity to a request from the planning authority,

but only insofar as each matter is relevant to the discretion being exercised.

- 3.2.2 In determining an application for any permit for the major infrastructure project use or development, the planning authority must, in addition to the matters listed in sub-clause 3.2.1, consider the environmental, social and economic impacts, both positive and negative, as a whole, taking into account the ESD principles.

3.3 Conditions and Restrictions on a Permit

3.3.1 When deciding whether to include conditions in a permit, the planning authority may consider matters contained in sub-clauses 3.2.1 and 3.2.2 of these planning criteria.

3.3.2 Conditions and restrictions imposed by the planning authority on the permit may include:

- (a) requirements that specific acts be done to the satisfaction of the planning authority;
- (b) staging of a use and development, including timetables for commencing and completing stages;
- (c) the order in which parts of the use or development can be commenced;
- (d) limitations on the life of the permit;
- (e) requirements to modify the development in accordance with predetermined triggers, criteria or events;
- (f) construction or traffic management; and
- (g) erosion, and stormwater volume and quality controls.

4.0 Environmental impact statement requirements

4.1 Content of environmental impact statement requirements

4.1.1 The environmental impact statement requirements are set out in Schedule 2 of these planning criteria.

4.1.14.1.2 The environmental impact statement requirements apply to all matters set out in Schedule 2 where not considered under clause 5.0 planning provisions.

5.0 Planning provisions

5.1 Land use and development standards

5.1.1 External lighting

Objective: That use does not cause an unreasonable loss of amenity to adjacent sensitive use.

External lighting, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:

- (a) the number of proposed light sources and their intensity;
- (b) the location of the proposed light sources;
- (c) the topography of the site; and
- (d) any existing light sources.

5.1.2 Commercial vehicles

Objective: That use does not cause an unreasonable loss of amenity to adjacent sensitive use.

Commercial vehicle movements and the unloading and loading of commercial vehicles, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:

- (a) the extent and timing of traffic generation;
- (b) the dispatch of goods and materials;
- (c) the existing levels of amenity.

5.1.3 Building height

Objective: That use and development does not cause an unreasonable impact on adjoining properties.

Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to:

- (a) the topography of the site;
- (b) the proposed height, bulk and form of the building;
- (c) the height, bulk and form of existing buildings on the site and adjoining properties;
- (d) the nature of the existing uses on adjoining properties; and
- (e) any buffers created by natural or other features.

5.1.4 Siting

Objective: That the siting of buildings minimises potential conflict with use on adjoining properties.

Buildings must be sited to not cause an unreasonable impact on existing use on adjoining properties, having regard to:

- (a) the topography of the site;
- (b) the bulk and form of the building;
- (c) the nature of existing use on the adjoining properties;
- ~~(d)~~ separation from existing use on the adjoining properties;
- ~~(e)~~ the safety of vehicle crossings, junctions and level crossings;
- ~~(d)(f)~~ any advice from a road or rail authority; and
- ~~(e)(g)~~ any buffers created by natural or other features.

5.2 Standards for subdivision

5.2.1 Lot design

Objective: That each lot has an area and dimensions appropriate for the intended use.

Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:

- (a) the relevant requirements for development of buildings on the lot;
- (b) location of existing buildings on the lot;
- (c) providing for existing buildings to be consistent with the relevant setback requirements in a planning scheme applicable to the site;
- (d) likely location of buildings on the lot;
- (e) the topography of the site;
- (f) the capacity of the new lots for productive agricultural use;
- (g) any natural or landscape values; and
- (h) the presence of any natural hazards.

5.2.2 Frontage

Objective: That each lot is provided with appropriate frontage to a road.

Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway that is sufficient for the intended use, having regard to:

- (a) the width of frontage proposed, if any;
- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;
- (c) the topography of the site;
- (d) the functionality and useability of the frontage;
- (e) the ability to manoeuvre vehicles on the site;
- (f) the ability for emergency services to access the site; and
- (g) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.

5.2.3 Vehicle access

Objective: That each lot is provided with reasonable vehicle access.

Each lot, or a lot proposed in a plan of subdivision, is provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:

- (a) the topography of the site;
- (b) the distance between the lot or building area and the carriageway;
- (c) the nature of the road and the traffic, including pedestrians; and
- (d) the pattern of development existing on established properties in the area.

5.2.4 Roads

Objective: That the arrangement of new roads within a subdivision provides:

- (a) safe, convenient and efficient connections to assist accessibility and mobility of the community;
- (b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and
- (c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.

The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, having regard to:

- (a) any relevant road network plan adopted by a council;
- (b) the existing and proposed road hierarchy;
- (c) maximising connectivity with the surrounding road network;
- (d) access for pedestrians and cyclists, and
- (e) any advice of a road authority.

5.3 Standards for agricultural land

5.3.1 Conversion of agricultural land

This standard applies to agricultural land in a Rural Resource Zone, Rural Zone, or Agriculture Zone in a planning scheme.

Objective: That use must protect land for agricultural use by minimising the conversion of land to non-agricultural use.

The use must minimise the conversion of agricultural land to non-agricultural use, having regard to:

- (a) the area of land being converted to non-agricultural use;
- (b) whether the use precludes the land from being returned to an agricultural use; and
- (c) whether the use confines or restrains existing or potential agricultural use on the site or adjoining sites.

5.3.2 Conversion of prime agricultural land

This standard applies to prime agriculture land identified as Class 1, 2, or 3, shown in the 'Land capability survey' available on theLIST¹, and located in a Rural Resource Zone, Rural Zone, or Agriculture Zone in a planning scheme, unless the site is not identified as Class 1, 2 or 3 in a report by a suitably qualified person, based on the class definitions and methodology from the Land Capability Handbook, Second Edition, C J Grose, 1999, Department of Primary Industries, Water and Environment.

Objective: That use on prime agriculture land must protect land for agricultural use by minimising the conversion of land to non-agricultural use.

The use located on prime agricultural land must be for the major infrastructure project, provided that:

- (a) the area of land converted to the use is minimised;
- (b) adverse impacts on the surrounding agricultural use are minimised; and
- (c) the site is reasonably required for operational efficiency.

¹ <https://www.thelist.tas.gov.au/app/content/home/>

5.4 Standards for natural hazards

5.4.1 Use subject to landslip hazards

This standard applies to landslip hazard areas.

Objective: That use can achieve and maintain a tolerable risk from exposure to landslip for the nature of the intended use.

Use that involves the storage of a hazardous chemical of a manifest quantity, must achieve and maintain a tolerable risk from exposure to landslip, having regard to:

- (a) the type, form and duration of the use;
- (b) a landslip hazard report that demonstrates that:
 - (i) any increase in the level of risk from landslip does not require any specific hazard reduction or protection measure; or
 - (ii) the use can achieve and maintain a tolerable risk for the intended life of the use;
- (c) the health and safety of people;
- (d) any impact on property;
- (e) any impact on the environment; and
- (f) any advice from a State authority, regulated entity or a council.

5.4.2 Building and works subject to landslip hazards

This standard applies to landslip hazard areas.

Objective: That building and works on land within a landslip hazard area can:

- (a) minimise the likelihood of triggering a landslip event; and
- (b) achieve and maintain a tolerable risk from a landslip.

Building and works that does not require authorisation under the *Building Act 2016*, that involves significant works, or is within a medium-active landslip hazard band or high landslip hazard band must:

- (a) minimise the likelihood of triggering a landslip event and achieve and maintain a tolerable risk from landslip, having regard to:
 - (i) the type, form, scale and intended duration of the development;
 - (ii) whether any increase in the level of risk from a landslip requires any specific hazard reduction or protection measures;
 - (iii) any advice from a State authority, regulated entity or a council; and
 - (iv) the advice contained in a landslip hazard report; and

- (b) demonstrate in a landslip hazard report that the buildings and works do not cause or contribute to landslip on the site or on adjacent land; and
- (c) if landslip reduction or protection measures are required beyond the boundary of the site the consent in writing of the owner of that land must be provided for that land to be managed in accordance with the specific hazard reduction or protection measures.

5.4.3 Use in bushfire-prone areas

Objective: That hazardous uses or a use involving explosives can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the hazardous use and the bushfire hazard.

Use in bushfire-prone areas that includes a hazardous use or explosives stored on a site and where classified as an explosives location or large explosives location as specified in the *Explosives Act 2012* must:

- (a) achieve and maintain a tolerable risk from bushfire, having regard to:
 - (i) the location, characteristics, nature and scale of the use;
 - (ii) whether there is an overriding benefit to the community;
 - (iii) whether there is no suitable alternative lower-risk site; and
 - (iv) other advice, if any, from the Tasmania Fire Service; and
- (b) have an emergency management strategy (hazardous use) endorsed by the Tasmania Fire Service or an accredited person; and
- (c) have a bushfire management plan that contains appropriate bushfire protection measures that are certified by the Tasmania Fire Service or an accredited person.

5.4.4 Use in flood-prone areas

Objective: That hazardous uses located within a flood-prone area can achieve and maintain a tolerable risk from flood.

Use in flood-prone areas that includes a hazardous use, must achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event, having regard to:

- (a) the type form and duration of the use;
- (b) the health and safety of people;
- (c) the impact on property;
- (d) any impact on the environment;
- (e) the advice contained in a flood hazard report; and
- (f) any advice from a State authority, regulated entity or a council.

5.4.5 Building and works in flood-prone areas

Objective: That building and works:

- (a) within a flood-prone area can achieve and maintain a tolerable risk from flood; and
- (b) do not increase the risk from flood to adjacent land.

Buildings and works must achieve and maintain a tolerable risk from a from a 1% annual exceedance probability flood event and not cause or contribute to flood on adjacent land, having regard to:

- (a) the type, form, scale and intended duration of the development;
- (b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;
- (c) whether the building and works are likely to cause or contribute to the occurrence of flood on the site or on adjacent land;
- (d) any advice from a State authority, regulated entity or a council; and
- (e) the advice contained in a flood hazard report.

5.5 Standards for coastal inundation

5.5.1 Use within a coastal inundation hazard area

Objective: That use in a coastal inundation hazard area is reliant on a coastal location, and can achieve and maintain a tolerable risk from coastal inundation.

Use within a coastal inundation hazard area must:

- (a) rely on a coastal location to fulfil its purpose, having regard to:
 - (i) the need to access infrastructure available or planned to be available in a coastal location;
 - (ii) any advice from a State authority, regulated entity or a council; and
 - (iii) the advice obtained in a coastal inundation hazards report; and
- (b) be capable of achieving and maintaining a tolerable risk, having regard to:
 - (i) any increase in the level of risk from coastal inundation;
 - (ii) any requirement for specific hazard reduction or protection measures;
 - (iii) the need to minimise any:
 - a. increase in risk to public infrastructure; and
 - b. reliance on coastal protection works;
 - (iv) any advice from a State authority, regulated entity or a council; and
 - (v) the advice obtained in a coastal inundation hazard report.

5.5.2 Hazardous use in a coastal inundation hazard area

Objective: That hazardous use located within a coastal inundation hazard area can achieve and maintain a tolerable risk from coastal inundation.

Use in coastal inundation hazard areas that includes a hazardous use, must achieve and maintain a tolerable risk from a 1% annual exceedance probability coastal inundation event, having regard to:

- (a) the health and safety of people;
- (b) any impact on property;
- (c) any impact on the environment;
- (d) the advice contained in a coastal inundation hazard report; and
- (e) any advice from a State authority, regulated entity or a council.

5.5.3 Building and works within a coastal inundation hazard area

This standard does not apply to development that requires authorisation under the *Building Act 2016*, excluding if located in a high or medium coastal inundation hazard band.

Objective: That:

- (a) building and works within a coastal inundation hazard area can achieve and maintain a tolerable risk from coastal inundation; and
- (b) buildings and works do not increase the risk from coastal inundation to adjacent land.

Building and works in coastal inundation hazard areas must achieve and maintain a tolerable risk from a 1% annual exceedance probability coastal inundation event and not cause or contribute to coastal inundation on adjacent land, having regard to:

- (a) the type, form, scale and intended duration of the development;
- (b) whether any increase in the level of risk from coastal inundation requires any specific hazard reduction or protection measures;
- (c) whether the use or development is likely to cause or contribute to the occurrence of coastal inundation on the site or on adjacent land;
- (d) any advice from a State authority, regulated entity or a council; and
- (e) the advice contained in a coastal inundation hazard report.

5.6 Standards for coastal erosion

5.6.1 Use within a coastal erosion hazard area

Objective: That use in a high coastal erosion hazard band is reliant on a coastal location, and can achieve and maintain a tolerable risk from coastal inundation.

Use within a coastal erosion hazard area must:

- (a) rely on a coastal location to fulfil its purpose, having regard to:
 - (i) the need to access infrastructure available or planned to be available in a coastal location;
 - (ii) any advice from a State authority, regulated entity or a council; and
 - (iii) the advice obtained in a coastal erosion hazards report; and
- (b) be capable of achieving and maintaining a tolerable risk, having regard to:
 - (i) any increase in the level of risk from coastal erosion;
 - (ii) any requirement for specific hazard reduction or protection measures;
 - (iii) the need to minimise any:
 - a. increase in risk to public infrastructure; and
 - b. reliance on coastal protection works;
 - (iv) any advice from a State authority, regulated entity or a council; and
 - (v) the advice obtained in a coastal erosion hazard report.

5.6.2 Hazardous use in a coastal erosion hazard area

Objective: That hazardous uses located within a coastal erosion hazard area can achieve and maintain a tolerable risk from coastal erosion.

Use in coastal erosion hazard areas that includes a hazardous use, must achieve and maintain a tolerable risk from a coastal erosion event in 2100, having regard to:

- (a) the health and safety of people;
- (b) any impact on property;
- (c) any impact on the environment;
- (d) the advice contained in a coastal erosion hazard report; and
- (e) any advice from a State authority, regulated entity or a council.

5.6.3 Building and works within a coastal erosion hazard area

This standard does not apply to development that requires authorisation under the *Building Act 2016*, excluding if in a high coastal erosion hazard band.

Objective: That:

- (a) building and works within a coastal inundation hazard area can achieve and maintain a tolerable risk from coastal erosion; and
- (b) buildings and works do not increase the risk from coastal erosion to adjacent land.

Building and works in coastal erosion hazard areas must achieve and maintain a tolerable risk from a from a 1% annual exceedance probability coastal inundation event and not cause or contribute to coastal inundation on adjacent land, having regard to:

- (a) the type, form, scale and intended duration of the development;
 - (b) whether any increase in the level of risk from coastal erosion requires any specific hazard reduction or protection measures;
 - (c) whether the use or development is likely to cause or contribute to the occurrence of coastal erosion on the site or on adjacent land;
 - (d) any advice from a State authority, regulated entity or a council; and
 - (e) the advice contained in a coastal erosion hazard report,
- and not be located on a actively mobile landform.

5.7 Standards for attenuation

5.7.1 Substation noise

This standard applies to substation facilities within 60m of a sensitive use.

Objective: That a substation is located and designed to not cause an unreasonable loss of amenity to a sensitive use, due to noise.

A substation facility must be appropriately located or designed to not cause unreasonable loss of amenity to a sensitive use, due to substation noise emission, having regard to:

- (a) the nature of the sensitive use;
- (b) proximity to the substation facility;
- (c) noise levels generated by the substation facility;
- (d) any existing buffers to noise impacts;
- (e) any mitigation measures proposed; and
- (f) any written advice from a suitably qualified person.

5.7.2 Dust or other airborne particulates from existing uses

This standard applies to land within:

- (a) 60m of a substation facilities; or
- (b) 60m of the centre line of overhead electricity transmission infrastructure.

Objective: That electricity transmission infrastructure is located and designed, so an existing use that produces dust or other airborne particulates, is not unreasonably constrained.

The operation of a substation facility or overhead electricity transmission infrastructure will not unreasonably constrain existing uses specified in Table 1.0, with the potential to create dust or other airborne particulates, having regard to:

- (a) the nature of the existing use and the materials that are stored and handled on the site;
- (b) the conductivity or corrosiveness of any dust or other airborne particulates emitted by the existing use and potential of emissions to affect the operation of the substation electricity transmission infrastructure;
- (c) the proximity to the existing use; and
- (d) any mitigation measures proposed.

Table1.0 Uses subject to clause 5.7.2

Use	Qualification
bulky goods sales	If not located within a building and: (a) for garden and landscaping materials suppliers; (b) for a supplier for extractive industry, resource development or resource processing; or (c) for a timber yard.
crematorium	
extractive industry	If not located within a building.
manufacturing and processing	If not located within a building.
recycling and waste disposal	If not located within a building.
resource processing	If not located within a building.
service industry	If not located within a building.
storage	If not located within a building and: (a) for a liquid, solid or gas fuel depot; or (b) for a woodyard.

5.8 Standards for visual impact

5.8.1 Visual impact

Objective: That:

- (a) destruction of vegetation does not cause an unreasonable reduction of landscape values; and
- (b) buildings and works do not cause an unreasonable reduction of landscape values.

Buildings and works, including the destruction of vegetation, must not cause an unreasonable impact on landscape values, having regard to:

- (a) the nature and area of vegetation to be removed;
- (b) the topography of the site;
- (c) the landscape values;
- (d) the nature of the reduction of landscape values;
- (e) measures to avoid or mitigate adverse impacts;
- (f) a landscape character and visual impact assessment report; and
- (g) the purpose of any management objectives in a planning scheme particular purpose zone, code or specific area plan, related to scenic or landscape values.

5.9 Standards for road and rail assets

5.9.1 Traffic generation at a vehicle crossing, level crossing or new junction

Objective: To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.

Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;
- (b) the nature and duration of the traffic generated by the use;
- (c) the nature of the road;
- (d) the speed limit and traffic flow of the road;
- (e) any alternative vehicle crossing or level crossing;
- (f) measures to minimise any adverse effects;
- (g) any traffic impact assessment;
- (h) any advice received from the rail or road authority; and
- (i) any written consent for a new vehicle crossing or level crossing issued by a rail or road authority.

5.9.2 Number of accesses for vehicles

Objective: That vehicle access to the land:

- (a) minimises the number of new vehicle crossings;
- (b) is safe and efficient for users of the land; and
- (c) does not cause an unreasonable loss of amenity of adjoining uses.

The number of vehicle accesses must be minimised, having regard to:

- (a) the frequency of vehicle access;
- (b) the number and location of existing accesses and vehicle crossings;
- (c) pedestrian safety and amenity;
- (d) traffic safety; and
- (e) amenity of adjoining use.

5.10 Standards for heritage

5.10.1 Compatibility with heritage values

This standard applies to a local heritage place or local heritage precinct listed in a planning scheme and subject to a code or specific area plan related to heritage values, and a declared World Heritage property, excluding a registered place.

Objective: That buildings and works are compatible with the historic heritage significance of a place or precinct.

Buildings and works are compatible with the historic heritage significance of a place or precinct, having regard to:

- (a) the historic heritage significance of the local heritage place or local heritage precinct listed in a planning scheme or where no historic heritage values are identified in a planning scheme, as identified in a report by a suitably qualified person;
- (b) the topography of the site;
- (c) the height and bulk of existing and proposed buildings;
- (d) the separation between buildings with heritage values and proposed buildings and works;
- (e) the design, period of construction and materials of building on the site that have historic heritage values or contribute to the historic heritage values of a local heritage precinct;
- (f) the physical condition and safety of buildings on the site that have historic heritage values or contribute to the historic heritage values of a local heritage precinct; and
- (g) the impact of proposed buildings and works on historic heritage values, and are not located within a declared World Heritage property.

5.11 Standards for signs

5.11.1 Design and siting of signs

Objective: That signs are well designed and located to minimise negative impacts on road safety and pedestrian movement, and not cause an unreasonable loss of visual amenity.

A sign, excluding a regulatory sign and a building site sign only displayed during construction works, must be a community information sign that minimises negative impacts on road safety and pedestrian movement, and not cause an unreasonable loss of visual amenity, having regard to:

- (a) the size and dimensions of the sign;
- (b) the size and scale of the building upon which the sign is proposed;
- (c) the visual amenity of surrounding properties;
- (d) the repetition of messages or information;
- (e) the number and density of signs on the site and on adjacent properties;
- (f) the impact on the safe and efficient movement of vehicles and pedestrians; and
- (g) any advice from a road authority, and

is not an illuminated sign.

Schedule 1: Planning terms and definitions

Term	Definition
accredited person	means as defined in the Act.
Act	means the <i>Land Use Planning and Approvals Act 1993</i> .
adjacent	means near to, and includes adjoining.
adjoining	means next to, or having a common boundary with.
agricultural land	means all land that is in agricultural use, or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.
agricultural use	means use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture and plantation forestry.
AHD	means the Australian Height Datum (Tasmania) being the vertical geodetic datum as described in Chapter 8 of the <i>Geocentric Datum of Australia Technical Manual version 2.4</i> , Intergovernmental Committee on Surveying and Mapping.
amenity	means, in relation to a locality, place or building, any quality, condition or factor that makes or contributes to making the locality, place or building harmonious, pleasant or enjoyable.
animal saleyard	means use of land to buy and sell farm animals, and hold such animals for purchase or sale.
annual exceedance probability	means the probability of an event with a certain magnitude being exceeded in any one year.
aquaculture	means use of land to keep or breed aquatic animals, or cultivate or propagate aquatic plants, and includes the use of tanks or impoundments on land.
assisted housing	means housing provided by an organisation for higher needs tenants or residents, including those with physical or intellectual disabilities, and may include associated support services.
boarding house	means use of land for a dwelling in which lodgers rent one or more rooms, generally for extended periods, and some parts of the dwelling are shared by all lodgers.
building	means as defined in the Act.
building site sign	means an impermanent sign which identifies architects, engineers, builders or contractors involved with construction on the premises, the name of the building or development, the intended purpose of the building or development or the expected completion date.
bulky goods sales	means use of land for the sale of heavy or bulky goods which require a large area for handling, storage and display. Examples include garden

Term	Definition
	and landscaping materials suppliers, rural suppliers, timber yards, trade suppliers, showrooms for furniture, electrical goods and floor coverings, and motor vehicle, boat or caravan sales.
bushfire hazard management plan	means as defined in the Act.
bushfire protection measures	means the measures that might be used to reduce the risk of bushfire attack and the threat to life and property in the event of bushfire.
bushfire-prone area	means: (a) land shown in a planning scheme as within a bushfire-prone area; or (b) where there is no map in the planning scheme, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1ha.
bushfire-prone vegetation	means contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards or vegetation on land that is used for horticultural purposes.
coastal erosion	means: (a) erosion of the coastline by water, wind and general weather conditions; or (b) coastal recession, which is the long-term movement of the coastline due to sea level rise.
coastal erosion hazard area	means land shown: (a) on the Coastal Erosion Hazard Bands 20161201, produced by the Department of Premier and Cabinet and available on theLIST; or (b) in a planning scheme as subject to coastal erosion.
coastal erosion hazard report	means a report prepared by geotechnical practitioner and must include: (a) details of, and be signed by, the person who prepared or verified the report; (b) confirmation that the person has the appropriate qualifications and expertise; (c) confirmation that the report has been prepared in accordance with any methodology specified by a State authority; (d) a report of a geotechnical site investigation undertaken consistent with <i>Australian Standard AS 1726-2017 Geotechnical site investigations</i> ; and (e) conclusions based on consideration of the proposed use and development: (i) as to whether the use or development is likely to cause or contribute to the occurrence of coastal erosion on the site or on adjacent land;

Term	Definition
	<p>(ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to:</p> <ul style="list-style-type: none"> a. the nature, intensity and duration of the use; b. the type, form and duration of any development; c. the likely change in the risk across the intended life of the use or development; d. the ability to adapt to a change in the level of risk; e. the ability to maintain access to utilities and services; f. the need for specific coastal erosion reduction or protection measures on the site; g. the need for coastal erosion reduction or protection measures beyond the boundary of the site; and h. any coastal erosion management plan in place for the site or adjacent land; <p>(iii) any advice relating to the ongoing management of the use or development;</p> <p>(iv) as to whether the use or development is located on an actively mobile landform within the coastal zone; and</p> <p>(v) relating to any matter specifically required by a standard related to coastal erosion.</p>
coastal inundation	<p>means the risk of temporary or permanent inundation of land by the sea as a result of:</p> <ul style="list-style-type: none"> (a) storm surge; (b) tides; or (c) sea-level rise.
coastal inundation hazard area	<p>means land shown:</p> <ul style="list-style-type: none"> (a) on the Coastal Inundation Hazard Bands 20161201, produced by the Department of Premier and Cabinet and available on theLIST; (b) in a planning scheme as subject to coastal inundation; or (c) in a coastal inundation investigation area within mapping of points (a) or (b), and where a suitably qualified person has provided a land survey showing an AHD for the land that falls within one of the coastal inundation hazard band levels shown in the coastal inundation hazard bands AHD levels in Appendix 9: Coastal inundation hazard band levels of the <i>Coastal Hazards Technical Report</i>, December 2016, Department of Premier and Cabinet.
coastal inundation hazard report	<p>means a report prepared by a suitably qualified person for a site that must include:</p>

Term	Definition
	<p>(a) details of, and be signed by, the person who prepared or verified the report;</p> <p>(b) confirmation that the person has the appropriate qualifications and expertise;</p> <p>(c) confirmation that the report has been prepared in accordance with any methodology specified by a State authority; and</p> <p>(d) conclusions based on consideration of the proposed use and development:</p> <p>(i) as to whether the use or development is likely to cause or contribute to coastal inundation on the site or on adjacent land;</p> <p>(ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to:</p> <p>a. the nature, intensity and duration of the use;</p> <p>b. the type, form and duration of any development;</p> <p>c. the likely change in the risk across the intended life of the use or development;</p> <p>d. the ability to adapt to a change in the level of risk;</p> <p>e. the ability to maintain access to utilities and services;</p> <p>f. the need for specific coastal inundation hazard reduction or protection measures on the site;</p> <p>g. the need for coastal inundation reduction or protection measures beyond the boundary of the site;</p> <p>h. any coastal inundation management plan in place for the site or adjacent land;</p> <p>(iii) any advice relating to the ongoing management of the use or development; and</p> <p>(iv) relating to any matter specifically required by a standard related to coastal inundation.</p>
coastal inundation management plan	means a management plan for a coastal inundation hazard area endorsed by the relevant council.
communal residence	means use of land for a building to accommodate persons who are unrelated to one another and who share some parts of the building such as a boarding house, residential college and residential care facility.
community information sign	means a sign erected by a State authority for the purpose of providing community information.
controlled environment agriculture	means an agricultural use carried out within some form of built structure, whether temporary or permanent, which mitigates the effect of the natural environment and climate. Such agricultural uses include production techniques that may or may not use imported growth

Term	Definition
	medium such as greenhouses, polythene covered structures, and hydroponic facilities.
council	means as defined in the Act.
crop production	means use of land to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds and vegetables.
declared World Heritage property	has the meaning in section 13 of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth).
dwelling	means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.
EPBC Act	means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth).
EIS	means Environmental Impact Statement.
electricity transmission infrastructure	means infrastructure for or associated with the transmission of electricity. It includes overhead lines, underground electricity and communication cables, substations, communications station, buildings, structures and access tracks for or associated with the transmission of electricity, and the like.
EMPC Act	means the <i>Environmental Management and Pollution Control Act 1994</i> .
emergency management strategy (hazardous use)	<p>means a strategy that provides for mitigation measures to achieve and maintain a level of tolerable risk that is specifically developed to address the characteristics, nature and scale of the use considering:</p> <ul style="list-style-type: none"> (a) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (b) the ability of occupants of the vulnerable use to: <ul style="list-style-type: none"> (i) protect themselves and defend property from bushfire attack; (ii) evacuate in an emergency; and (iii) understand and respond to instructions in the event of a bushfire; and (c) any bushfire protection measures available to reduce risk to emergency service personnel.
ESD principles ²	<p>means:</p> <ul style="list-style-type: none"> (a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations; (b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;

² ecologically sustainable development principles

Term	Definition
	<p>(c) the principle of inter-generational equity—that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;</p> <p>(d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making; and</p> <p>(e) improved valuation, pricing and incentive mechanisms should be promoted.</p>
extractive industry	means use of land for extracting or removing material from the ground, other than resource development, and includes the treatment or processing of those materials by crushing, grinding, milling or screening on, or adjoining the land from which it is extracted. Examples include mining, quarrying, and sand mining.
flood	means the risk of periodic or permanent flooding of land from a watercourse or other inland water source.
flood hazard report	<p>means a report prepared by a suitably qualified person for a site, that must include:</p> <p>(a) details of, and be signed by, the person who prepared or verified the report;</p> <p>(b) confirmation that the person has the appropriate qualifications and expertise;</p> <p>(c) confirmation that the report has been prepared in accordance with any methodology specified by a State authority; and</p> <p>(d) conclusions based on consideration of the proposed use or development:</p> <p>(i) as to whether the use or development is likely to cause or contribute to the occurrence of flood on the site or on adjacent land;</p> <p>(ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the use or development, having regard to:</p> <p>a. the nature, intensity and duration of the use;</p> <p>b. the type, form and duration of any development;</p> <p>c. the likely change in the level of risk across the intended life of the use or development;</p> <p>d. the ability to adapt to a change in the level of risk;</p> <p>e. the ability to maintain access to utilities and services;</p> <p>f. the need for flood reduction or protection measures beyond the boundary of the site;</p> <p>g. any flood management plan in place for the site and/or adjacent land; and</p>

Term	Definition
	<p>h. any advice relating to the ongoing management of the use or development; and</p> <p>(iii) any matter specifically required by a standard related to bushfire-prone areas.</p>
flood-prone area	<p>means land shown:</p> <p>(a) in a planning scheme as subject to flood; or</p> <p>(b) in a report by a suitably qualified person as subject to risk from flood or has the potential to cause or contribute to increased risk from flood.</p>
forest operations	means as defined in the <i>Forest Management Act 2013</i> .
geotechnical practitioner	<p>means:</p> <p>(a) a person holding a building services license issued under the <i>Occupational Licensing Act 2005</i> in the class of engineer-civil;</p> <p>(b) a geotechnical engineer acting within their area of competence; or</p> <p>(c) an engineering geologist acting within their area of competence.</p>
hazardous chemicals of a manifest quantity	means a hazardous chemical, as defined in the <i>Work Health and Safety Regulations 2012</i> , if the amount of hazardous chemical stored exceeds the manifest quantity as specified under the <i>Work Health and Safety Regulations 2012</i> . ³
hazardous use	means a use that involves the storage of a hazardous chemical of a manifest quantity.
high coastal erosion hazard band	<p>means land shown:</p> <p>(a) on the Coastal Erosion Hazard Bands 20161201, produced by the Department of Premier and Cabinet and available on theLIST and classified into a high hazard band; or</p> <p>(b) in a planning scheme as subject to coastal erosion and classified into a high hazard band.</p>
high landslip hazard band	<p>means land shown:</p> <p>(a) on the landslide Planning Map – Hazard Bands 20131022, produced by the Department of Premier and Cabinet and available on theLIST and classified into a high hazard band;</p> <p>(b) in a planning scheme as subject to landslip and classified into a high hazard band; or</p> <p>(c) in a report by a geotechnical practitioner as having the potential to cause or contribute to a landslip with a level of risk equivalent to the high hazard band identified in the <i>Landslide Planning Report, version 5, August 2013</i>, Department of Premier and Cabinet.</p>

³ It will be necessary to refer to the relevant Safety Datasheet.

Term	Definition
high or medium coastal inundation hazard band	<p>means land shown:</p> <ul style="list-style-type: none"> (a) on the Coastal Inundation Hazard Bands 20161201, produced by the Department of Premier and Cabinet and available on theLIST and classified into a high hazard band or medium hazard band; (b) in a planning scheme as subject to coastal inundation and classified into a high hazard band or medium hazard band; or (c) in a coastal inundation investigation area within mapping of points (a) or (b), and where a suitably qualified person has provided a land survey showing an AHD for the land that falls within the high or medium coastal inundation hazard band levels shown in the coastal inundation hazard bands AHD levels in Appendix 9: Coastal inundation hazard band levels of the Coastal Hazards Technical Report, December 2016, Department of Premier and Cabinet.
historic heritage significance	<p>means significance in relation to a local heritage place or a local heritage precinct, and its historic heritage values as identified in the relevant list, in a planning scheme, because of:</p> <ul style="list-style-type: none"> (a) its role in, representation of, or potential for contributing to the understanding of: <ul style="list-style-type: none"> (i) local history; (ii) creative or technical achievements; (iii) a class of building or place; or (iv) aesthetic characteristics; or (b) its association with: <ul style="list-style-type: none"> (i) a particular community or cultural group for social or spiritual reasons; or (ii) the life or works of a person, or group of persons, of importance to the locality or region, <p>as identified in the relevant list in the planning scheme, or in a report prepared by a suitably qualified person, if not identified in the relevant list.</p>
home-based business	<p>means use of part of a dwelling by a resident for non-residential purposes if:</p> <ul style="list-style-type: none"> (a) the person conducting the business normally uses the dwelling as their principal place of residence; (b) it does not involve employment of more than 2 workers on-site who do not reside at the dwelling; (c) any load on a utility is no more than for a domestic use; (d) there is no activity that causes electrical interference to use on other land; (e) there is no storage of hazardous material on site;

Term	Definition
	<p>(f) the display of goods for sale are not visible from any road or public open space adjoining the site;</p> <p>(g) there is, on the site, no advertising of the business other than 1 sign (nonilluminated) not exceeding 0.2m² in area;</p> <p>(h) there is, on the site, no refuelling, servicing, detailing or repair of vehicles not owned by a resident;</p> <p>(i) no more than 2 commercial vehicles are on the site at any one time and no commercial vehicle on the site exceeds 2 tonnes; and</p> <p>(j) all vehicles used by the business are parked on the site</p>
home-based child care	means use of a dwelling to mind or care for children for a day or part of a day, by one or more persons residing in the dwelling.
illuminated sign	means a sign that uses a light source or sources to display or highlight the content. This includes internally illuminated signs such as neon signs, light boxes and LED (light emitting diode) screens or panels and signs lit by an external source such as a light bulb or floodlight.
intensive animal husbandry	means use of land to keep or breed farm animals, including birds, within a concentrated and confined animal growing operation by importing most food from outside the animal enclosures and includes a feedlot, poultry farm or piggery.
junction	means an intersection between two or more roads at a common level, including the intersections of on and off ramps, and grade-separated roads.
land	means as defined in the Act.
landscape character and visual impact assessment report	<p>means a report prepared by a suitably qualified person:</p> <p>(a) using the methodology in:</p> <ul style="list-style-type: none"> (i) <i>Guidance Note for Visual Impact Assessment, June 2019, Australian Institute of Landscape Architects;</i> (ii) <i>Guideline for landscape character and visual impact assessment – Environmental Impact Assessment Practice Note EIA-NO4, version 2.2, August 2020, Transport for NSW; or</i> (iii) other best practice guidelines relevant to electricity transmission infrastructure; and <p>(b) that, at a minimum, must include:</p> <ul style="list-style-type: none"> (i) details of, and be signed by, the person who prepared or verified the report; (ii) confirmation that the person has the appropriate qualifications and expertise; (iii) identification of the landscape values; (iv) identifies the sensitivity of the landscape to visual change;

Term	Definition
	<p>(v) identifies representative viewpoints from sites, such as, tourist facilities, public roads and public places; and</p> <p>(vi) assesses the magnitude of change from each viewpoint.</p>
landscape values	<p>means:</p> <p>(a) characteristics of a landscape or view that are considered to be significant; and</p> <p>(b) any applicable scenic values identified in a planning scheme particular purpose zone, code or specific area plan.</p>
landslide	means landslip.
landslip	means the downslope movement of a mass of rock, debris, or earth.
landslip hazard area	<p>means land shown:</p> <p>(a) on the Landslide Planning Map – Hazard Bands 20131022, produced by the Department of Premier and Cabinet and available on theLIST;</p> <p>(b) in a planning scheme as subject to landslip; or</p> <p>(c) in a report by a geotechnical practitioner as having the potential to cause or contribute to a landslip.</p>
landslip hazard report	<p>means a report prepared using the methodology of the <i>Practice Note Guidelines for Landslide Risk Management 2007</i>, Australian Geomechanics Society Landslide Taskforce, Landslide Practice Note Working Group, by a geotechnical practitioner and must include:</p> <p>(a) details of, and be signed by, the person who prepared or verified the report;</p> <p>(b) confirmation that the person has the appropriate qualifications and expertise;</p> <p>(c) confirmation that the report has been prepared in accordance with any methodology specified by a State authority;</p> <p>(d) a report of a geotechnical site investigation undertaken consistent with <i>Australian Standard AS 1726:2017 Geotechnical site investigations</i>;</p> <p>(e) conclusions based on consideration of the proposed use or development:</p> <p>(i) as to whether the use or development is likely to cause or contribute to the occurrence of a landslip event on the site or on adjacent land;</p> <p>(ii) as to whether the use or development can achieve and maintain a tolerable risk for the intended life of the development, having regard to:</p> <p>a. the nature, intensity and duration of the use;</p> <p>b. the type, form and duration of any development;</p>

Term	Definition
	<ul style="list-style-type: none"> c. the likely change in the risk across the intended life of the use or development; d. the ability to adapt to a change in the risk; e. the ability to maintain access to utilities and services; f. the need for specific landslip reduction or protection measures on the site; g. the need for landslip reduction or protection measures beyond the boundary of the site; and h. any landslip management plan in place for the site or adjacent land; <p>(iii) any advice relating to the ongoing management of the use or development; and</p> <p>(iv) relating to any matter specifically required by a standard related to landslip hazard areas.</p>
landslip management plan	means a management plan for a landslip hazard area endorsed by the relevant council.
level crossing	means as defined in section 35 of the <i>Rail Infrastructure Act 2007</i> .
liquid fuel depot	means use of land for the storage, wholesale and distribution of liquid fuel.
local heritage place	means a place that is listed in a planning scheme and identified as having particular historic heritage significance.
local heritage precinct	means an area that is listed in a planning scheme and identified as having particular historic heritage significance because of the collective heritage value of individual places as a group for their streetscape or townscape values
lot	means a piece or parcel of land where there is only one title other than a lot within the meaning of the <i>Strata Titles Act 1998</i> .
magnitude of change	means the extent of change that will be experienced from a viewpoint, including, the proportion of the landscape or view affected, the extent of the area over which the change occurs; the size and scale of the change; the rate and duration of the change and the level of contrast and compatibility.
major infrastructure project	means the major infrastructure project specified in clause 5 of the <i>Major Infrastructure Development Approvals (North West Transmission Upgrades Project) Order 2020</i> .
manufacturing and processing	means use of land for manufacturing, assembling or processing products other than Resource Processing. Examples include boat building, brick making, cement works, furniture making, glass manufacturing, metal and wood fabrication, mineral processing and textile manufacturing.
marine farming shore facility	means use of land to provide on shore support infrastructure and facilities for offshore aquaculture but does not include the processing of fish or other marine organisms.

Term	Definition
medium-active landslip hazard band	<p>means land shown:</p> <p>(a) on the landslide Planning Map – Hazard Bands 20131022, produced by the Department of Premier and Cabinet and available on theLIST and classified into a medium-active hazard band;</p> <p>(b) in a planning scheme as subject to landslip and classified into a medium-active hazard band; or</p> <p>(c) in a report by a geotechnical practitioner as having the potential to cause or contribute to a landslip with a level of risk equivalent to the medium-active hazard band identified in the <i>Landslide Planning Report, version 5, August 2013</i>, Department of Premier and Cabinet.</p>
motor repairs	means use of land for the business of repairing or servicing motor vehicles, motors and includes the fitting of motor accessories.
multiple dwelling	means 2 or more dwellings on a site.
natural assets	means biodiversity, environmental flows, natural streambank and streambed condition, riparian vegetation, littoral vegetation, water quality, wetlands, river condition and waterway and/or coastal values.
panel beating	means use of land for the business of repairing or replacing damaged motor vehicle bodies and panels, and carrying out any associated mechanical work or spray painting.
planning authority	means the Commission as defined in the <i>Tasmanian Planning Commission Act 1997</i> .
planning scheme	has the meaning in section 10(2)(a) of the Act.
plantation forestry	means the use of land for planting, management and harvesting of trees for commercial wood production, but does not include the milling or processing of timber, or the planting or management of areas of a farm for shelter belts, firewood, erosion or salinity control or other environmental management purposes, or other activity directly associated with and subservient to another form of agricultural use.
prime agricultural land	means agricultural land classified as class 1, 2 or 3 land using the class definitions and methodology from the <i>Land Capability Handbook, Guidelines for Classification of Agricultural Land in Tasmania, 2nd edition, 1999</i> , Grose, C . J., Department of Primary Industries Water and Environment
rail network	means as defined in the <i>Rail Infrastructure Act 2007</i> and corridors declared under the <i>Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016</i> .
recycling and waste disposal	means use of land to collect, dismantle, store, dispose of, recycle or sell used or scrap material. Examples include a recycling depot, refuse disposal site, scrap yard, vehicle wrecking yard and waste transfer station.
refuse disposal	means use of land to dispose of refuse.

Term	Definition
registered place	means a place as defined in the <i>Historic Cultural Heritage Act 1995</i> and entered on the Tasmanian Heritage Register.
regulated entity	means as defined in the <i>Water and Sewerage Industry Act 2008</i> .
regulatory sign	means a sign that provides notice of laws, regulations and warnings.
residential	means use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.
residential care facility	means use of land for accommodation and personal or nursing care. It includes recreational, health or laundry facilities and services for residents of the facility.
respite centre	means use of land for respite care for the sick, aged or persons with disabilities.
retirement village	means use of land to provide permanent accommodation for retired people or the aged and includes communal recreational or medical facilities for residents of the village.
resource development	use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fishstock. If the land is so used, the use may include the handling, packing or storing of produce for dispatch to processors. Examples include agricultural use, aquaculture, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry, forest operations, turf growing and marine farming shore facility.
resource processing	means use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery, brewery, cidery, distillery, and sawmilling.
road	means land over which the general public has permanent right of passage, including the whole width between abutting property boundaries, all footpaths and the like, and all bridges over which such a road passes.
scrap yard	means use of land where disused vehicles, materials and machinery or parts are collected and either sold or prepared for being used again, and includes the use or onselling of scrap materials.
secondary residence	means an additional residence which is self-contained and: <ul style="list-style-type: none"> (a) has a gross floor area not more than 60m²; (b) is appurtenant to a single dwelling; (c) shares with the single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters; and (d) may include laundry facilities.

Term	Definition
sensitive use	means a residential use or a use involving the presence of people for extended periods except in the course of their employment such as a caravan park, childcare centre, dwelling, hospital or school.
sensitivity of the landscape	means the capacity of the landscape or view to accommodate change without losing landscape values. <u>It includes consideration of the: landscape context; landscape values; and the capacity of the landscape to absorb the proposed change.</u>
service industry	means use of land for cleaning, washing, servicing or repairing articles, machinery, household appliances or vehicles. Examples include a car wash, commercial laundry, electrical repairs, motor repairs and panel beating.
sign	means a device, structure, depiction, or the like, that is intended to give information, advertise or attract attention to a place, product, service or event.
significant works	<p>means any of the following:</p> <ul style="list-style-type: none"> (a) excavation equal to or greater than 1m in depth, including temporary excavations for the installation or maintenance of services or pipes; (b) excavation or land filling of greater than 100m³ whether or not material is sourced on the site or imported; (c) felling or removal of vegetation over a contiguous area greater than 1,000m²; (d) the collection, pooling or storage of water in a dam, pond, tank or swimming pool with a volume of more than 45,000L; (e) removal, redirection, or introduction of drainage for surface or groundwater; and (f) discharge of stormwater, sewage, water storage overflow or other wastewater.
single dwelling	means a dwelling on a lot on which no other dwelling, other than a secondary residence, is situated.
site	means the lot or lots on which a use or development is located or proposed to be located.
solid fuel depot	means use of land to sell solid fuel, such as briquettes, coal, and firewood.
State authority	means as defined in the Act.
storage	means use of land for storage or wholesale of goods, and may incorporate distribution. Examples include boat and caravan storage, self storage, contractors yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and woodyard.
streetscape	means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setback of buildings and structures from the

Term	Definition
	property boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve. For the purposes of determining streetscape for a particular site, the above matters are relevant when viewed from either side of the same street within 100m of each side boundary of the site.
suitably qualified person	means a person who can adequately demonstrate relevant tertiary qualifications or equivalent) and experience in a recognised field of knowledge, expertise or practice with direct relevance to the matter under consideration.
Tasmanian RFA	means the Tasmanian Regional Forest Agreement.
tolerable risk	means the lowest level of likely risk from the relevant hazard: (a) to secure the benefits of a use or development in a relevant hazard area; and (b) which can be managed through: (i) routine regulatory measures; or (ii) by specific hazard management measures for the intended life of each use or development.
traffic impact assessment	means a study or a statement prepared in accordance with the <i>Guide to Traffic Management Part 12: Traffic Impacts of Development 2009</i> , Austroads Inc, by a person with qualifications and a level of experience appropriate to the significance of the traffic impact.
TSP Act	means the <i>Tasmanian Threatened Species Protection Act 1995</i> .
turf growing	means use of land for growing grass which is cut into sods or rolls containing the roots and some soil for direct transplanting.
use	means as defined in the Act.
vehicle crossing	means a driveway for vehicular traffic to enter or leave a road carriageway from land adjoining a road.
vehicular access	means land over which a vehicle enters or leaves a road from land adjoining a road.
viewpoint	means the specific location of a view.
waste transfer station	means use of land to receive and temporarily store waste before it is removed elsewhere.
works	means as defined in the Act.

Schedule 2: Environmental impact statement requirements

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General Information for the Proponent

Purpose

These requirements provide information on preparing an Environmental Impact Statement (EIS) and are based on guidance provided by the Tasmanian Environment Protection Authority (EPA) and the Australian Department of Agriculture, Water and the Environment (DAWE).

Structure and Formatting of the EIS

The following points should be considered when writing the EIS:

- The title page should include the proponent's name, the activity name, the proposal address or location, EPBC number, the EIS version number, where relevant, and the month and year of publication.
- The main text of the EIS should be written in a clear and concise style that is easily understood by the general reader. Passive language should be avoided and active, clear commitments, such as, 'must' and 'will' are used where appropriate.
- Assertions and assumptions should be supported by adequate argument and evidence relied upon should be referenced.
- Technical terminology should be avoided as far as possible. The detailed technical data and supplementary reports necessary to support the main text should be included in appendices.
- All sources of information should be referenced and the style of referencing should be consistent throughout. The date, source and reliability should be included and the degree of confidence attached to any predictions should be indicated.
- Information should be presented in maps, diagrams and site plans to enhance the level of understanding. All images must be of high quality, high resolution, with all text readily readable, and should be capable of being readily copied and pasted into other documents. All objects in images should be 'grouped'. All colour images must, when printed or photocopied in monochrome, reproduce such that all important features are readily visible. An exception may be made to the above where historical documents or photographs need to be reproduced in the document. For ease of comparison, all maps, plans and aerial photographs should be oriented in the same direction as far as practicable and a north direction arrow and scale should be included. Relevant features including EPBC matters must be clearly labelled.
- When providing maps or referring to spatial databases, the coordinate reference system being used should be specified.
- Specific management measures must be clearly identified in the text and included in the summary table referred to in the management measures section of this document.
- Where appropriate, information provided in other sections or addressing planning provisions should be cross referenced to minimise duplication.

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

On 17 November 2020, the proposal [for the Hampshire Hills to Staverton transmission line, including the Heybridge spur portion of the major infrastructure project](#) was determined to be a controlled action under the EPBC Act by a delegate of the Commonwealth Minister for the Environment, as it is likely to have a significant impact on listed threatened species and communities (sections 18 and 18A), a matter of national environmental significance that is protected under Part 3 of the EPBC Act.

Assessment of the [Hampshire Hills to Staverton transmission line, including the Heybridge spur portion of the major infrastructure project](#) under the EPBC Act is being undertaken by the State, via an accreditation of the Tasmanian Government's assessment under the Major Infrastructure Development Approvals Act

1999 (Tas) (MIDA Act). This accredited state assessment process will help avoid process duplication and enable integrated and efficient consideration of related impacts on relevant Commonwealth and Tasmanian government matters, as well as improve alignment of the mitigation and approval requirements under the relevant Commonwealth and Tasmanian laws. As such, the EIS will need to meet assessment requirements of the planning authority as well as the relevant Commonwealth EPBC Act matters identified for this controlled action (as set out in this document).

~~Information on the EPBC Act can be obtained from the Australian Department of Agriculture, Water and the Environment website⁴ or by calling 1800 803 772.~~ Subject to future determinations, other portions of the major infrastructure project may be determined to be a controlled action and assessed under these planning criteria by an accreditation of the Tasmanian Government's assessment under the MIDA Act or may be assessed separately by the Australian Department of Agriculture, Water and the Environment.

Information on the EPBC Act can be obtained from the Australian Department of Agriculture, Water and the Environment website² or by calling 1800 803 772.

⁴ www.environment.gov.au/epbc/

² www.environment.gov.au/epbc/

Contents of the EIS

Executive Summary

An executive summary of the EIS should be included to provide a clear and concise overview of the proposal, its environmental implications, the approvals process and the function of the EIS in the context of the approvals process.

For a longer EIS, it is recommended that the executive summary be written as a stand-alone document, able to be provided on request to interested parties who may not wish to read the full EIS.

Table of Contents

A table of the contents of the report with reference to the relevant page numbers. It should also contain a list of figures and tables.

List of Abbreviations

A list of the abbreviations, acronyms and, if relevant, a glossary of terms used in the EIS.

Key Issues to be addressed

While the EIS should evaluate all potential effects of the proposal, it should be principally focused on the key issues identified in the table below. The level of detail provided on other issues should be appropriate to the level of significance of that issue for the proposal. Variables or assumptions made in the assessment must be clearly stated and discussed. The extent to which the limitations, if any, of available information may influence the conclusions of the environmental assessment should be discussed.

The key issues identified for this proposal, which should be the focus of the EIS, are:

Key Issues	
1.	Potential effects on threatened fauna
2.	Potential effects on threatened flora and ecological communities.

The minimum survey requirements and studies required in relation to these key issues are provided in the relevant sections of these guidelines.

It should be noted that other matters deemed to be significant or matters that emerge as significant from environmental studies, public comments or otherwise during the course of the preparation of the EIS, should not be excluded from consideration.

All discussions and conclusions should include a full justification based on best available information, including relevant conservation advices, recovery plans, threat abatement plans and guidance documents, if applicable. Australian Government documents regarding listed threatened species and ecological communities and listed migratory species can be found at: <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>

1. Introduction

~~1.1 Provide~~ The introduction of the EIS must include information on the following:

- (a) Proponent details, including name of proponent (legal entity and trading name), registered address and ABN/ACN number(s) (where relevant).
- (b) General background information on the proponent, such as relevant development and operational experience.
- (c) General background information on the proposal, including the current status of the proposal, an overview of the principal components of the proposal, the proposal location, anticipated establishment costs, likely markets for the product, and the possibilities for future expansion.
- (d) An examination of how the proposal relates to any other proposals that have been or are being developed, or that have been approved in the region affected by the proposal.
- (e) Environmental legislation, standards and guidelines that will be applicable, such as, policies, regulations and industry codes of practice.
- (f) Other relevant Commonwealth, State and local Government policies, strategies and management plans with which the proposal would be expected to comply.
- (g) Details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the person proposing to take the action.
- (h) If the person proposing to take the action is a corporation, details of the corporation's environmental policy and planning framework should be described.

2. Proposal Description

~~The proposal description section of the EIS must include all relevant matters listed in sections 2.1 to 2.5, including:~~ information listed below should be provided.

General note

- ~~(a) Provide~~ a full description of the proposal, including construction, commissioning, operational and decommissioning phases, as well as any infrastructure and off-site ancillary facilities required for the proposal.
- ~~(b) Aa~~ detailed description should be provided of key physical components of the proposal, including their function, composition, size, capacity, operational life, technical and performance requirements, inter-relationships and method of construction, operation and maintenance.

~~The information listed below should be provided.~~

2.1 General

- ~~(a) Description of T~~ the major items of equipment and on-site facilities ~~should be described.~~ Detailed technical information on major items of equipment may be included in appendices.
- ~~(b)~~ Details of the transmission line ~~–include~~ including all ancillary infrastructure, such as, any underground cable/service, transition structure, associated tracks and temporary laydown areas and construction yards.

- (c) Details of any major infrastructure project activities that may impact on a matter of national environmental significance that is protected under Part 3 of the EPBC Act, where the use or development is not subject to the Land Use Planning and Approvals Act 1993.
- (d) Details of remediation activities and operational activities, such as, vegetation management.
- (e) The number of towers, transmission line length, and transmission line easement width should be specified.

2.2 Construction

- (a) A step-by-step description and timetable for significant activities during the construction phase of the proposal. Indicative timeframes for the completion of major steps, and the likely sequencing of steps.
- (b) Details of any pre-construction works, including site preparation works, and any temporary or permanent removal of vegetation including, stockpiling of vegetation, erosion control measures and the potential transport of pollutants, such as, suspended solids, from areas of disturbance during construction.
- (c) Details of any pre-clearance surveys to be carried out prior to commencement of construction, including flora and fauna and geotechnical studies.
- (d) Estimates of the quantities of major raw materials required for construction, such as, gravel, sand, aggregate and water, including how and where these will be sourced, such as, on-site or off site.
- (e) Details of the width of the transmission line easement, requirements for access to the easement and any restrictions on land use, development and access within the easement.
- (f) Nature, capacity and location of temporary construction equipment required on-site, such as, brake and winch sites, staging and laydown areas.
- (g) Volume, composition, origin, destination and route for vehicle movements likely to be generated during the construction phase, including a breakdown for over-dimension and heavy vehicles.
- (h) Information on the number of construction workers required in the various stages of construction, sources of labour, transport of workers to and from the site, accommodation, and support servicing requirements.
- (i) Proposed hours per day and days per week of construction activities.

2.3 Commissioning

- (a) A step-by-step description of major commissioning activities, if any, following installation of equipment. Indicative timeframes for the completion of major steps, and the likely sequencing of steps.
- (b) Describe the point at which commissioning will be considered completed ~~should be described~~.

2.4 Operation and maintenance

- (a) Description of the operational and maintenance requirements, such as, frequency of maintenance activities, equipment access and hardstand requirements.
- (b) Details of the design life for major project components.
- (c) The volume, composition, origin, destination and route for vehicle movements likely to be generated during the operational phase.

2.5 General location map and site plan

In addition to the application requirements in clause 3.1 of the planning criteria, the EIS must contain a general location map which identifies the following:

- (a) The location of the proposal site (transmission line route/easement, switching station, proposed ancillary infrastructure), proposed access tracks
- (b) Topographical features, aspect and direction of drainage, location of waterways and waterbodies (including ephemeral)
- (c) Existing nearby electricity transmission lines / substations
- (d) Surrounding land use, including areas of conservation or recreational significance.
- (e) Site plans which identify the proposal site and which include the following (where relevant).
- (f) The boundary of the proposal site in relation to land titles. Coordinates of the proposal site should be provided.
- (g) The location of the transmission line route.
- (h) The position of buildings, significant structures on the site (existing and proposed) and proposed tracks.
- (i) The location of all facilities including raw materials storage areas, loading/unloading areas.
- (j) The locations of temporary and permanent storage areas for fuels, oils, reagents and other hazardous goods or chemicals.

3. Project Alternatives

The project alternatives section of the EIS must include the following:

- (a) ~~Describe T~~the rationale for the proposed particular major infrastructure project ~~proposed should be described~~.
- (b) ~~Describe A~~ description of the site selection process, including site selection criteria, alternative sites considered and an assessment of those alternatives. The assessment should must compare alternatives according to clearly defined environmental, social, economic and technical considerations, and provide a justification for the preferred site. ~~Detail T~~the effect that any community consultation undertaken had on the selection process ~~should be detailed~~.
- (c) A critique of other available relevant technologies and the reason for the selection of the preferred technology, including from an environmental perspective³, ~~should be included where relevant. Transparency around alternatives and the criteria on which decisions have been based is encouraged as it can lead to better outcomes~~. Short, medium and long-term advantages and disadvantages of the options should may be discussed.
- (d) For any part of the proposal where alternative technologies, materials, design options or management practices with different environmental consequences may exist, identification of the alternatives ~~should be identified~~, their environmental performance evaluated and the reason for the proposed choice justified, including a comparative description of the effects of each alternative on Matters of National Environmental Significance (MNES).
- (e) ~~DA description of how the Aa~~ alternatives ~~should~~ have regard to best practice environmental management, including those measures listed under section 4(2) of the EMPC Act.

³ Transparency around alternatives and the criteria on which decisions have been based is encouraged as it can lead to better outcomes.

4. Public Consultation

The public consultation section of the EIS must include:

- (a) ~~DD~~ Details of the nature and results of public consultation undertaken, if any, by the proponent during project planning and preparation of the EIS.
- (b) ~~Details of, as well as~~ any proposals for further public consultation during and beyond project implementation.

5. The Existing Environment

The existing environment section of the EIS must include all relevant matters listed in sections 5.1 and 5.2, including: ~~information listed below should be provided.~~

- (a) ~~Describe~~ A description of the proposed site location and ~~provide~~ an overview of the existing environment, which may be affected by construction, and operation of the proposal, including areas associated with any ancillary activities.
- (b) ~~Include~~ Details of salient features of the existing environment and, where appropriate, include maps, plans, photographs, diagrams or other descriptive detail.

The following details should be included.

5.1 Environmental aspects

- (a) A description of the general physical characteristics of the site and surrounding area, including topography, local climate, geology, geomorphology including karst, soils including erodibility and acid sulphate soils, vegetation, fauna, groundwater and surface drainage including waterways, lakes, wetlands, coastal areas and the like.
- (b) An assessment of the probability of acid sulfate soils (ASS) being present, with reference to the Tasmanian Acid Sulfate Soil Management Guidelines⁴ (the ASS guidelines).
- (c) A description of natural processes of particular importance for the maintenance of the existing environment, such as, fire, flooding, and the like.
- (d) Any existing conservation reserves located on or within 500m of the site.
- (e) Any high quality wilderness areas identified in the Tasmanian RFA in the vicinity of the site.
- (f) Information on species, including listed threatened species and ecological communities under the EPBC Act, that are likely to be present in the vicinity of the site.
- (g) Information on sites or areas of landscape, aesthetic, wilderness, scientific or otherwise special conservation significance which may be affected by the proposal. Relevant information resources include the LIST⁵ and the Natural Values Atlas⁶.
- (h) Any available ambient monitoring results for the vicinity of the proposed development, in tabular or graphical form. The results may be summarised, such as, by annual averages, if the summary will provide adequate information.
- (i) If the proposal is associated with an existing activity, information on current regulatory approvals and licences ~~should~~ must be provided.

⁴ <http://dpiwwe.tas.gov.au/Documents/ASS-Guidelines-FINAL.pdf>

⁵ www.thelist.tas.gov.au

⁶ <https://www.naturalvaluesatlas.tas.gov.au>

5.2 Socio-economic aspects

Briefly describe the existing social and economic environment that may be affected by the proposal, which may include information on the following:

- (a) A summary of the social or demographic characteristics of the population living in the vicinity of the proposal site, identifying any special characteristics which may make people more sensitive to impacts from the proposal than might otherwise be expected.
- (b) A summary of the characteristics of the regional economy, and local ~~and~~ economy, on a sector by sector basis. ~~regional economy.~~

6. Potential Impacts and their Management

The potential impacts and their management section of the EIS must include all relevant matters listed in sections 6.1 to 6.13, and be prepared having regard to the guidance provided in 6.0.1 to 6.0.11.

6.0.1 Guide to preparing this section

While some details of the proposal may not be finalised at the time the EIS is submitted, the information in the document should be as up to date as possible. Where information is unavailable or details have not yet been finalised, estimates and the range of alternative options should be provided. However, sufficient technical detail must be provided to enable an appropriate level of assessment. For each potential impact the following should be discussed.

6.0.2 Existing conditions

Outline the existing conditions relevant to the impact.

6.0.3 Performance requirements

Identify the environmental performance requirements to be achieved for each environmental impact and provide evidence to demonstrate that these can be complied with. These may be standards or requirements specified in legislation, codes of practice, state policies, and national guidelines including relevant recovery plans and conservation advices, or as determined by agreement with the assessing agencies. Industry best practice standards should be referred to where appropriate, and all assertions that performance requirements will be achieved must be supported by evidence.

6.0.4 Potential impacts

Outline the potential environmental, social and economic impacts of the proposal, both positive and negative, through all stages, including construction, operation and closure, in the absence of special control measures. Any foreseeable variations in impacts during the start-up and operational phases should be identified.

The level of detail provided on each issue should be appropriate to the level of significance of that environmental issue to the proposal.

6.0.5 Environmental impacts

The EIS must include a description of all of the relevant impacts of the action, including impacts the proposal will have or is likely to have on environmental matters protected under EMPC Act, and EPBC Act listed threatened species and communities (section 18 and 18A)

Impacts during both the construction, operational and (if relevant) the decommissioning phases of the project should be addressed, and the following information provided:

- (a) ~~(a)~~ — a detailed assessment of the nature and extent of the likely short-term and long-term relevant impacts;
- (b) ~~(b)~~ — a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;
- (c) ~~(c)~~ — analysis of the significance of the relevant impacts; and
- (d) ~~(d)~~ — any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

The EIS should identify and address cumulative impacts, where potential project impacts are in addition to existing impacts of other activities (including known potential future expansions or developments by the proponent and other proponents in the region and vicinity).

The EIS should also address the potential cumulative impact of the proposal on ecosystem resilience. The cumulative effects of climate change impacts on the environment must also be considered in the

assessment of ecosystem resilience. Where relevant to the potential impact, a risk assessment should be conducted and documented.

The evaluation of potential impacts should identify plausible worst case consequences, the vulnerability of the affected environment to the potential impacts, and the reversibility of the impacts.- Interactions between biophysical, socio-economic and cultural impacts should be identified.

Predictions and evaluations of impacts should be based on scientifically supportable data. Direct, indirect, cumulative and facilitated impacts should all be identified. The methodologies used or relied on should be referenced, together with the relevant research and investigations supporting them. Assumptions, simplifications and scientific judgements should be stated clearly, and the nature and magnitude of uncertainties should be clearly defined. Where relevant, the choice of a particular methodology over alternative methodologies should be explained. Where impacts are not quantifiable, they should be adequately described.

Where positive benefits are claimed explain what measures are to be taken to ensure that those positive outcomes are realised and sustained.

6.0.6 Economic and social impacts

The economic and social impacts of the action, both positive and negative, must be analysed. Matters of interest may include:

- (a) ~~(a)~~ ——— projected economic costs and benefits of the project, including the basis for their estimation through cost/benefit analysis or similar studies;
- (b) ~~(b)~~ ——— employment opportunities expected to be generated by the project (including both construction and operational phases), with particular emphasis on local employment opportunities.

Economic and social impacts should be considered at the local, regional and national levels. Details of the relevant cost and benefits of alternative options to the proposed action, as identified in section 3 Project Alternatives~~above~~, should also be included.

6.0.7 Avoidance and mitigation measures

Describe the measures proposed to avoid or mitigate potential adverse impacts, including having regard to best practice environmental management as defined in the EMPC Act, in order to achieve the environmental performance requirements, such as, through pollution control technology or management practices.

Describe any statutory or policy basis for the proposed measures.

Detail the extent to which the proposed measures will overcome the anticipated impacts should be specified and the ongoing management and monitoring measures, and the party responsible for each measure. Where there are clear, alternative avoidance or mitigation measures for a particular adverse environmental impact, the alternatives should be reviewed and the preferred option justified. Include discussion of the achievability of the measures, including affordability.

Where pollution control equipment or treatment processes are key factors in achieving satisfactory environmental performance, discuss contingencies in the event of breakdown or malfunction of the equipment or processes ~~should be discussed~~. It should be demonstrated that the maintenance of pollution control equipment can be provided for without causing performance requirements to be exceeded.

Where measures to control environmental impacts are necessary, but will not be undertaken by the proponent, the means by which the proponent will ensure that the necessary measures are implemented should be identified, such as, lease conditions, trade waste agreement, contractual arrangement or other binding third party commitment.

6.0.8 Environmental management plan

Provide a detailed outline of an Environmental Management Plan (EMP) that sets out the framework for management, mitigation and monitoring of relevant impacts of the action, including any provisions for independent environmental auditing.

The EMP must address the project phases (construction, operation, decommission) separately. It must state the environmental objectives, performance criteria, monitoring, reporting, corrective action, responsibility and timing for each environmental issue.

The EMP should also describe contingencies for events such as failure of systems, heavy or prolonged rainfall, and the like.

6.0.9 Assessment of net impacts

Provide an assessment of the overall impacts of the development on the environment after allowing for the implementation of proposed avoidance and mitigation measures. This should include an evaluation of the significance of impacts, the potential for emissions to cause environmental and health impacts and comparison with state, national and international regulations and standards. Any net benefits likely to result from the proposal should be identified.

Discuss the impacts of the proposal in terms of the constraints or benefits it may place on the current or future use of land within the proposal site and surrounding area as a result of environmental impacts or emissions, including impacts on other uses, particularly sensitive uses.

6.0.10 Offsetting unavoidable adverse impacts

If adverse residual environmental impacts from the proposal are considered unavoidable despite the adoption of best practice environmental management avoidance and mitigation measures, then proposals to offset such impacts should be detailed. For example, if the loss of conservation values, community assets or amenities is considered unavoidable, measures to offset these losses should be proposed in proportion to the loss. Any offset actions proposed must be demonstrated to be 'real' actions. Offset actions must have a measurable and relevant benefit which would otherwise not have occurred.

6.0.11 Commonwealth offsets

Describe and evaluate proposed measures to manage residual effects of the project on MNES, including an outline of an offset strategy and Offset Management Plan (OMP) that sets out proposed environmental offsets to satisfy Commonwealth offset policy requirements.

Describe how the offset/s will be secured, managed and monitored, including management actions, responsibility, timing, performance measures and the specific environmental outcomes to be achieved.

Outline the key commitments and management actions for delivering and implementing a proposed offset through an OMP.

Proposed offset must meet the requirements of the *EPBC Act Environmental Offsets Policy* (October 2012)⁷, Australian Department of Sustainability, Environment, Water, Population and Communities.

6.1 Key Issue 1: Threatened fauna

Discuss impacts of the transmission line and any other ancillary infrastructure on threatened fauna including:

- (a) Information about the identification of threatened fauna including survey data and historical records. Details of surveys undertaken, including survey effort, timing and an assessment of the adequacy of the surveys.

⁷ www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy

(b) Surveys must be undertaken in all areas proposed to be impacted, including but not limited to corridors, tower locations, power stations, substations, switching stations, access tracks and roads, and laydown areas. Surveys must be undertaken in accordance with the Department of Primary Industries, Parks, Water and Environment (DPIPWE) Guidelines for Natural Values Surveys related to Development Proposals⁸.

- (c) A detailed assessment of any likely impacts that the proposal may facilitate on fauna listed under the relevant sections of the EPBC Act and the *Threatened Species Protection Act 1995* (TSP Act) and/or habitats for those species, including:
 - (i) Spotted-tailed Quoll (*Dasyurus maculatus maculatus*) – vulnerable
 - (ii) Tasmanian Wedge-tailed Eagle (*Aquila audax fleayi*) – endangered
 - (iii) Tasmanian Devil (*Sarcophilus harrissi*) – endangered
 - (iv) Eastern Quoll (*Dasyurus viverrinus*) – endangered
 - (v) Ptunarra Brown Butterfly (*Oreixenica ptunarra*) – endangered
 - (vi) Swift Parrot (*Lathamus dicolour*) – critically endangered
- (d) Maps, detailing known recorded populations and known or potential habitat, including habitat in the area surrounding the proposed action.
- (e) Impacts on species and habitats, with particular reference to rare and threatened species, migratory species and habitats, including aquatic fauna and those listed under the relevant Schedules of the EPBC Act and the TSP Act. In particular, an assessment of direct and indirect impacts, including both short and long term, arising from the proposal, including
 - (i) construction of new electricity infrastructure;
 - (ii) routine infrastructure inspections;
 - (iii) routine and emergency maintenance of infrastructure including vegetation management;
 - (iv) use of access tracks for routine and emergency operations and maintenance;
 - (v) unauthorised public access or use via ungated access tracks;
 - (vi) the presence of new electricity infrastructure.
- (f) The potential for migration and/or introduction of pests (such as, feral animals) and animal diseases as a result of the proposal, including the potential for cleared easements to facilitate predator access. Reference ~~should~~must be made to potential impacts of vehicle movements on wildlife as a result of the proposal.
- (g) ~~It is recommended that~~ Where practical, areas of construction activity and infrastructure must be sited to avoid locations and potential habitat of threatened fauna, their burrows/nests, and suitable habitat. Where impacts cannot be avoided, any proposed measures to mitigate or offset adverse impacts on biodiversity and nature conservation values ~~should~~must be presented.

~~Surveys should be undertaken in all areas proposed to be impacted, including but not limited to corridors, tower locations, power stations, substations, switching stations, access tracks and roads, and laydown areas. The land should be surveyed in accordance with the Department of Primary Industries,~~

⁸ <http://dPIPWE.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments>.

Threatened eagle species

Impacts of the proposed transmission line are likely to include mortality or injury of avifauna through electrocution and collision with transmission lines as well as habitat loss and disturbance. Species of particular concern include the white-bellied sea-eagle (*Haliaeetus leucogaster*) (listed threatened under the TSP Act) and the wedge-tailed eagle (*Aquila audax subsp. fleayi*) (listed as threatened under the TSP Act and endangered under the EPBC Act), and collision with electricity infrastructure is recognised as a major threat to these species.

An eagle nest survey ~~is required to~~must be undertaken ~~which and is to~~ covers all potentially suitable nesting habitat within the project area and at least 1km outside of the project boundary. ~~The results should be used to inform development activities and infrastructure layout.~~

Given the use of helicopters in “stringing” distribution lines and the associated risks, including risks to both eagles and humans, from operating hovering helicopters near eagle nests during their breeding season, ~~a very high threshold of eagle-nest survey effort is required, it is highly recommended that:~~

- ~~(a) A very high threshold of eagle-nest survey effort be used.~~ Survey effort ~~should~~must be detailed: including the method and route, with search routes provided in an ArcGIS file formats; reviewed along with nest observations, and habitat model data; and should be undertaken by a suitably qualified person.
- ~~(b) If the use of helicopters is likely in maintenance and repair operations of transmission lines (excluding emergency access and repairs) during the eagle breeding season, transmission lines should~~must be located not less than 1,000m from known eagle nests. Nest search surveys should take this into account.
- ~~(c) Further monitoring of nest activity~~ must be carried out, to determine utilisation of nests identified during eagle-nest surveys.
- ~~(d) Additional nest searches are~~ to be carried out annually until construction, to detect new nests, so that project works and the siting of infrastructure can be shifted to avoid nests by not less than 1,000m, where ~~possible~~practicable.

Surveys ~~should~~must be undertaken following one of the methods outlined in Section 4 of the *Forest Practices Authority (FPA) guidelines*¹⁰ for nest searches, by a suitably qualified person. If there is not suitable access to undertake surveys on foot, a survey by helicopter will be required (note nest searches should be conducted outside the eagle breeding season, July to January inclusive).

~~Provide A an thorough~~ assessment of the use of the project area by threatened eagles ~~is required~~, including:

- ~~(a) nest locations and potential nesting habitat;~~
- ~~(b) viewshed analyses on any nests within 500m of the final alignment;~~
- ~~(c) the different types of powerline, such as transmission or distribution and the associated risks;~~
- ~~(d) what commitments will be made to ensure that potential impacts on eagles will be avoided or mitigated;~~
- ~~(e) where residual impacts remain, how these impacts will be addressed, such as, by offsets; and~~

⁹ ~~<http://dPIPWE.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments>~~

¹⁰ http://www.fpa.tas.gov.au/_data/assets/pdf_file/0012/110208/Fauna_Tech_Note_1_Eagle_nest_management_May_2015.pdf

- (f) what level of monitoring, post-construction, will be undertaken to detect collisions. Ideally, proposed monitoring activities should be informed by an assessment of the ability to detect carcasses, which in turn may be informed by scavenging and detectability trials.

6.1.2 Other threatened avian species

- (a) Identify ~~Other~~ other threatened avian species which could be expected to occur within the development area ~~should be identified~~.
- (b) ~~An assessment of~~ Include an assessment of potential impacts on these species and proposed mitigation measures ~~should be included, where appropriate~~.

6.1.3 Threatened terrestrial fauna and invertebrates

The area covered by the project includes Tasmanian Devil populations that have been exposed to Devil Facial Tumour Disease, one of the species' key threats, for a moderate length of time, suggesting that the populations will be small and vulnerable to any increased risk.

- (a) Surveys for Tasmanian Devils and Devil dens ~~should~~ must be undertaken in accordance with the DPIPWE Survey Guidelines and Management Advice for Development Proposals that May Impact on the Tasmanian devil¹¹ (the Devil guidelines).
- (b) In the absence of specific guidelines for quolls, apply the Devil guidelines ~~can be applied~~, given they have similar habitat requirements and are susceptible to a similar range of threats.
- (c) Surveys, assessment and proposed management measures ~~should~~ must address all potential impacts to the species, including vegetation clearance and ground disturbance, increased habitat fragmentation, impacts to dens, changes to food resources, roadkill management, changes in land use and changes to fire regimes.
- (d) Suitable denning habitat is ~~required~~ to be mapped in relation to the position of proposed infrastructure to assist in determining a layout that minimises impacts on devils and quolls. Once the final layout has been determined, den surveys ~~should~~ must be conducted prior to construction in accordance with the Devil guidelines.
- (e) If any Tasmanian Devil, Eastern Quoll or Spotted-tailed Quoll dens are found within the proposal area, the EIS ~~should~~ must provide proposed monitoring and management of the dens in accordance with the Devil Guidelines.
- (f) The EIS ~~is required~~ must to consider the likely impacts of any increase in traffic on-site and off site, and their potential impacts on native fauna, particularly threatened species. If the proposal is likely to result in an increase in traffic volume or speed, of 10% or more, then measures to mitigate roadkill impacts ~~should~~ must be included in the EIS. The EIS ~~should~~ must outline how killed and injured fauna will be managed.
- (g) If after avoidance and mitigation measures are applied, residual impacts to the species are identified, ~~then any~~ offset proposal ~~should~~ must be included in the EIS.

Surveys ~~should~~ must be conducted for threatened terrestrial invertebrates including the Ptunarra Brown Butterfly (*Oreixenica ptunarra*), including:

- (a) mapping of potential habitat and known locations for the species; ~~and~~
- (b) ~~A~~ an assessment of the potential impacts of the proposal on the species, and proposed avoidance and mitigation measures.

Disturbing the ground adjacent to Ptunarra Brown Butterfly locations has been shown to lead to an increase in European wasp numbers and consequently increased predation on the butterflies. It is

¹¹ <https://dPIPWE.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf>

recommended that construction areas, such as hard stands and roads, are sited a minimum distance of 500m away from Ptunarra Brown Butterfly habitat.

6.1.4 Legislative and policy requirements

Regard ~~should~~must be given to the *Significant Impact Guidelines 1.1 - Matters of National Environmental Significance*, the *Environment Protection and Biodiversity Conservation Act Environmental Offsets Policy*, the *Natural Heritage Strategy for Tasmania*¹² and the *Threatened Species Strategy for Tasmania*¹³.

All surveys ~~should~~must make reference to relevant survey guidelines, including an assessment of the adequacy and appropriateness of the surveys with respect to these guidelines. Documents regarding listed threatened and migratory species can be found at: <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>.

Other threatened fauna species which could be expected to occur within the development area ~~should~~must be assessed. An assessment of potential impacts on these species and proposed mitigation measures ~~should~~is to be included, where appropriate.

6.2 Key Issue 2: Threatened flora and vegetation communities

6.2.1 Threatened flora and vegetation communities

Discuss impacts of the transmission line and any other ancillary infrastructure on threatened flora species and ecological communities including:

- (a) Information about the identification of threatened flora and vegetation communities including survey data and historical records. Details of surveys undertaken, including survey effort, timing and an assessment of the adequacy of the surveys;
- (b) Information detailing known/recorded populations and known or potential habitat, including habitat in the area surrounding the proposed action;
- (c) A map (or maps) of existing vegetation and type, threatened species and threatened native vegetation communities;
- (d) Clearing and ongoing vegetation management of native vegetation and habitat associated with the construction and maintenance of the proposal and the impact of any clearing on sites, species or ecological communities of special conservation significance, including any impact on the comprehensive, adequate and representative reserve system identified as part of the Tasmanian RFA, maintenance of forest communities under the Tasmanian Government Policy for Maintaining a Permanent Native Forest Estate 2017, and wildlife habitat strips under the Tasmanian Forest Practices Code 2020 and on non-forest communities;
- (e) A detailed assessment of any likely impacts that the proposal may facilitate on flora, and vegetation communities listed under the relevant sections of the EPBC Act and the TSP Act and/or habitat for those species and communities, including:
 - ⊖(i) Lowland Native Grasslands of Tasmania ecological community – critically endangered
 - ⊖(ii) Hoary Sunray, Grassland/ Paper daisy (*Leucochrysum albicans* var. *tricolor*) – endangered
 - ⊖(iii) Crowded Leek-Orchid (*Prasophyllum crebiflorum*) – endangered
 - ⊖(iv) Native Wintercress (*Barbarea australis*) – endangered

¹² [https://dppwe.tas.gov.au/conservation/natural-heritage-strategy-\(2013-2030\)](https://dppwe.tas.gov.au/conservation/natural-heritage-strategy-(2013-2030))

¹³ <https://dppwe.tas.gov.au/Documents/threatspstrat.pdf>

- ~~(f) This should include d~~Details on any direct or indirect loss, disturbance and/or degradation of listed or other protected species and vegetation communities as a result of:
 - ~~(i)~~ construction of new electricity infrastructure;
 - ~~(ii)~~ routine infrastructure inspections;
 - ~~(iii)~~ routing and emergency maintenance of infrastructure, including vegetation management;
 - ~~(iv)~~ use of access tracks for routine and emergency operations and maintenance;
 - ~~(v)~~ unauthorised public access or use via ungated access tracks;
- ~~(g)~~ It is recommended that areas of construction activity and infrastructure be sited to avoid locations and potential habitat of threatened flora and suitable habitat. Where impacts cannot be avoided, any proposed measures to mitigate or offset adverse impacts on biodiversity and nature conservation values should be presented;
- ~~(h)~~ The potential for migration and introduction of pests (such as, feral animals), weeds and plant and animal diseases as a result of the proposal, including *Phytophthora cinnamomi*;
- ~~(i)~~ Proposed measures to avoid or reduce impacts to threatened flora and vegetation communities;
- ~~(j)~~ Where impacts cannot be avoided, proposed measures to mitigate and/or offset adverse impacts on biodiversity and nature conservation values must be presented; and
- ~~(k)~~ Rehabilitation of disturbed areas following the completion of construction activities and cessation of the activity, including any proposed seed collection and progressive rehabilitation program.

6.2.2 Threatened flora surveys

Flora surveys are ~~required~~ to be:

- ~~(a)~~ -undertaken in areas proposed to be impacted by the proposed development. ~~Surveys should be~~
- ~~(b)~~ undertaken in all areas proposed to be impacted, including corridors, tower locations, power stations, substations, switching stations, access tracks/roads and laydown areas. ~~Flora surveys should be~~
- ~~(c)~~ conducted at appropriate times of the year to detect threatened flora that may occur in the area (i.e. during the flowering periods of candidate species), in accordance with the Guidelines for Natural Values Surveys related to Development Proposals¹⁴. This ~~is likely to may~~ require multiple surveys at different times of the year.

6.2.3 Threatened vegetation communities

Vegetation community ground surveys and vegetation mapping ~~must be provided for of~~ all areas proposed to be directly and indirectly impacted (i.e. corridors cleared of vegetation may impact adjacent vegetation through edge effects) ~~is required to be undertaken~~, to verify the actual distribution and condition of communities listed under the *Nature Conservation Act 2002*.

If threatened vegetation communities are present, then information ~~should must~~ be provided on the measures that will be taken to avoid, mitigate or offset any potential impacts.

¹⁴ <https://dpiwve.tas.gov.au/conservation/development-planning-conservation-assessment/survey-guidelines-for-development-assessments>

6.2.4 Weeds and diseases

Mapping of weed occurrences ~~should~~must be included in the natural values survey, particularly for areas proposed to be disturbed by the development.

-A weed and disease management plan ~~should~~must be included with the EIS to outline how this issue will be addressed, and how impacts on natural values will be avoided or mitigated.

6.2.4 Legislative and policy requirements

Regard ~~should~~must be given to the *Significant Impact Guidelines 1.1 - Matters of National Environmental Significance*, the *Environment Protection and Biodiversity Conservation Act Environmental Offsets Policy*, the *Natural Heritage Strategy for Tasmania* and the *Threatened Species Strategy for Tasmania*, *Nature Conservation Act 2002*, *Forest Practices Act 1985*, *Forest Practices Regulations 2017*, the *Forest Practices Code 2020* and *Policy for Maintaining of the Permanent Native Forest Estate 2017*.

All surveys ~~should~~must make reference to relevant survey guidelines, including an assessment of the adequacy and appropriateness of the surveys with respect to these guidelines. Documents regarding listed threatened species and ecological communities can be found at:

<http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>.

6.3 Other Biodiversity and Natural Values

6.3.1 Other Biodiversity and Natural Values

Discussion of impacts of the proposal on biodiversity and nature conservation values (terrestrial and aquatic) must include ing relevant matters listed in subsections 6.3.2 to 6.3.4, including:

- (a) Information on how impacts to identified biodiversity and nature conservation values (terrestrial and aquatic) values will be avoided.
- (b) Impacts on other species, sites or areas of special conservation significance, including areas of wilderness, scientific, or geodiversity value.
- (c) Where impacts cannot be avoided, any proposed measures to mitigate or offset adverse impacts on biodiversity and nature conservation values must be presented.

6.3.2 Aquatic ecosystems

- (a) Identify any freshwater ecosystems of high conservation management priority using the Conservation of Freshwater Ecosystem Values (CFEV) database¹⁵. The scope of investigation ~~should~~ must encompass the vicinity of the proposed development where there is likelihood of alteration to the existing environment. The specific CFEV information used for EISs ~~should~~ is to be Conservation Management Priority Potential which is appropriate for development proposals.
- (b) In regard to aquatic environments in particular, information on how impacts will be avoided, such as, sedimentation, runoff, erosion controls, protection of riparian vegetation, and the like, noting that:
 - (i) aquatic habitats with records of threatened fauna should be avoided;
 - (ii) it is recommended that roading across water bodies/courses be avoided where possible, to prevent ongoing disturbance to aquatic environments;
 - (iii) if roading across such stream sections is unavoidable, it is recommended that stream sections are culverted/bridged, and riparian vegetation remain uncleared on either side of access tracks and that siltation traps should be installed in roadside gutters near where water enters the stream (for minimum standards see the Forest Practices Code 2020);
 - (iv) where riparian vegetation has been retained under a previous Forest Practices Plan, all effort should be made to avoid disturbance/damage to the vegetation¹⁶;
 - (v) redirection of waterways and flow changes should be avoided in catchments containing threatened species; and
 - (vi) buttongrass plains, wetlands and swampy sites should be avoided where practicable, in areas where threatened burrowing crayfish are present.

6.3.3 Geoconservation

- (a) Impacts on sites of geoconservation significance or natural processes, such as, karst, fluvial or coastal features, including sites of geoconservation significance listed on the Tasmanian Geoconservation Database. The following tasks ~~should~~ must be undertaken based on both desk-top analysis and field surveys of the proposed development site and the surrounding area:
 - (i) Broadly characterise the geodiversity, including geology, geomorphology, soils and hydrology, of the area within the vicinity of the proposal;

¹⁵ <https://wrt.tas.gov.au/cfev>

¹⁶ The Forest Practices Authority is able to provide advice on Forest Practices Plans.

- e(ii) Review available data and existing reports on geodiversity values and geomorphic process within the vicinity of the proposal;
- e(iii) Assess the site for geodiversity values in the vicinity of the proposal. The Tasmanian Geoconservation Database is a source of information about geodiversity features, systems and processes of conservation significance and is available as part of the Natural Values Atlas. However, the absence of identified values at a location may reflect gaps in the database and ~~should is not be taken as~~ conclusive evidence that geodiversity values are not present. In that situation, an appropriate site-based assessment may be required;
- e(iv) Identify and document the existing condition and sensitivity of geodiversity values and any existing threats to those values within the vicinity of the proposal;
- e(v) Identify any current geomorphic process, such as, karst, fluvial, coastal or soil, including acid sulfate, which could be affected by the proposed development, both on-site and off site;
- e(vi) Assess potential impacts of the proposal, by providing an assessment of the likely impacts of the construction and operation of the proposed development on the identified geodiversity values and geomorphic processes, such as, karst, fluvial, coastal or soil identified;
- e(vii) Propose avoidance and mitigation strategies, by providing advice on practicable strategies to avoid, minimise and mitigate the assessed impacts of the construction and operation of the proposed development on the identified geodiversity values and geomorphic processes;
- e(viii) Propose offset strategies where there are no practicable measures to avoid or mitigate the assessed impacts of elements of the proposed development on identified values or processes, and provide advice on potential opportunities to offset the residual impacts, as guided by DPIPWEs General Offset Principles in the Guidelines for Natural Values Surveys related to Development Proposals;
- e(ix) Monitoring success of avoidance, mitigation and offset strategies, by suggesting appropriate monitoring methods to measure the success of proposed avoidance, mitigation and offset strategies; and
- (x) All the above information ~~should~~ must be reported in a format consistent with the Guidelines for Natural Values Surveys related to Development Proposals issued by DPIPWE. In addition to prepared maps, relevant spatial data ~~should~~ must be supplied in ArcGIS file formats.

e6.3.4 Nature Conservation Values

- (a) Impacts on existing conservation reserves which may be affected by the proposal, with reference to the management objectives of each reserve(s) and its reserve management plan, if any.
- (b) Impacts on any high quality wilderness areas identified in the Tasmanian RFA which may be affected by the proposal.
- ~~•(a) Impacts on other species, sites or areas of special conservation significance, including areas of wilderness, scientific, or geodiversity value.~~
- ~~• Information on how impacts to identified values will be avoided.~~
- ~~•(a) In regard to aquatic environments in particular, information on how impacts will be avoided, such as, sedimentation, runoff, erosion controls, protection of riparian vegetation, and the like, noting that:~~
 - ~~e(i) aquatic habitats with records of threatened fauna should be avoided;~~

- ~~◦(i) it is recommended that roading across water bodies/courses be avoided where possible, to prevent ongoing disturbance to aquatic environments;~~
 - ~~◦(i) if roading across such stream sections is unavoidable, it is recommended that stream sections are culverted/bridged, and riparian vegetation remain uncleared on either side of access tracks and that siltation traps should be installed in roadside gutters near where water enters the stream (for minimum standards see the Forest Practices Code 2020);~~
 - ~~◦(i) where riparian vegetation has been retained under a previous Forest Practices Plan, all effort should be made to avoid disturbance/damage to the vegetation¹⁷;~~
 - ~~◦(i) redirection of waterways and flow changes should be avoided in catchments containing threatened species; and~~
 - ~~◦(i) buttongrass plains, wetlands and swampy sites should be avoided where practicable, in areas where threatened burrowing crayfish are present.~~
- ◆ ~~Where impacts cannot be avoided, any proposed measures to mitigate or offset adverse impacts on biodiversity and nature conservation values should be presented.~~

6.4 Air Quality

Discuss potential impacts of the proposal on the local and regional air environment, including:

- ◆(a) identifying any proposed new point source atmospheric discharge points; and
- ◆(b) a description of potential sources of fugitive emissions, including odour and dust that may arise from loading, unloading and transport.

Legislative and policy requirements

Consideration ~~should~~ must be given to the requirements of the Tasmanian *Environment Protection Policy (Air Quality)*¹⁸.

¹⁷The Forest Practices Authority is able to provide advice on Forest Practices Plans.

¹⁸ <http://epa.tas.gov.au/policy-site/Pages/Air-Quality-EPP.aspx>

6.5 Surface Water Quality

Discuss potential impacts of the proposal on surface water, including:

- (a) identifying any points of crossing or other works or disturbance within or adjacent to waterways for the purpose of the proposal;
- (b) details of stormwater management, including during reasonably foreseeable flood events, particularly during construction, including measures to minimise disturbance, and assessing the potential for pollutants to become entrained in stormwater; and
- (c) identifying any proposed new point source liquid emissions, such as waste water and stormwater).

Legislative and policy requirements

It must be demonstrated that the proposal is consistent with the objectives and requirements of relevant water management policies and legislation including the *Water Management Act 1999*, the *State Policy on Water Quality Management 1997*, and the *Tasmanian State Coastal Policy 1996*.

In particular, it must be demonstrated that the proposal will not prejudice the achievement of any water quality objectives set for water bodies under the *State Policy on Water Quality Management 1997*¹⁹. Where water quality objectives have not yet been set, EPA Tasmania ~~should~~ is be consulted to identify the baseline water quality data required to enable the water quality objectives to be determined.

6.6 Noise emissions

Discuss impacts of the proposal on ambient noise levels during construction, including:

- (a) identifying and describing all major sources of noise;
- (b) providing a map of the location of all major sources of noise;
- (c) considering the potential for noise emissions, particularly during construction, to cause nuisance for nearby land users, particularly to a sensitive uses or land in a planning scheme General Residential Zone, Inner Residential Zone or Low Density Residential Zone; and
- (d) considering the potential for the potential for noise emissions to affect terrestrial, marine and freshwater wildlife and livestock.

Legislative and policy requirements

Consideration ~~should~~ must be given to the requirements of the Tasmanian *Environment Protection Policy (Noise)*²⁰.

6.7 Public health

Where not already considered under other environmental issues, discuss any potential impacts of the proposal on public health, including consideration of electromagnetic fields which may be generated by the proposed infrastructure.

¹⁹ <http://epa.tas.gov.au/policy-site/Pages/Water-Quality-Policy.aspx>

²⁰ <https://epa.tas.gov.au/policy/statutory-policies/state-policies-and-environment-protection-policies/environment-protection-policy-%28noise%29-2009>

6.8 Waste Management

Discuss the impacts of waste generated by the proposal, including:

- (a) identifying the source, nature and quantities of all wastes, such as, liquid, atmospheric or solid, and including general refuse and by-products from the various stages of the process likely to be generated;
- (b) identifying methods and facilities proposed to collect, store, reuse, treat or dispose of each waste stream, including maintenance requirements ; and
- (c) describing the source, nature, quantity, and method of treatment, storage and disposal for each controlled waste should be described²¹.

Legislative and policy requirements

Waste management measures must be in accordance with the following hierarchy of waste management, arranged in decreasing order of desirability:

- (a) avoidance;
- (b) recycling/reclamation;
- (c) re-use;
- (d) treatment to reduce potentially adverse impacts; and
- (e) disposal.

6.9 Dangerous goods and environmentally hazardous materials

Discuss impacts of the proposal in relation to dangerous goods and environmentally hazardous materials (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 and includes fuels, oils, waste and chemicals), including:

- (a) the nature, quantity and storage location of all environmentally hazardous materials including Dangerous Goods (as defined in the Australian Code for the Transport of Dangerous Goods by Road and Rail) that will be used during the construction and operation of the proposal;
- (b) Providing a map showing the location of temporary and permanent storage areas for fuels, oils, and other dangerous goods or chemicals;
- (c) describing the measures, such as, bunded areas or spill trays, to be adopted to prevent or control any accidental releases of dangerous goods and environmentally hazardous materials;
- (d) describing 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; and
- (e) identifying any safety management requirements for the protection of human health and safety affecting the community.

6.10 Greenhouse gases and ozone depleting substances

Discuss impacts of the proposal in terms of the evolving national response to climate change and greenhouse gas emissions and the targets set in the *Climate Change Action Plan 2017 – 2021*. Include in the discussion consideration of the potential direct and indirect impacts, both positive and negative, on climate change.

²¹ Note: controlled waste is defined in the EMPC Act and associated regulations. A non-exhaustive listing of categories of controlled waste can be found on the internet at <http://epa.tas.gov.au/regulation/waste-management/controlled-waste>.

Proponents will need to determine whether they are required to report to the Commonwealth under the *National Greenhouse and Energy Reporting Act 2007*.

6.11 Socio-economic issues

Discuss the social and economic impacts of the proposal. Details may include the following:

- (a) An estimate of total capital investment for the proposal and where that capital will be expended.
- (b) Operational expenditures and revenues.
- (c) The impacts on local and State labour markets for both the construction and operational phases of the proposal. The number and nature of direct and indirect jobs arising from the proposal must be detailed, with particular emphasis on local labour markets. Skills and training opportunities should also be discussed.
- (d) The impacts on upstream/downstream industries, both locally and for the State.
- (e) The extent to which raw materials, equipment, goods and services will be sourced locally.
- (f) A qualitative assessment of impacts on local social amenity and community infrastructure, including recreational, cultural, health and sporting facilities and services. Any proposals to enhance or provide additional community services or facilities should be described.
- (g) Community demographic impacts (changes to cultural background, occupation, incomes).
- (h) Impacts on land values, and demand for land and housing.
- (i) Impacts, both positive and negative, on the National, State, local, regional, ~~state and national and local~~ economies, on a sector by sector basis.
- (j) Any publicly funded subsidies or services to be relied upon for the construction or operation of the proposal.
- (k) Any impacts on Local, State and Federal Government rate, taxation and royalty revenues.

The extent to which socio-economic considerations need to be described depends on the nature and extent of any negative impacts or risks to the environment from the proposal.

Modest proposals with relatively low level and localised environmental impacts or risks may only need details of intended capital expenditure, operational expenditures, revenues and employment (distinguishing between direct and indirect employment) and a qualitative discussion of other socio-economic aspects of particular relevance.

Proposals with higher level or broader scale environmental impacts will need a more comprehensive analysis of economic and social benefits. This may include an explanation of the methods used to model impacts and describe the manner and results of engagement with the local community to determine their needs and aspirations in relation to the proposal.

The EIS must provide a brief description of the proposed action in relation to the principles of ecologically sustainable development and the objects and requirements of the EPBC Act, including:

- (a) the long-term and short-term economic, environmental, social and equitable considerations;
- (b) the precautionary principle which states that a lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation where there are threats of serious or irreversible environmental damage;
- (c) the principle of inter-generational equity which states that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;

- (d)the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making; and
- (e)improved valuation, pricing and incentive mechanisms should be promoted.

The National Strategy for Ecologically Sustainable Development (1992)²² is available on the Australian Department of Agriculture, Water and the Environment website.

6.12 Infrastructure and off-site ancillary facilities

Discuss potential environmental impacts of the proposal on any significant off-site infrastructure or facilities (including increased use of existing infrastructure, such as roads, ports and quarries), identify measures to avoid and mitigate any possible adverse impacts and assess the overall impacts following implementation of the proposed avoidance and mitigation measures.

Identify roads and other infrastructure to be used by vehicles for the proposal (during both construction and operation). Potential environmental impacts associated with construction and use of such infrastructure ~~should~~ must be assessed.

6.13 Cumulative and interactive impacts

This section ~~should~~ must contain an assessment of the potential cumulative impacts of the proposal in the context of existing and approved developments in the region, if such impacts have not been addressed in previous sections.

Other proposals which have been formally proposed, and for which there is sufficient information available to the proponent to allow a meaningful assessment of their impacts, ~~should~~ is also to be considered in that assessment. Uncertainties about potential impacts in such cases should be identified.

Interactions between biophysical, socio-economic and cultural impacts of the proposal ~~should~~ must be discussed.

7. Monitoring and Review

~~This section should~~ The monitoring and review section of the EIS must provide an outline of any monitoring, review and reporting programmes for the proposal, including a statement of commitment to implement and proposed measures. The programme ~~should~~ must be designed to meet the following objectives:

- (a)Monitoring of compliance with emission standards and other performance requirements identified in the EIS.
- (b)Assessing the effectiveness of the performance requirements and environmental safeguards in achieving environmental quality objectives.
- (c)Assessing the extent to which the predictions of environmental impacts in the EIS have eventuated.
- (d)Assessing compliance with management measures defined in the EIS.

A map showing the location of all monitoring sites and a table of proposed monitoring including location, parameters and frequency ~~should~~ must be included.

²² <http://www.environment.gov.au/resource/national-strategyecologically-sustainable-development>

8. Decommissioning and Rehabilitation

The EIS ~~should~~must describe an on-going, staged approach to site decommissioning and rehabilitation throughout the proposal life.

A preliminary Decommissioning and Rehabilitation Plan or Closure Plan ~~should~~must be outlined.

9. Management Measures

This section ~~should~~must contain a consolidated management measures table listing all of the management measures made throughout the EIS. Measures must be sequentially numbered, unambiguous statements of intent. For each measure, the table must specify when it is to be implemented and refer to the section of the EIS where the measure is detailed.

10. Conclusion

The EIS must provide an overall conclusion as to the environmental acceptability of the proposal, including discussion on compliance with the ESD principles and the objects and requirements of the EPBC Act.

11. References

This section ~~should~~must provide details of authorities consulted, reference documents etc.

12. Appendices

As a means of improving readability of the EIS document, detailed technical information which supports the EIS should be included in appendices. The salient features of the appendices ~~should~~must be included in the main body of the EIS. Care should be taken to avoid inconsistencies between technical content of Appendices and the EIS itself, unless carefully explained.

13. Glossary

A glossary ~~should~~must be included.

Annexure 3

Copies of request to and advice from Tasfire

TASMANIAN PLANNING COMMISSION



Our ref: DOC/21/5015
Officer: Luke Newman
Phone: 6165 6816
Email: tpc@planning.tas.gov.au

15 January 2021

Mr Mark Chladil
Fire Management Planning Officer
Tasmanian Fire Service

By email: Mark.Chladil@fire.tas.gov.au

Dear Mark

North West Transmission Upgrades Project Advice on bushfire risk

The Commission recently exhibited draft planning criteria for the assessment of the Major Infrastructure Development (North West Transmission Upgrades Project) Order 2020, including referral of the draft planning criteria to the Tasmanian Fire Service (TasFire).

A number of representations received have indicated concern over the potential for 220V transmission lines to increase bushfire risk, or cause bushfires.

Some representations consider that transmission lines raise issues, such as, fire management during a bushfire; the ability to evacuate safely, especially if passing under a transmission line is the only option; the safety of fire fighters and emergency personnel working around transmission lines; and the ability of water bombers working to protect property around transmission lines.

The draft planning criteria include matters that the Commission must consider in its assessment for bushfire-prone areas at clause 5.4.3, limiting this to Hazardous uses or uses containing explosives. The draft planning criteria can be found on the [North West Transmission Line Project Assessment](#) page on the Commission's website as can the representations.

I note that it appears transmission lines are class 10b structures and would not require assessment under the *Building Act 2016* and its regulations.

I am seeking advice from TasFire as to whether there is sufficient potential for transmission lines to cause bushfire or adversely impact on safety during a bushfire emergency that would warrant assessment by the Commission.

If TasFire are of the view there is sufficient risk to warrant assessment, I would appreciate advice on the matters that TasFire consider the Commission should have regard to.

The Commission's requirement to finalise the draft planning criteria is subject to short timeframes and it would be appreciated if you could provide advice by close of business Thursday 21 January 2021.

If you require further information please contact Luke Newman, Planning Advisor on (03) 6165 6816.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sandra Hogue'. The signature is fluid and cursive, with a large initial 'S' and a long, thin tail on the 'e'.

Sandra Hogue
Acting Executive Commissioner



Tasmania Fire Service

Bushfire Risk Unit

File: AD162-02

The Acting Executive Commissioner
Tasmanian Planning Commission
GPO Box 1691
Hobart TAS 7001
tpc@planning.tas.gov.au

Dear Sandra Hogue

NORTH WEST TRANSMISSION UPGRADES PROJECT

ADVICE ON BUSHFIRE RISK

I am writing in response to the Draft Planning Criteria proposed for the Assessment of the North West Transmission Line.

Inclusion of the hazardous use elements of the Bushfire-Prone Areas Code is supported by Tasmania Fire Service (TFS) as a sensible precaution for both the construction and operational phases of this development.

Your letter of January 15 2021 sought advice about bushfire risk associated with the proposed 220 kVA transmission line.

The capacity of these transmission lines to cause fires is very limited. There are no known instances of the 220kVA transmission lines causing ignitions which have resulted in fires in Tasmania. The known fires have been associated with the distribution network lines and their infrastructure. The standards of construction and maintenance applied to infrastructure of this importance are significantly higher than those used for the distribution network. TasNetworks is required to ensure appropriate safety and other standards under the *Electricity Supply Industry Act 1995* and both TasNetworks insurers and the Economic Regulator also monitor TasNetworks performance. As a result, TFS does not expect an increase in fire ignitions through the operation of the transmission line.

You have also sought TFS view about the potential for the transmission line to adversely impact on safety during a bushfire emergency. It is our considered view that while there are obviously going to be operational considerations arising from the nature and placement of the transmission line, these considerations are frequently encountered and dealt with by responders.

State Headquarters Cnr Argyle and Melville Streets | GPO Box 308 Hobart Tasmania 7001 | Phone (03) 6173 2740
Southern Region 1040 Cambridge Road, Cambridge Tasmania 7170 | Phone (03) 6166 5500
Northern Region 339 Hobart Road Youngtown Tasmania 7249 | Phone (03) 6777 3666 | Fax (03) 6345 5860
North West Region 15 Three Mile Line | PO Box 1015 Burnie Tasmania 7320 | Phone (03) 6477 7250 Fax (03) 6433 1551

www.fire.tas.gov.au



As a result, TFS is of the view that there is insufficient increase in risk arising from this proposal to warrant additional assessment requirements by the Commission.

I hope the above is of assistance to the Commission, please contact me if there are further queries about the proposal.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Chladil', written in a cursive style.

Mark Chladil
FIRE MANAGEMENT PLANNING OFFICER

18/01/2021