



MEDIA RELEASE

The Hon Peter Garrett MP

Minister for the Environment, Heritage and the Arts

PG/194

5 January 2009

NO MILL APPROVAL UNTIL DETAILED ENVIRONMENTAL STUDIES COMPLETED

Federal environmental approval for the Gunns Ltd Bell Bay pulp mill will not be granted until detailed studies on the potential marine impacts have been completed, Environment Minister Peter Garrett said today.

Mr Garrett said his decision was informed by uncertainty about the outcomes of the yet to be completed hydrodynamic modelling for the mill and inconsistencies in the original approval conditions put in place by former Environment Minister, Malcolm Turnbull.

“This now effectively brings the development of environmental limits and response strategies into the approvals process rather than leaving them to be developed after the mill receives federal environmental approval.

“National environment legislation requires that I take a precautionary approach to environmental protection. I am not satisfied, with that in mind and informed by the advice of the Independent Expert Group (IEG), that I can grant final approval for this mill without fully understanding its potential environmental impacts.

“That includes having a thorough understanding of the potential impacts of the mill’s effluent discharge on Commonwealth marine waters and absolute confidence in the proposed management and response strategies that are proposed to put in place to protect the environment.

“After giving this matter thorough consideration and taking expert scientific and legal advice on the terms of the conditional approval granted for the mill by Mr Turnbull, I have therefore decided not to approve modules L, M and N of the draft Environmental Impact Management Plan (EIMP) submitted by Gunns until after all the facts are on the table,” Mr Garrett said.

“My decision will also ensure decisions around effluent treatment standards, for example, are made in consultation with the Independent Expert Group with the benefit of being based on real data collected in the field and that any final Commonwealth approvals reflect the findings of that work.”

Mr Garrett also announced a new condition would be imposed on the mill subjecting Gunns to criminal and civil sanctions under the *Environment Protection and Biodiversity Conservation Act 1999* if the mill achieves federal approval and defined environmental limits for the mill’s operations are exceeded.

“This new condition fills a gaping hole in the former minister’s approval for this mill which provided for no satisfactory sanctions if Gunns exceeded maximum environmental limits in its operation of the mill.

“Under this new condition, civil penalties of up to \$1.1 million per offence can be imposed on Gunns and it also provides the basis for future variation, suspension or revocation of the mills environmental approval.

“I have also approved a minor variation to the route of the pipeline servicing the mill on advice from the Independent Expert Group that this variation would have no adverse environmental impact.

“My approval to this minor variation to the route of the pipeline only relates to relevant issues under federal environment law – Gunns will still need to obtain relevant local and state government approvals and landowner consent.”

Mr Garrett said he had given his approval to nine further modules of the environmental management plan which relate to the construction of the mill and its associated infrastructure. This brings to 13 the number of modules approved.

“I have always said that I take my responsibilities for environment protection under the EPBC Act very seriously and I have given this matter thorough consideration to ensure that those matters of national environmental significance that I am charged with protecting are afforded the best protection possible. That is what we have achieved today.”

Gunns Ltd will now be required to proceed with its modeling program before resubmitting modules L, M and N by March 3, 2011, reflecting advice about the likely timeframe for modelling contained in the draft environmental management plan and confirmed by the IEG.

After submission by Gunns, each module is considered against the 48 conditions of approval. An Independent Expert Group working closely with the Department of the Environment, Water, Heritage and the Arts advises the Minister on whether the modules comply with the conditions.