

Fact Sheets – Bell Bay Pulp Mill

Regulation and approvals

- Commonwealth regulation of the environmental aspects of the pulp mill occurs through the Environment Protection and Biodiversity Conservation Act, 1999.
- The mill has in place all Commonwealth Government approvals necessary for construction to begin and operations to commence.
- Conditions imposed through Commonwealth permitting process include a legal requirement that only plantation fibre may be used and that the only variations to the Commonwealth permit that will be considered in the future, must involve equivalent or improved environmental performance.
- State approval for the pulp mill was obtained through the Pulp Mill Assessment Act, 2007 and conditions of the approval described in the Pulp Mill Permit in accordance with S6(8) of the Act.
- Section 11 of the Pulp Mill Assessment Act, 2007 has proved controversial and subject to contradictory claims about its intent and outcomes. Section 11 only deals with the assessment or approvals process for the mill, and limits avenues of appeal or challenges against the state permitting process.
- Section 11 does not relate in any way to the operations of the pulp mill. It does not prevent Gunns being prosecuted if it is found to be in breach of any permits, licences or laws governing operation of the pulp mill.
- Section 11 does not prevent any person from taking action against Gunns if they have a valid claim for damages as a result of Gunns' construction or operation of the pulp mill. That is, Section 11 has no impact on common law rights to sue for damages.
- State and Commonwealth permits relating to construction and operation of the pulp mill are readily available online.