

Environment and Communications References Committee

Answers to Questions on Notice

Department/Agency: Australian National Audit Office

Private briefing: 30 July 2020

Inquiry: Australia's faunal extinction crisis

Type of question: Hansard

Date set by the committee for the return of answer: 19 August 2020

Question 1

CHAIR: How many approvals did you consider overall?

Mr Rodrigues: In the period from July 2015 to June 2019 we reviewed 90 approval decisions, 77 assessment method decisions and 88 referral decisions.

CHAIR: Are we able to have a list of which approvals and referrals those were?

Mr White: I think we would need to take that on notice.

Answer:

Table 1, below, lists the 90 cases examined by the ANAO when assessing the department's administration of approval decisions. Table 2 lists the 88 cases examined by the ANAO when assessing the department's administration of referral decisions. These cases were selected randomly from all cases for which a decision of the relevant type (referral decision or approval decision) had been made between 1 July 2015 and 30 June 2019. A full list of all cases and decisions are available on the department's website, at <http://epbcnotices.environment.gov.au/>.

Results from the ANAO's review of these approval and referral decisions are discussed in Table 3.2 and paragraphs 3.43–47 and 3.53 of the audit report, which relate to compliance with procedural guidance, record keeping, and quality assurance arrangements. These paragraphs of the audit report also draw on the results of the ANAO's examination of 77 assessment method decisions.

Table 1: Approval decisions reviewed by the ANAO

Reference number	Title of referral
2006/2998	MARK EVERETT/Residential Development/Mount Separation Road, Bemerside/Queensland/Residential Development and resort
2009/4906	CAMECO AUSTRALIA PTY LTD/Mining/Shire of Wiluna/Western Australia/Yeelirrie Uranium Mine
2009/5173	Gladstone Area Water Board and SunWater Limited/Water Management and Use/Lower Fitzroy-Mackenzie Catchment/Queensland/Lower Fitzroy River Infrastructure Project
2009/5255	CROMWELL PROPERTY SECURITIES LTD/Commercial Development/Altona/Victoria/Industrial Subdivision at 33 Jordan Close
2010/5747	Department of Defence/Commonwealth/RAAF Base Tindal, Williamstown and Salt Ash Air Weapons Range/New South Wales/Flying operations of the F-35 Joint Strike Fighter
2011/5942	Chevron Australia Pty Ltd/Mining/Offshore Gorgon Gas Fields to Barrow Island 60 km NW of WA/Western Australia/Gorgon Gas Development 4th Train Proposal

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2011/5965	Glencore Coal Queensland Pty Limited/Mining/16km west of Rolleston in Central Queensland/Queensland/Rolleston Coal Expansion Project
2011/6029	PORT WARATAH COAL SERVICES LIMITED/Transport - Water/Port of Newcastle, 6km NW of Newcastle CBD/New South Wales/Terminal 4 Coal Export Terminal Project, Kooragang Island
2011/6062	RESOLUTE MINING LIMITED/Mining/Ravenswood, 120km south of Townsville/Queensland/Sarsfield Expansion Project
2011/6063	Burnside North Pty Ltd/Residential Development/Approx. 20km west north west of Melbourne/Victoria/Burnside Development
2011/6201	SHENHUA WATERMARK COAL PTY LIMITED/Mining/35km South East of Gunnedah/New South Wales/Watermark Coal Project
2011/6206	Wind Prospect CWP Pty Ltd/Energy Generation and Supply (renewable)/45km south of Mudgee & 45km north of Bathurst/New South Wales/Crudine Ridge Wind Farm
2011/6228	RATCH- AUSTRALIAN CORPORATION LIMITED/Energy Generation and Supply (renewable)/Herberton Range approx. 50km west-south-west of Cairns/Queensland/Mt Emerald Wind Farm
2012/6274	COLIN PIACENTINI/Natural Resources Management/313-316 Mimminup Road, Dalyellup/Western Australia/313-316 Mimminup Road, Dalyellup
2012/6521	DORAL MINERAL SANDS PTY LTD/Mining/South east of Busselton/Western Australia/Yoongarillup Mineral Sands Project, WA
2012/6538	Far North Queensland Ports Corporation Limited (t/a Ports North)/Transport - Land/Trinity Inlet, Cairns/Queensland/Cairns Shipping Development (Trinity Inlet) Project, QLD
2012/6625	AUSTRALIAN ZIRCONIA LIMITED/Mining/Village of Toongi approx. 25km south of Dubbo/New South Wales/Dubbo Zirconia Project
2013/6941	WEARING DEVELOPMENTS PTY LTD/Commercial Development/North Maclean/Queensland/Industrial Development in the Greater Flagstone Urban Development Area 4499-4651 Mount Lindesay Hwy, Nth Maclean (Lot 39) Qld
2013/6978	MT OWEN PTY LTD/Mining/Mt Owen, Upper Hunter Valley/New South Wales/Mt Owen continued coal mining operation
2013/6979	SH CAMDEN LAKESIDE P/L/Residential Development/Cnr Raby Rd and Camden Valley Way, Gledswood Hills/New South Wales/Urban & recreational Development (El Caballo Blanco, Gledswood & Lakeside), Gledswood, NSW
2013/7028	HY-TEC INDUSTRIES PTY LIMITED/Mining/Putty Road, north of Windsor/New South Wales/Expansion of existing sand quarry operation, north of Windsor, NSW
2013/7057	LEND LEASE COMMUNITIES SPRINGFIELD PTY LTD/Residential Development/Sinnathamby Boulevard, west of Springfield Central/Queensland/Spring Mountain mixed use master planned community development, Springfield, Qld
2013/7060	TAMWORTH QUALITY HOMES PTY LTD/Residential Development/Lot 20 DP 1123127 Rosewood Drive, Moore Creek/New South Wales/Rosewood Estate (Stage 3) Rural Residential Subdivision
2013/7079	WOODSIDE ENERGY LTD/Energy Generation and Supply (non-renewable)/Commonwealth Waters, 425km North of Broome, WA/Commonwealth Marine/Browse FLNG Development, Commonwealth Waters
2014/7119	APP CORPORATION PTY LIMITED/Residential Development/Box Hill North, The Hills Shire/New South Wales/Develop 380 ha land for residential & commercial use, NSW

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2014/7200	LANCO RESOURCES AUSTRALIA PTY LTD/Energy Generation and Supply (non-renewable)/Leschenault Drive, Bunbury/Western Australia/Bunbury Port Berth 14A Expansion & Coal Storage & Loading Facility, WA
2014/7228	GROOTE EYLANDT MINING COMPANY PTY LTD/Mining/Groote Eylandt, approximately 650 km south-east of Darwin/Northern Territory/Eastern Leases Project, Groote Eylandt, Northern Territory
2014/7240	QUEENSLAND COAL PTY LTD/Mining/35kms NW Nebo, Bowen Basin/Queensland/Hail Creek coal mine extension transition project, Bowen Basin, Qld
2014/7308	SATTERLEY PROPERTY GROUP P/L/Residential Development/Mandogalup, WA/Western Australia/Mandogalup Urban Development, Mandogalup, WA
2014/7309	MAIN ROADS WA/Transport - Land/Albany Hwy, Shire of Kojonup, WA/Western Australia/Tunney Passing Lanes, 30km S of Kojonup, WA
2014/7351	BORAL RESOURCES QLD PTY LIMITED/Mining/Raynbird Road, Narangba/Queensland/Narangba Quarry Expansion, Raynbird Road, Narangba, Qld
2014/7372	LAKEVIEW HOLDINGS (ACT) PTY LTD/Residential Development/Blocks 4 and 5 Section 38, Campbell/Australian Capital Territory/Residential and commercial development, Blocks 4 and 5 Section 38, Campbell, ACT
2015/7414	DUNLAND PROPERTY PTY LTD/Residential Development/Lot 911 Midland Road, Hazelmere/Western Australia/Bushmead Residential Development, Hazelmere, WA
2015/7420	FORGE RESOURCES SWAN PTY LTD/Mining/Pilbara coastline, approx. 120kms SW Port Hedland/Western Australia/Balla Rail and Conveyor Project, WA
2015/7421	The Water Corporation/Water Management and Use/Ellenbrook approx. 20kms NE of Perth/Western Australia/Ellenbrook Reliable Water Storage Project, WA
2015/7429	URBAN RESOURCES PTY LTD/Mining/Lot 810, Yangedi Road, Hopeland/Western Australia/Sand extraction, Lot 810, Yangedi Rd, Hopeland, WA
2015/7431	WILPINGJONG COAL PTY LTD/Mining/Hunter Region/New South Wales/Wilpinjong open cut coal mine extension project, NE Mudgee, NSW
2015/7463	QGC PTY LTD/Energy Generation and Supply (non-renewable)/Surat Basin/Queensland/ATP1188 Anya development for 25 CSG wells, Dalby, Qld
2015/7464	DEPT OF TRANSPORT AND MAIN ROADS/Transport - Land/Queensland Sunshine Coast/Queensland/Bruce Highway upgrade Caloundra to Sunshine Motorway Project no: 280/10A/1
2015/7469	SENEX ENERGY LIMITED/Energy Generation and Supply (non-renewable)/Surat Basin, approx. 40km NE Roma/Queensland/Western Surat Gas Project, Surat Basin, Qld
2015/7477	NEWMAN QUARRYING PTY LTD/Mining/Grafton/New South Wales/Sly's sandstone quarry expansion, Mororo, NSW
2015/7478	TELLUS HOLDINGS LTD/Mining/Kalgoorlie/Western Australia/Sandy Ridge Project (kaolin clay mine & complementary waste storage and isolation business) Koolyanobbing, WA
2015/7486	Dexus Wholesale Management Limited/Commercial Development/Ravenhall, approximately 21kms west of Melbourne/Victoria/Industrial Precinct Development, Ravenhall, Vic
2015/7511	ULAN COAL MINES LIMITED/Mining/Mid-Western/New South Wales/Ulan West Extension, Near Mudgee NSW
2015/7520	ROADS AND MARITIME SERVICES/Transport - Land/east of King Georges Road and St Peters/New South Wales/Construction and operation of the Westconnex New M5, Sydney, NSW

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2015/7553	Barwon Heads Management Pty Ltd/Water Management and Use/76-88 Groves Rd, Armstrong Creek, 10 kms south of Geelong/Victoria/Warralily - East Precinct Sparrovale Outfall, stormwater bypass channel, Armstrong Creek, Vic
2015/7569	Jemena Northern Gas Pipeline Pty Ltd/Energy Generation and Supply (non-renewable)/Mt Isa/Northern Territory/Jemena NEGI Pipeline, NT to QLD
2015/7578	TJ and RF Fordham Pty Ltd/Residential Development/SE of Warragamba/New South Wales/Residential development
2015/7591	Defence Housing Australia/Commonwealth Development/Lee Point Road, Darwin/Northern Territory/Lee Point Master-planned urban development, Darwin, NT
2015/7599	Lendlease Communities (Mt Gilead) Pty Ltd/Residential Development/Appin Road, Gilead/New South Wales/Mt Gilead residential development, NSW
2016/7640	Coal and Allied Operations Pty Ltd/Mining/Hunter Valley/New South Wales/Hunter Valley Coal Mining Operations North - State approved mining, NSW
2016/7661	ABN Corporate Services Pty Ltd/Commercial Development/City of Rockingham, WA/Western Australia/Clearing of 12.8ha of native vegetation on Lots 19 and 20, Sixty Eight Road, Baldivis, WA
2016/7670	Port of Newcastle Lessor Pty Ltd/Waste Management (non-sewerage)/Cormorant Road, Kooragang Island, Newcastle, NSW/New South Wales/Kooragang Island Waste Emplacement Facility - Area 2 Closure Works, NSW
2016/7676	Springfield Land Corporation Pty limited/Residential Development/Brookwater/Queensland/First Nine Master planned residential development, Brookwater, Qld
2016/7681	Transport for NSW/Transport - Land/Kangy Angy/New South Wales/New Intercity Fleet Maintenance Facility Kangy Angy, NSW
2016/7695	Western Australian Land Authority (LandCorp)/Commercial Development/Approx. 26km south of Perth CBD and 5km east of City of Kwinana town centre/Western Australia/Latitude 32-industrial development of various lots, Ashley and Sayer Roads, Hope Valley, WA
2016/7696	Roads and Maritime Services/Transport - Land/Mersey Road, Bringelly to Glenmore Parkway, Glenmore Park/New South Wales/The Northern Road upgrade - Mersey Rd, Bringelly to Glenmore Parkway, Glenmore Park, NSW
2016/7703	LORD HOWE ISLAND BOARD/Natural Resources Management/Lord Howe Island, approx. 780km north-east of Sydney/New South Wales/Lord Howe Island Rodent Eradication Project, NSW
2016/7706	Oresome Bauxite Pty Ltd/Mining/Approx. 3km south of Weipa, Queensland/Queensland/Urquhart Bauxite Project, North Qld
2016/7735	CITY OF GOSNELLS/Transport - Land/Garden Street to Holmes Street/Western Australia/Garden Street road extension, Huntingdale, city of Gosnells, WA
2016/7737	MTE Developments Pty Ltd & SFN Projects Pty. Ltd./Residential Development/Approx. 45km northwest of Sydney CBD, approx. 7km northeast of Pitt Town/New South Wales/Residential subdivision, Halcrows Road, Cattai, NSW
2016/7746	Stockyard Hill Wind Farm Pty Ltd/Energy Generation and Supply (renewable)/Approx. 150km west, north-west Melbourne and approx. 35km west of Ballarat/Victoria/Stockyard Hill Wind Farm - Wind Energy Facility and associated infrastructure, Vic
2016/7779	Phosphate Resources Limited/Mining/between 2km and 15km from Flying Fish Cove/Christmas Island/Proposed exploration drilling programme for Christmas Island
2016/7784	NSW Electricity Networks Operations Pty Ltd/Energy Generation and Supply (renewable)/South of Parkwood Drive, extending up to 900m to the south of

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	Stockdill Drive./Australian Capital Territory/Construction of new substation and associated transmission line works, ACT
2016/7797	BORAL RESOURCES QLD PTY LIMITED/Mining/12 km north west of Oxenford/Queensland/Ormeau Quarry Expansion, 12km NW Oxenford, QLD
2016/7809	VICROADS/Transport - Land/chainage 10.90 and 15.00 Pyrenees H'way/Victoria/Road safety works, Pyrenees Hway, Green Gully, Vic
2016/7829	GV Nominee No 1 Pty Ltd/Residential Development/Berkeley Road, Glenning Valley, NSW/New South Wales/Residential subdivision, Lot 2 DP1100181 Berkeley Road, Glenning Valley, NSW
2016/7833	Eddy Hawach/Residential Development/DP 184056/New South Wales/Development of a subdivision, Lot 3 Rickards Road, Castlereagh, NSW
2016/7839	Moreton Bay Regional Council/Commercial Development/965 Gympie Rd and 150 Dohles Rocks Rd, Petrie/Queensland/Petrie Mill redevelopment project, Qld
2016/7840	GAG Lake Street (Cairns) Property Company No.1 Pty Ltd/Tourism and Recreation/Lot 203 on SP 2102321/Queensland/Tourist and residential development, 163 Abbott Street, Cairns
2016/7846	Sytka Pty Ltd/Residential Development/Lot 9006 Reilly Road, Harrisdale/Western Australia/Residential development and bushfire protection within part Lot 9006 Reilly Road, Harrisdale, WA
2016/7852	Williamtown Sand Syndicate Pty Limited/Mining/1.5km west/southwest Williamtown Airport/New South Wales/Cabbage Tree Road Sand Quarry, Williamtown, NSW
2017/7861	Atlas Iron Limited/Mining/241km south east of Port Hedland and 33km south of Marble Bar/Western Australia/Corunna Downs Iron Ore Mining Project, Pilbara Region, 33km south Marble Bar, WA
2017/7865	O'Herns Road Developments Pty Ltd ATF O'Herns Road Developments Unit Trust/Commercial Development/18kms north of Melbourne PO/Victoria/Commercial and industrial subdivision at O'Herns Road Epping, Vic
2017/7872	Prime Eglinton Pty Ltd/Residential Development/19 (Lot 6) Taronga Place, Eglinton/Western Australia/Residential and commercial development on part 19 (Lot 6) Taronga Place, Eglinton, WA
2017/7876	MIO COLLEGE PTY LTD/Agriculture and Forestry/17 on SP248092/Queensland/Mio College Vegetation Clearing for High Value Agriculture, Barratta Road, Clare QLD
2017/7880	MAIN ROADS/Transport - Land/Coongan Gorge Realignment - (PIN 11833503 Lot 306), M030 Material Pit 356 SLK (PIN 1019796 Lot 108) /Western Australia/Marble Bar Road (M030) Coongan Gorge Realignment, WA
2017/7881	Australia Pacific LNG Pty Limited/Energy Generation and Supply (non-renewable)/approximately 70km northeast of Roma/Queensland/Spring Gully CSG North West and North East Development, Surat Basin, Qld
2017/7909	Roads and Maritime Services/Transport - Land/between Yallah and Oak Flats/New South Wales/Albion Park Rail Bypass, NSW
2017/7934	MAIN ROADS/Transport - Land/Albany Highway, Kojonup, WA, 6395/Western Australia/Road Widening Kojonup South SLK 254.9 to SLK 259.8
2017/8003	STEVENS HOLDINGS PTY LIMITED/Residential Development/Lot 99 DP 823635, Hickey Street, Iluka NSW 2466 Australia/New South Wales/Iluka residential subdivision, Hickey Street, Iluka, NSW
2017/8008	Department of Economic Development, Jobs, Transport, and Resources (Major Road Projects Authority)/Transport - Land/Hume Freeway and O'Herns Road, Epping, VIC, 3076/Victoria/O'Herns Road and Hume Freeway Interchange Project, Vic

2017/8067	Maidment Land Pty Ltd/Residential Development/267 EP1719 and 257 SP253223/Queensland/Sanctum West Master Planned Community, near Townsville, Qld
2017/8088	KALIUM LAKES POTASH PTY LTD/Mining/Eastern Pilbara/Western Australia/Beyondie Sulphate of Potash Project, Eastern Pilbara, WA
2017/8095	JOLIFIELDS DEVELOPMENTS PTY LTD & The Trustee for Morehampton Capital & The Trustee for the Goldfields QLD Trust/Residential Development/Lot 3 on SP237241/Queensland/Ripley Road residential development, Ripley Valley, Qld
2017/8106	WELLINGTON SHIRE COUNCIL/Transport - Air and Space/Lot 4 on PS704998/Victoria/West Sale Airport Runway Extension, Vic
2017/8129	COPPABELLA WIND FARM PTY LTD/Energy Generation and Supply (renewable)/Whitefields Road , Bookham, NSW, 2582/New South Wales/Coppabella Wind Farm, 35 km west of Yass, NSW
2018/8138	AMG (WA) PTY LTD/Mining/Lot 3, Buller Road, Waroona/Western Australia/Clearing and sand extraction, Lot 3 Buller Road, Waroona, WA
2018/8141	CLARKE CREEK ENERGY PTY LTD/Energy Generation and Supply (renewable)/Multiple lots/Queensland/Clarke Creek Wind Farm, Qld
2018/8144	W1 Hospitality Pty Ltd/Commercial Development/Lot 2074 in CT 2747/485/Western Australia/Warders Hotel, Block 1 Warders Cottages, Fremantle, WA

Table 2: Referral decisions examined by the ANAO

Reference number	Title of referral
2014/7133	KEPCO BYLONG AUSTRALIA PTY LTD/Mining/Bylong/New South Wales/Bylong Coal Project north east of Mudgee, NSW
2015/7423	Chevron Australia Pty Ltd/Energy generation and supply (non-renewable)/North West Shelf/WA/Thevenard Island Retirement Project
2015/7477	NEWMAN QUARRYING PTY LTD/Mining/Grafton/New South Wales/Sly's sandstone quarry expansion, Mororo, NSW
2015/7511	ULAN COAL MINES LIMITED/Mining/Mid-Western/New South Wales/Ulan West Extension, Near Mudgee NSW
2015/7547	Greaton Development Pty Ltd/Commercial Development/Adelaide City/South Australia/GPO, Telephone Exchange and Office Block Adelaide SA
2015/7569	Jemena Northern Gas Pipeline Pty Ltd/Energy Generation and Supply (non-renewable)/Mt Isa/Northern Territory/Jemena NEGI Pipeline, NT to QLD
2015/7577	SHIRE OF SERPENTINE JARRAHDAL/Mining/Scrivener Road, Serpentine, WA/Western Australia/Clearing, mining and rehabilitation Scrivener Road Gravel reserves
2015/7592	Oceanic Victor Pty Ltd/Tourism and Recreation/waters off Encounter Bay, 600m SE Victor Harbour/South Australia/Oceanic Victor Viewing Platform Proposal, SA
2015/7600	United Collieries Pty Ltd/Mining/134 Jerrys Plains Road, Warkworth/New South Wales/United and Wambo open cut coal mine project, Hunter Valley, NSW
2015/7601	MCCONNELL DOWELL CONSTRUCTORS AUSTRALIA PTY LTD/Transport - Land/Gilberton to Adelaide CBD/South Australia/O-Bahn City Access Project, SA
2015/7623	Geoscience Australia/Science and Research/Approx. 900km west-to-east across Lord Howe Rise, western end of line located 200km east of Brisbane/Commonwealth Marine/Lord Howe Rise Marine Seismic Survey

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2015/7625	Belmont Sands Pty Ltd*/Mining/Approx. 20km north-west of Rockhampton, Qld/Queensland/Belmont Sands sand extractive project, Etna Creek, Qld
2016/7639	PEET SOUTHERN JV PTY LIMITED/Commercial Development/Portobello Parade and Lambeth Circle, Wellard/Western Australia/High school and Primary development, Wellard, WA
2016/7640	Coal and Allied Operations Pty Ltd/Mining/Hunter Valley/New South Wales/Hunter Valley Coal Mining Operations North - State approved mining, NSW
2016/7655	ESSENDON AIRPORT PTY LTD/Commercial Development/Approximately 11km north west of Melbourne's CBD/Victoria/Commercial development at Lionel Street, Essendon Airport, Essendon Fields, Vic
2016/7660	Gohardsen Pty Ltd/Commercial Development/Ipswich City Local Govt Area at Francis Street, Tivoli, Qld/Queensland/Residential subdivision at Francis Street, Tivoli, Qld
2016/7673	Department of National Parks Sport and Racing/Natural Resources Management/Within Springbrook National Park and the Gondwana Rainforests of Australia WHA/Queensland/Carrick's Road firebreak, Gondwana Rainforests of Australia WHA, Springbrook, Qld
2016/7675	City of Busselton/Transport - Air and Space/86 Neville Hyder Drive, Yalyalup/Western Australia/Busselton-Margaret River Regional Airport Development Project, WA
2016/7729	Australian Rail Track Corporation Ltd/Transport - Land/Narrabri to North Star/New South Wales/Narrabri to North Star Section of Inland Rail, NSW
2016/7737	MTE Developments Pty Ltd & SFN Projects Pty. Ltd./Residential Development/Approx. 45km northwest of Sydney CBD, approx. 7km northeast of Pitt Town/New South Wales/Residential subdivision, Halcrows Road, Cattai, NSW
2016/7740	Main Roads Western Australia/Transport - Land/Shire of Gingin and Shire of Dandaragan/Western Australia/Brand Hwy road formation and seal widening, WA
2016/7763	Salt Creek Wind Farm Pty Ltd/Energy Generation and Supply (renewable)/South of Woorndoo and Terang via Mortlake, west Victoria/Victoria/Salt Creek Wind Farm transmission line, Vic
2016/7779	Phosphate Resources Limited/Mining/between 2km and 15km from Flying Fish Cove/Christmas Island/Proposed exploration drilling programme for Christmas Island
2016/7784	NSW Electricity Networks Operations Pty Ltd/Energy Generation and Supply (renewable)/South of Parkwood Drive, extending up to 900m to the south of Stockdill Drive./Australian Capital Territory/Construction of new substation and associated transmission line works, ACT
2016/7790	Lord Howe Island Board/Energy Generation and Supply (renewable)/Lord Howe Island/New South Wales/Lord Howe Island Renewable Energy Project - Stage 2 Wind Turbines
2016/7797	BORAL RESOURCES QLD PTY LIMITED/Mining/12 km north west of Oxenford/Queensland/Ormeau Quarry Expansion, 12km NW Oxenford, QLD
2016/7829	GV Nominee No 1 Pty Ltd/Residential Development/Berkeley Road, Glenning Valley, NSW/New South Wales/Residential subdivision, Lot 2 DP1100181 Berkeley Road, Glenning Valley, NSW
2016/7841	Australian Nuclear Science and Technology Organisation/Commonwealth/Lucas Heights and France/New South Wales/Transport of OPAL Spent Fuel to France in 2018 and 2025

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2016/7842	Port Macquarie Hastings Council/Transport - Land/Port Macquarie/New South Wales/Port Macquarie Airport Master Plan implementation and development activities, NSW
2016/7844	Western Australian Land Authority (trading as LandCorp)/Commercial Development/Hodges Drive, Joondalup/Western Australia/Commercial development of Lot 9004 Hodges Drive, Joondalup, WA
2016/7846	Sytka Pty Ltd/Residential Development/Lot 9006 Reilly Road, Harrisdale/Western Australia/Residential development and bushfire protection within part Lot 9006 Reilly Road, Harrisdale, WA
2016/7848	Koolan Iron Ore Pty Ltd/Mining/Koolan Island/Western Australia/Koolan Island Mine - Reconstruction of seawall and capital dewatering of mine pit,130km northwest of Derby, WA
2016/7852	Williamtown Sand Syndicate Pty Limited/Mining/1.5km west/southwest Williamtown Airport/New South Wales/Cabbage Tree Road Sand Quarry, Williamtown, NSW
2017/7858	RTA Yarwun Pty Ltd/Mining/Lot 7 on SP228453/Queensland/Proposed clay borrow pit and associated haul roads and stockpiles, Gladstone, Qld
2017/7861	Atlas Iron Limited/Mining/241km south east of Port Hedland and 33km south of Marble Bar/Western Australia/Corunna Downs Iron Ore Mining Project, Pilbara Region, 33km south Marble Bar, WA
2017/7876	MIO COLLEGE PTY LTD/Agriculture and Forestry/17 on SP248092/Queensland/Mio College Vegetation Clearing for High Value Agriculture, Barratta Road, Clare QLD
2017/7879	Canadian Solar (Australia) Pty Limited/Energy Generation and Supply (renewable)/Lot 1 on RP48454 & Lots 7-9 on RP36475/Queensland/Oakey Solar Farm, Warrego Highway, Oakey, Queensland
2017/7880	MAIN ROADS/Transport - Land/Coongan Gorge Realignment - (PIN 11833503 Lot 306), M030 Material Pit 356 SLK (PIN 1019796 Lot 108) /Western Australia/Marble Bar Road (M030) Coongan Gorge Realignment, WA
2017/7881	Australia Pacific LNG Pty Limited/Energy Generation and Supply (non-renewable)/approximately 70km northeast of Roma/Queensland/Spring Gully CSG North West and North East Development, Surat Basin, Qld
2017/7887	ROMANO'S INVESTMENT HOLDINGS PTY LTD/Residential Development/Lot 54 on Plan 8390; Lot 9001 on DP 59406/Western Australia/Residential development, Bertram, WA
2017/7892	Department of Transport and Main Roads/Transport - Land/Tin Can Bay Road, Toolara Forest/Queensland/Coondoo Creek Bridge Replacement, Tin Can Bay Rd, Qld
2017/7908	TERRANOVIS PTY LTD/Residential Development/see Figure 2 for Lot details/Western Australia/Residential development, Lots 1 and 7-11 Lyon Rd and Lot 88 De Haer Rd, Wandii, WA
2017/7913	MID-WEST TUNGSTEN PTY LTD/Mining/Mining tenements M59/425 and M59/387/Western Australia/Mt Mulgine Mining Project, 330km northeast Perth, WA
2017/7916	AMG (WA) PTY LTD/Mining/Lot 3 Buller Road, Waroona/Western Australia/Sand extraction and clearing of Portion of Lot 3 Buller Road, Waroona, WA
2017/7926	Central Coast Council/Tourism and Recreation/Wilfred Barrett Drive, Magenta, NSW, 2261/New South Wales/Magenta Shared Pathway Stage 2, NSW
2017/7933	The Trustee for HISTORIC HOUSES TRUST OF NSW/Tourism and Recreation/12 Macquarie Street, Sydney, NSW, 2000/New South Wales/Hyde Park Barracks Proposed New Passenger Lift

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2017/7938	NATIONAL PARK PTY. LIMITED/Tourism and Recreation/496/NPW225 & 1/RA5568/Queensland/O'Reilly's Green Mountains Camping Ground Redevelopment
2017/7941	Department of Transport and Main Roads/Transport - Land/Gazetted Future State-Controlled, Gympie, QLD, 4570/Queensland/Bruce Highway Cooroy to Curra (Section D: Woondum to Curra)
2017/7984	Andiworth Pty Ltd/Residential Development/Victoria Point, Qld/Queensland/Clay Gully Road residential development, Victoria Point, QLD
2017/8008	Department of Economic Development, Jobs, Transport, and Resources (Major Road Projects Authority)/Transport - Land/Hume Freeway and O'Herns Road, Epping, VIC, 3076/Victoria/O'Herns Road and Hume Freeway Interchange Project, Vic
2017/8011	COOGEE ROAD INVESTMENTS PTY LTD/Residential Development/118 Coogee Road, Mariginiup, WA, 6078/Western Australia/Residential development of 118 Coogee Road, Mariginiup, WA
2017/8014	H&M HENNES & MAURITZ PTY LTD/Commercial Development/3 Forrest Place, Perth, WA, 6000/Western Australia/GPO Building, 3 Forrest Place, Perth WA 6000
2017/8036	COOPER ENERGY LIMITED/Energy Generation and Supply (non-renewable)/Crown Allotment 2 Section 6 Parish of Paaratte/Victoria/Minerva Cut Back Project, Vic
2017/8043	Leanne Rauwendaal/Private/Lot 38 RP136841/Queensland/Access driveway - Power connection, Qld
2017/8045	GLENELG SHIRE COUNCIL/Transport - Land/North west of Condah and north of Heywood/Victoria/Condah Hotspur Upper Road widening, Crawford River crossing, Vic
2017/8053	CITY OF WANNEROO/Tourism and Recreation/Lot 8210, Deposited Plan 73880; Lot 9041, Deposited Plan 410670/Western Australia/Butler North District Open Space playing fields development, Wanneroo, WA
2017/8104	Joe Rocca/Mining/Lot 2, Bingham Road, Bullsbrook (WA)/Western Australia/Sand quarry development, Lot 2, Bingham Road, Bullsbrook, WA
2017/8120	EEW ECO ENERGY WORLD AUSTRALIA PROPRIETARY LTD/Energy Generation and Supply (renewable)/Lot 2742 A341275, Lot 3360 SP219873, Lot 123 & 2696 SP219873/Queensland/Sanctuary Solar Farm, approximately 35km south west of Toowoomba, Qld
2017/8130	MIDDLEMOUNT COAL PTY LTD/Mining/Middlemount Coal Mine, Middlemount, QLD, 4746/Queensland/Middlemount Coal Mine Western Extension Project, Qld
2017/8132	BLOOMFIELD COLLIERIES PTY LTD/Mining/DP755260, DP755237, DP241097, DP69246, DP136865, DP1045720, DP1045722, DP1045719,/New South Wales/Bloomfield Colliery - Life of Mine Extension - 20km northwest of Newcastle, NSW
2018/8138	AMG (WA) PTY LTD/Mining/Lot 3, Buller Road, Waroona/Western Australia/Clearing and sand extraction, Lot 3 Buller Road, Waroona, WA
2018/8141	CLARKE CREEK ENERGY PTY LTD/Energy Generation and Supply (renewable)/Multiple lots/Queensland/Clarke Creek Wind Farm, Qld
2018/8144	W1 Hospitality Pty Ltd/Commercial Development/Lot 2074 in CT 2747/485/Western Australia/Warders Hotel, Block 1 Warders Cottages, Fremantle, WA
2018/8148	CRYSTAL CREEK PROPERTIES PTY. LTD./Agriculture and Forestry/CA33A, 10685/331/Victoria/Inverloch farming property 175 Northern Highway Wallan, VIC

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2018/8151	BORAL RESOURCES (COUNTRY) PTY. LIMITED/Mining/321 Mugga Lane, Symonston, ACT, 2609/Australian Capital Territory/Mugga Quarry overburden expansion project, ACT
2018/8152	COESR PTY LTD/Tourism and Recreation/1320 Cape Otway Road, Modewarre, VIC, 3240/Victoria/CORA Recreational Precinct, Cape Otway Road, Modewarre, VIC
2018/8155	CITY OF BUSSELTON/Transport - Land/Causeway Road, Busselton, WA, 6280/Western Australia/Eastern Link Project, Busselton WA
2018/8156	White Rock Wind Farm Pty Ltd/Energy Generation and Supply (renewable)/20km west of Glen Innes/New South Wales/White Rock Wind Farm Modification
2018/8162	KIMBERLEY PORTS AUTHORITY/Commercial Development/Lot 600 on Deposited Plan 410010/Western Australia/Port of Broome Channel Optimisation Project, West Roebuck Bay, WA
2018/8168	DARLING DOWNS SOLAR FARM PTY LTD/Energy Generation and Supply (renewable)/Solar Farm: 86DY100, Transmission Connection: 86DY100, 81DY100, 80DY100, 119SP227731/Queensland/Beelbee Solar Farm and transmission connection, Beelbee Road, Beelbee, Qld
2018/8169	THE AUSTRALIAN INSTITUTE OF MARINE SCIENCE/Science and Research/North-west WA/Commonwealth Marine/Effect of marine seismic sounds to demersal fish and pearl oysters, north-west WA
2018/8176	Southernrae 1 Pty Ltd/Agriculture and Forestry/Lot 1790 on Plan 3315 /Western Australia/Grazing of stock and associated works on Lot 1790 Passmore Street, Southern River Western Australia
2018/8250	ILUKA RESOURCES LIMITED/Mining/Multiple lots (see Section 1.5)/Western Australia/South Capel Remediation Project, WA
2018/8257	FRONDITHA CARE/Private/181 Furlong Road, Saint Albans, VIC, 3021/Victoria/Furlong Rd Aged Care Facility Extension, St Albans, VIC
2018/8266	GIRGARRE SOLAR FARM PTY LTD/Energy Generation and Supply (renewable)/Lot 1 LP220485K, Lot 2 LP220485/Victoria/Girgarre Solar Farm, Girgarre, Vic
2018/8277	MBARK FGC RETIREMENT PTY LTD/Residential Development/Block 1 Section 56, Red Hill; Block 2, Section 56 & Block 1, Section 55, Red Hill/Australian Capital Territory/Federal Golf Club Retirement Village Project, ACT
2018/8288	ROADS AND MARITIME SERVICES/Transport - Land/15 km north of Raymond Terrace/New South Wales/M1 Motorway extension to Raymond Terrace, NSW
2018/8299	ROBE RIVER MINING CO. PTY. LTD./Mining/The Proposed Action is within (ML) 248SA pursuant to the Iron Ore Robe River Agreement Act 1964 (WA)/Western Australia/West Angelas Iron Ore Mine Deposits C, D and G, Pilbara, WA
2018/8307	AUSTRALIAN BROADCASTING CORPORATION/Commercial Development/Volume 08111 Folio 721, Lot 1 and 2 on Title Plan 329019G/Victoria/Proposed sale of ABC Studios, 8 Gordon Street, Elsternwick, Vic
2018/8313	Richard and Louise Archer/Tourism and Recreation/236 Wellington Street, Longford, TAS, 7301/Tasmania/Brickendon Replacement Shed and New Works Project, Longford, TAS
2018/8320	Queensland Bulk Water Supply authority/Water Management and Use/Bushland Rd, Dennis Rd, Cedar Grove Rd, Cedar Pocket Rd, Undullah Rd, Brookland Rd, Allan Creek Rd../Queensland/South West Pipeline and Wyaralong Tanks Project, Qld
2018/8329	SENEX ASSETS PTY LTD/Energy Generation and Supply (non-renewable)/Multiple lots and land parcels/Queensland/Project Atlas CSG Project, between Wollumbilla and Wandoan, Qld
2018/8373	EGS Survey Pty Ltd/Telecommunications/Not confirmed as this is for marine survey/Commonwealth Marine/Japan-Guam-Australia Sunshine Coast Branch Marine Cable Route Survey (JGA) QLD

2018/8380	Housing Authority/Residential Development/Lots 352-355 Murray Road, Brabham and Lot 10 Woollcott Avenue, Brabham/Western Australia/Brabham North residential development, Brabham, WA
2018/8381	RTA Yarwun Pty Ltd/Waste Management (sewerage)/Lot 7 on SP228453/Queensland/Lot 7 Borrow Pits, Aldoga Road, Gladstone, Qld
2019/8408	Orchard Development Management Pty Ltd/Residential Development/Lot 30 on SP309195, South Maclean, Qld/Queensland/Residential Development (Lot30, SP309195) Mountain Ridge Rd, South Maclean, Qld
2019/8418	DEPARTMENT OF EDUCATION/Commercial Development/183/DP239180/New South Wales/School for Special Purposes at Karabar High School, Queanbeyan, NSW
2019/8421	LFB RESOURCES NL/Mining/294 Dungeon Road, Kings Plains, NSW, 2799/New South Wales/McPhillamys Gold Project, near Blayney, NSW

Question 2:

CHAIR: Okay. How many of those cases that you looked at in any of the sample categories related to projects that were being assessed or referred under the various bilateral agreements with states?

Mr Rodrigues: We would have to take that on notice.

Answer:

The department does not record whether an action is assessable under a bilateral agreement until after a case's referral decision has been made. Not all cases in the ANAO's sample of referral decisions had completed the assessment method stage and therefore the department did not record whether or not they would be assessed under a bilateral agreement.

Of the 88 cases that were included in the ANAO's sample of referral decisions, 47 had completed the assessment method stage. Ten of those cases were determined to be assessed under a bilateral agreement.

For the remaining samples, 15 of the 77 assessment method decisions, nine of the 90 approval decisions, two of the 43 sets of conditions of approval and five of the 36 environmental management plans examined by the ANAO were for cases assessed (or to be assessed) under bilateral agreements.

Question 3

CHAIR: In relation to that case study No. 4 specifically, if you've got that with you, there was no follow-up with the regulated entity to require compliance. Where is this case? Is this in New South Wales or in Queensland?

Mr Rodrigues: That's in Queensland.

CHAIR: Who is the regulated entity?

Mr Rodrigues: We would have to take that on notice and get back to you.

Answer:

The purpose of Case Study 4 was to demonstrate how inconsistency in the department's assessment of offsets can impact its ability to negotiate offset outcomes. The ANAO examined only the department's administration of the case in question, and did not examine the regulated entity or its activities. The report, therefore, contained only the information relevant to the department's

administration of the case. The regulated entity was not identified as that information was not relevant to the department's administration of the EPBC Act and the objective and criteria of the audit.

The *Auditor-General Act 1997* includes natural justice provisions such that before finalising a performance audit report the "Auditor-General may give a copy of, or an extract from, the proposed report to any person (including a Minister) who, or anybody that, in the Auditor-General's opinion, has a special interest in the report or the content of the extract". Recipients of proposed reports can provide written comments which must be considered and included in the final report. This provides an opportunity to raise issues of sensitivity before the final report is tabled in the Parliament. In this case the Auditor-General did not consider whether to give a copy or extract of the report to the regulated entity or not, because it is not identified in the report. It could circumvent these natural justice provisions if a regulated entity whose case was included in the final report was subsequently identified without considering whether they had a special interest which would require providing the entity an opportunity to comment on the proposed report.

The Auditor-General also needs to take into consideration that the *Auditor-General Act 1997* sets out considerations of public interest when finalising a performance audit report. If the regulated entity had an opportunity to comment on the report they may have argued that identifying them would lead to significant public scrutiny which could unfairly prejudice their commercial interests.

For these reasons, the Auditor-General considers that the public interest benefit in identifying the regulated entity, is outweighed by the potential for public interest harm to the operation of the legislative frameworks for providing natural justice, and for dealing with sensitive information, in the Auditor-General Act. If audited entities lost confidence in these legislative frameworks, there would be a reduction in the ability of the Auditor-General to efficiently and effectively conduct future audits.

Question 4

CHAIR: Was the Jam Land case considered in this audit at all?

Mr Rodrigues: I don't know. I will have to take that on notice. I'm not sure—

Answer:

The compliance activities undertaken by the department in response to an alleged contravention of the EPBC Act by Jam Land Pty Ltd was not assessed as part of this audit.

The department's management of compliance with the EPBC Act was examined in two ANAO reports in recent years (Auditor-General Report No.43 2013–14 *Managing Compliance with Environment Protection and Biodiversity Conservation Act 1999 Conditions of Approval* and Auditor-General Report No.36 2016–17 *Monitoring compliance with Environment Protection and Biodiversity Conservation Act 1999 Conditions of Approval: Follow-on audit*). For this reason, the department's compliance activities (beyond monitoring the implementation of pre-commencement conditions of approval) were not included in the scope of this audit.

Question 5

Senator GREEN: On page 60 in the report one of the case studies refers to a tourism and residential development in Cairns, which is quite close to where I am now. The CSIRO advised the department that the number of deaths of the foxes was significantly higher than previous years. Then, after a site visit, the department found that there was no evidence that mortalities had been attributed to the

development. Can you provide, on notice, when the department did the site visit—maybe the month and the year that they did it—and also on what basis they came to that conclusion?

Mr White: We could take that on notice. I don't have the details in front of me. The department would probably have those details more readily available, as well.

Answer:

The department's site visit was undertaken in January 2018. The department's records indicate that it did not find any evidence that the mortalities and abandonment of the pups could be directly attributed to the development.