



Australian Government

Department of the Environment and Energy

Dr Gordon de Brouwer PSM
Secretary

Ref: EC16-001120

Ms Christine McDonald
Secretary
Environment and Communications Legislation Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Secretary McDonald

Thank you for your invitation to provide a written submission to the inquiry into the *Great Australian Bight Environment Protection Bill 2016*.

The Department of the Environment and Energy has a number of responsibilities in the Commonwealth marine environment – from three to 200 nautical miles offshore – including under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Commonwealth marine areas are a matter of national environmental significance protected under the EPBC Act. Listed threatened species and migratory species are protected under the EPBC Act, including those that occur in the marine environment. As such, any action that has, will have, or is likely to have, a significant impact on any of these matters protected by the EPBC Act requires approval before it can proceed.

Within the Great Australian Bight, the Department is also responsible for:

- Marine Bioregional Plans which were developed under the EPBC Act and are used by government and industry to improve the way the marine environment is managed and protected
- improving approval processes by endorsing the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) as the primary regulator for petroleum activities and their potential environmental impacts in Commonwealth waters through the *NOPSEMA Strategic Assessment*
- playing a key advisory and regulatory role in responses to industrial incidents in Australia's Commonwealth marine areas, through the coordination and assessment of impacts to the natural environment and through regulatory approval requirements under the EPBC Act

- management of the Great Australian Bight Commonwealth Marine Reserve, established under the EPBC Act, to provide for its protection and conservation.

In April 2016, the Department provided a detailed outline of these responsibilities in its submission to the Environment and Communications References Committee's *Inquiry into the potential environmental, social and economic impacts of BP's planned exploratory oil drilling project, and any future oil or gas production in the Great Australian Bight*. The submission is available here:

http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications/Oil_drill_Great_Aus_Bight/Submissions.

In relation to the *Great Australian Bight Environment Protection Bill 2016*, I believe the Department's previous submission in 2016 comprehensively addresses the key matters of interest to the portfolio. I am pleased, however, to provide an update in relation to the Commonwealth Marine Reserves planning process.

The Department's previous submission explained that transitional arrangements were in place for the management of the Great Australian Bight Commonwealth Marine Reserve while an independent review was under consideration.

In September 2016, the Government released the reports of the independent *Commonwealth Marine Reserves Review* and commenced the statutory process to prepare new management plans for five Commonwealth Marine Reserves Networks. This process includes the South-west Commonwealth Marine Reserves Network, which incorporates the Great Australian Bight Commonwealth Marine Reserve.

The statutory process for developing new management plans involves two periods of public consultation, and provides opportunities for all interested parties to have a say on how Commonwealth marine reserves are managed. The first consultation period closed on 31 October 2016 and the second consultation period, inviting comments on draft management plans, is expected to commence in the second quarter of 2017.

The final management plans, including for the South-west Commonwealth Marine Reserves Network, are anticipated to be finalised by mid-2017. Until new management plans are finalised, the transitional management arrangements put in place by the Director of National Parks will continue to apply.

Thank you for the opportunity to provide a submission to the inquiry.

Yours sincerely

Gordon de Brouwer
6 February 2017