



Report and recommendations of the Environmental Protection Authority



**Wagerup Alumina Refinery
– Extension of time limit for
substantial commencement
– s46 change to condition 4 of
Ministerial Statement 728**

Alcoa World Alumina

Report 1430

February 2012



EPA R&R No: 1430

MINISTER FOR ENVIRONMENT

WAGERUP ALUMINA REFINERY – PRODUCTION TO A MAXIMUM CAPACITY OF 4.7 MILLION TONNES PER ANNUM AND ASSOCIATED BAUXITE MINING – EXTENSION OF TIME LIMIT FOR SUBSTANTIAL COMMENCEMENT – SECTION 46 CHANGE TO CONDITIONS (ASSESSMENT NO. 1919)

I refer to your letter of 28 December 2011, requesting the Environmental Protection Authority (EPA) report to you on the matter of changing Condition 4 of Ministerial Statement 728 to extend the time limit of approval for the substantial commencement of the above proposal.

The following is the EPA's Report and Recommendations (no. 1430) to you pursuant to section 46(6) of the *Environmental Protection Act 1986*.

Introduction and Background

Condition 4-1 of Ministerial Statement 728 requires the proponent to provide evidence that the proposal has substantially commenced within five years of the Statement being published. Condition 4-2 of Ministerial Statement 728 allows for the proponent to apply to the Minister for Environment for an extension of the time limit for substantial commencement of the proposal, provided the application is made six months before the approval lapses. The application is to demonstrate that the environmental factors reported in Bulletin 1215 have not changed significantly, new significant environmental factors have not arisen, and all relevant government authorities and stakeholders have been consulted.

The proponent, Alcoa of Australia Limited (Alcoa), submitted an application for an extension of the time limit for substantial commencement on 9 March 2011. The application addressed the following key environmental factors listed in Bulletin 1215:

- air pollutant emissions;
- predicted ambient air quality and Health Risk Assessment;
- potential for health and amenity impacts due to short-term ground level concentrations;
- land use management in proximity to the Wagerup Alumina Refinery;
- noise; and
- greenhouse gases.

No changes or additional issues in relation to these factors were identified.

In addition, the application addressed other factors the EPA considered relevant to the proposal, but not key environmental factors, as listed in Appendix 3 of Bulletin 1215, and the potential for new factors not considered by the EPA in the original assessment. No new, significant environmental factors were identified.

The application also detailed a targeted consultation process aimed to provide stakeholders with information about the application for extension of time limit for substantial commencement, and an opportunity for further detailed conversations about the project. The key stakeholders identified included state and local Government agencies, neighbours and local consultation groups.

In your letter of 12 August 2011 you requested the EPA review the application, associated report and public responses, and provide advice as to whether the proponent had met the requirements of Condition 4 of Ministerial Statement 728. The Chairman of the EPA responded on 23 September 2011.

It is the EPA's view that:

- the environmental factors of the proposal have not significantly changed, nor have any new significant environmental factors arisen since approval;
- Alcoa consulted with all relevant government authorities and stakeholders prior to seeking your approval;
- the Minister for Health, the Minister for State Development, the Minister for Mines and Petroleum, the Director General of the Department of Environment and Conservation and the Director General of the Department of Water were consulted and do not object to the extension of approval for substantial commencement; and
- prior to implementation, Alcoa will require a Works Approval issued under Part V of the *Environmental Protection Act 1986* from the Department of Environment and Conservation, for which there will be an additional public consultation period, and best practice pollution control measures will be applied to minimise emissions from the refinery.

Conclusion and Recommendation

The EPA considers that Alcoa has met the requirements of Condition 4 of Ministerial Statement 728 and that public consultation had been adequate. Relevant decision making authorities have been consulted and do not object to extending the time limit for substantial commencement of the proposal.

The EPA recommends that the time limit for substantial commencement of the proposal be extended by five years. In response to your request of 28 December 2011, it will be necessary to change Condition 4 of Ministerial Statement 728 so that it refers to the revised dates by which substantial commencement is to occur.

The EPA recommends that Condition 4 of Ministerial Statement 728 be changed to read as follows:

4 Time limit of Authorisation

- 4-1 The authorisation to implement the proposal provided for in this statement shall lapse and be void after 14 September 2016 if the proposal to which this statement relates is not substantially commenced.
- 4-2 The proponent shall provide the CEO with written evidence, on or before 14 September 2016, which demonstrates that the proposal has substantially commenced.



Dr Paul Vogel
CHAIRMAN

8 February 2012

OEPA MIN1123/11

RECOMMENDED ENVIRONMENTAL CONDITIONS

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

**WAGERUP ALUMINA REFINERY – PRODUCTION TO A MAXIMUM CAPACITY OF
4.7 MILLION TONNES PER ANNUM AND ASSOCIATION BAUXITE MINING**

Proposal: The construction and operation of the Wagerup Alumina Refinery to a maximum capacity of 4.7 million tonnes per annum and its associated bauxite mining, as documented in Schedule 1 of Ministerial Statement 728.

Proponent: Alcoa of Australia Limited

Proponent Address: Cnr Davy and Marmion Streets, Booragoon, Western Australia

PO Box 252, Applecross, Western Australia 6953

Assessment Number: 1919

Previous Assessment Number: 1527-1

Report of the Environmental Protection Authority: 1430

Previous Report of the Environmental Protection Authority: Bulletin 1215

Previous Statement Number: 728

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. 728, as amended by the following:

Condition 4 of Ministerial Statement 728 is deleted, and replaced with:

4 Time limit of Authorisation

- 4-1 The authorisation to implement the proposal provided for in this statement shall lapse and be void after 14 September 2016 if the proposal to which this statement relates is not substantially commenced.
- 4-2 The proponent shall provide the CEO with written evidence, on or before 14 September 2016, which demonstrates that the proposal has substantially commenced.

**HON BILL MARMION MLA
MINISTER FOR ENVIRONMENT; WATER**