

LEGISLATIVE COUNCIL
Question On Notice

Tuesday, 14 August 2018

1499. Hon Robin Chappie to the Minister for Environment

I refer to Section 3, *Time Limit for Proposal Implementation*, of the Environmental Protection Authority Statement No. 941, published on 22 July 2013, regarding the Derby Tidal Power Station Project and ask:

- (a) has the proponent fulfilled Section 3-1 that states 'The proponent shall not commence implementation of the proposal after the expiration of 5 years from the date of this statement, and any commencement, within this 5 year period, must be substantial.';
- (b) has the proponent fulfilled Section 3-2 that states 'Any commencement of implementation of the proposal, within 5 years from the date of this statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of 5 years from the date of this statement.';
- (c) if yes to (a) and/or (b), will the Minister provide the evidence;
- (d) if no to (a) and/or (b), will the Minister formally end the project;
- (e) if yes to (d), when; and
- (f) if no to (d), why not?

Answer

(a) No. I have been advised that the proponent for the Derby Tidal Power Station Project has not substantially commenced implementation of the proposal. On 22 June 2018, the proponent wrote to the Department of Water and Environmental Regulation seeking an amendment to Ministerial Statement 941 in order to extend the five-year time limit stipulated in Condition 3-1.

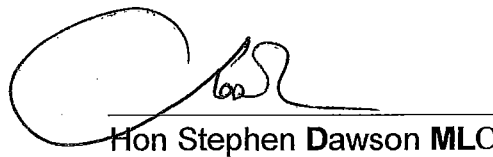
(b) See response to (a).

(c) Not applicable

(d) I am advised that I will be receiving the proponent's application to extend the five-year time limit shortly. I will then consider whether to ask the Environmental Protection Authority to undertake an inquiry into changing the conditions in Ministerial Statement 941 under section 46 of the *Environmental Protection Act 1986*.

(e) Not applicable

(f) See response to (d).



Hon Stephen Dawson MLC

MINISTER FOR ENVIRONMENT; DISABILITY SERVICES