

Level 6, 134 Macquarie Street, Hobart TAS
GPO Box 1550, Hobart, TAS 7001 Australia

Enquiries: Danielle McPhail
Ph: + 61 3 6165 4571
Email: danielle.mcphail@epa.tas.gov.au
Web: www.epa.tas.gov.au
Our Ref: EN-EM-EV-DE-256427/M394663/Council_1ABC_AcknowledgeDA



7 January 2019

Mr Harry Galea
Acting General Manager
George Town Council
PO Box 161
GEORGE TOWN TAS 7253

planning@georgetown.tas.gov.au

Dear Mr Galea

**REFERRAL OF PERMIT APPLICATION (DA 2018/86)
PATRIARCH & SONS PTY LTD – WOOD PROCESSING FACILITY
(ROTARY PEEL VENEER AND PLYWOOD MILL)**

The Board of the Environment Protection Authority (the Board) has received Council's letter dated 3 January 2019, which referred the above application to the Board as required under section 25(1) of the *Environmental Management and Pollution Control Act 1994* (EMPC Act).

Under delegation from the Board and in accordance with section 25(1D) of the EMPC Act, I have determined that the Board needs to assess the activity to which the application relates.

In my capacity as the Board's delegate, I am satisfied that the document entitled EER for *17 Bell Bay Road, Bell Bay, Rotary Peel Veneer Mill and Plywood Mill, for Patriarch and Sons Pty Ltd* dated 12 December 2018 contains sufficient information to satisfy the requirements of section 74(3) of the EMPC Act for the purposes of public and agency consultation. Please note that the Board may later require additional information to be prepared by the proponent to address matters raised in the public and agency consultation process.

In accordance with section 27G(1)(a) of the EMPC Act, I direct George Town Council to advertise permit application number DA 2018/86 and to call for public submission. EPA Tasmania will advise the applicant to submit a copy of the finalised EER to Council to form part of the development application for advertising purposes.

In accordance with section 27G(2) of the EMPC Act, a 14 day period is to be made available for public representations.

To ensure that Council's notice of the application under the *Land Use Planning and Approvals Act 1993* will also satisfy the Board's requirements for public consultation under the EMPC Act, wording to be included is attached. This wording is in addition to any information required by the LUPA Act. EPA Tasmania would appreciate receiving a copy of the proposed notice prior to finalisation to ensure all requirements for public consultation have been addressed. Please send the notice to assessments@epa.tas.gov.au for review.

Please note that:

- Council must, within 7 days of the end of the public consultation period, provide the Board with copies of representations received under section 57(5) of the *Land Use Planning and Approvals Act 1993* (LUPA Act);
- the period referred to in section 54(1) of the LUPA Act (for requesting additional information from the applicant) is extended to 42 days;
- section 57(6) of the LUPA Act (relating to time limits) does not apply until the completion of the Board's assessment of the activity;
- Council, notwithstanding any enactment to the contrary, is not required to assess any matter addressed in the Board's assessment;
- if, despite the above, Council does its own assessment of a matter addressed in the Board's assessment, it is not entitled to recover the cost of its assessment from the applicant, the Crown or any other person; and
- the Council must not include in a permit any condition which is inconsistent with, or which extends the operation of, the Board's conditions.

After completing its assessment, the Board will notify Council of the result of the assessment and of any conditions or restrictions which it requires to be contained in a permit granted by Council, or alternatively will direct Council to refuse to grant the permit.

For more information on the assessment process please refer to the *Guidance for Land Use Planners on Environmental Impact Assessments Conducted by the EPA Board* available at <http://epa.tas.gov.au/assessment/assessment-process/guidance-documents>.

If you have any queries regarding the above, please contact Danielle McPhail on (03) 6165 4571.

Yours sincerely



Wes Ford
DIRECTOR, ENVIRONMENT PROTECTION AUTHORITY
Delegate for the Board of the Environment Protection Authority

Attachment 1: *Wording for advertisement*

cc: Mr Allen Wong, Patriarch Resources, allenwong@patriarchresources.com

Mr Dario Tomat, Whetstone Pty Ltd, dct@bigpond.com

Attachment 1: Wording to be inserted into any notice issued by Council in relation to the above application

The above application has been referred to the Board of the Environment Protection Authority (the Board) for assessment under the *Environmental Management and Pollution Control Act 1994* (EMPC Act). An Environmental Effects Report (EER) has been lodged in support of the application.

A copy of the EER for the above application will be available for public inspection during the notification period and may be examined during normal business hours at:

- The George Town Council Chambers/Offices: 16-18 Anne St, George Town
- Service Tasmania Shop, 134 Macquarie Street, Hobart

The EER can also be viewed on the internet at: <http://epa.tas.gov.au/assessment/assessments-in-progress>

A guide for preparing a public submission can be found on the internet at: <http://epa.tas.gov.au/assessment/guide-for-preparing-a-public-submission>

Copies of the EER may be requested from Dario Tomat of Whetstone Pty Ltd on 0412 291 450.