



# Report and recommendations of the Environmental Protection Authority



**40MW Biomass Power Plant,  
Forest lease No. 1994/97,  
Shire of Manjimup  
– inquiry under s46 of the  
*Environmental Protection Act 1986*  
to amend Ministerial Statement 791**

**Western Australia Biomass Pty Ltd**

Report 1517

June 2014

MINISTER FOR ENVIRONMENT

**40 MEGAWATT BIOMASS POWER PLANT – INQUIRY UNDER SECTION 46 OF THE *ENVIRONMENTAL PROTECTION ACT 1986* – CHANGE TO IMPLEMENTATION CONDITIONS - EXTENSION OF TIMEFRAME FOR SUBSTANTIAL COMMENCEMENT (ASSESSMENT NO. 2009)**

The Minister for Environment has requested (28 April 2014) under section 46 of the *Environmental Protection Act 1986* (EP Act) that the Environmental Protection Authority (EPA) inquire into and report on the matter of changing the implementation conditions relating to the 40 Megawatt Biomass Power Plant – Forest Lease No. 1994/97, approximately 10 kilometres south-west of Manjimup, Shire of Manjimup (Biomass Power Plant) proposal.

The following is the EPA's Report and Recommendations (No. 1517) to the Minister pursuant to section 46(6) of the EP Act.

**Background**

The Biomass Power Plant was assessed by the EPA at the level of Public Environmental Review (PER). The assessment was undertaken on the proposal to construct and operate a 40 megawatt power plant fuelled by up to 380,000 tonnes (+/-10%) per annum of *Eucalyptus globulus* (Bluegum) and pine plantation wastes, a pipeline for water supply, and a power line connecting the power plant to the sub-station. The proposal was approved for implementation subject to the implementation conditions of Ministerial Statement 791 (13 March 2009).

The proponent of the Biomass Power Plant proposal is Western Australia Biomass Pty Ltd which is a joint venture company formed by Babcock and Brown and National Power.

In its original assessment of the proposal the EPA considered the following environmental factors:

- Air quality; and
- Ground and surface water quality

Under *Environmental Assessment Guideline 8: Environmental Factors and Objectives* (EAG8, June 2013) these factors are now represented by:

- Air quality; and
- Inland waters environmental quality

### **Proposed change to conditions**

Condition 3 of Statement 791 requires the proponent to substantially commence the proposal within five years of the date of the Statement.

The Biomass Power Plant proposal has not yet substantially commenced. The proponent has requested an extension of the timeframe for substantial commencement to 13 March 2019.

### **Assessment of the proposed change to conditions**

The conditions of Ministerial Statement 791 require the proponent to meet air quality guidelines and implement contingency measures if validation shows that ambient air quality exceeds relevant guidelines. The proponent must also monitor groundwater and surface water quality on and around the site; report monitoring results and submit contingency plans. The guidelines proposed in Statement 791 remain relevant and appropriate for the proposal.

The EPA considers that the environmental factors of the proposal have not changed significantly from those presented in the PER and as assessed by the EPA in Report 1294 (July 2008), and no new significant environmental factors have arisen since the EPA's assessment of the proposal. The EPA is satisfied that the existing implementation conditions will continue to address the relevant environmental factors, and manage and mitigate the potential impacts of the proposal.

The EPA concludes that its objectives would not be compromised through amendment to Condition 3-1 to extend the 'Time Limit of Authorisation' by five years to 13 March 2019.

### **EPA Conclusion(s) and Recommendations**

Having inquired into the matter, the EPA recommends to the Minister for Environment that:

- the timeframe for substantial commencement of the Biomass Power Plant proposal be extended by five years, to 13 March 2019;
- after complying with section 46(8) of the EP Act, the Minister issues a Statement of decision to amend the conditions of Ministerial Statement 791 in the manner provided for in the attached recommended Statement.

RECOMMENDED ENVIRONMENTAL CONDITIONS

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL  
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE  
*ENVIRONMENTAL PROTECTION ACT 1986*)**

40 MEGAWATT BIOMASS POWER PLANT – FOREST LEASE NO. 1994/97  
APPROXIMATELY 10 KILOMETRES SOUTH-WEST OF MANJIMUP, SHIRE OF  
MANJIMUP

**Proposal:** To construct and operate a 40 megawatt power plant fuelled by up to 380,000 tonnes (+/-10%) per annum of *Eucalyptus globulus* (Bluegum) and pine plantation wastes, a pipeline for water supply, and a power line connecting the power plant to the sub-station.

The proposal is further documented in Schedule 1 of Ministerial Statement 791

**Proponent:** Western Australia Biomass Pty Ltd

**Proponent Address:** Suite 6, 11 Rangers Road, NEUTRAL BAY NSW 2089

**Assessment Number:** 2009

**Previous Assessment Number:** 1707

**Report of the Environmental Protection Authority:** Report 1517

**Previous Report of the Environmental Protection Authority:** Bulletin 1294

**Previous Statement Number:** Ministerial Statement 791

The implementation of the proposal to which the above report of the Environmental Protection Authority relates is, subject to the conditions and procedures contained in Ministerial Statement No. 791, as amended by the following:

Condition 3 of Ministerial Statement 791 is deleted and replaced with:

**3 Time Limit for Proposal Implementation**

3-1 The proponent shall not commence implementation of the proposal after the 13 March 2019, and any commencement, prior to this date, must be substantial.

3-2 Any commencement of implementation of the proposal, on or before 13 March 2019, must be demonstrated as substantial by providing the Chief Executive Officer\* with written evidence, on or before 13 March 2019.

\* The Chief Executive Officer of the Department of the Public Service which is responsible for the administration of section 48 of the *Environmental Protection Act 1986*, or his delegate.

[Signed xxx]

**HON ALBERT JACOB MLA  
MINISTER FOR ENVIRONMENT; HERITAGE**