

SECTION 82 NOTICE – FINANCIAL MANAGEMENT ACT 2006

Pursuant to section 82(1)(a) of the *Financial Management Act 2006*, I give notice to both houses that I am unable to provide information relevant to Legislative Council Question on Notice 333 section (e).

Notice is also being provided to the Auditor General, as required by section 82(1)(b) of the *Financial Management Act*.

Question on Notice 333 refers to the tabling of a commissioning plan and associated report (commissioning report) regarding Yara Pilbara Nitrate Pty Ltd's Technical Ammonium Nitrate plant on the Burrup Peninsula.

I have tabled the commissioning plan, but I am unable to provide the commissioning report as it may contain confidential and commercially sensitive information.

The Department of Water and Environmental Regulation (DWER) intends to consult with Yara to specifically identify which, if any, sections of the report it considers to be confidential and commercially sensitive so that the information can be redacted. The DWER also intends to publicly release the commissioning report with its decision on the licence amendment application and has advised that it will send the report and related decision documents to the Member for Mining and Pastoral Region, Hon Robin Chapple MLC.

Should the consultation with Yara and any required redaction be completed prior to the decision on the licence amendment application, I will provide the report to the Member for Mining and Pastoral Region at that time.



Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT

LEGISLATIVE COUNCIL
Question On Notice

Tuesday, 5 September 2017

333. Hon Robin Chapple to the Minister for Environment

I refer to works approval W4701/2010/1 for Yara Pilbara Nitrates' ammonium nitrate plant which states, in part, under paragraph 4.1.1, "The Works Approval Holder shall, at least three months prior to commencing commissioning, submit a commissioning plan for approval by the Director", and ask:

- (a) from where is this commissioning plan available;
 - (b) if it is not available, why not;
 - (c) has a commissioning plan been completed or submitted;
 - (d) has Yara produced a report on scrubber efficiency and ammonium nitrate particulate release for the commissioning process;
 - (e) will the Minister please table the commissioning plan and associated report from Yara, where applicable; and
 - (f) if the commissioning plan has been completed and submitted, but is unable to be tabled or made available to the general public, why not?
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