

Australian Office:
PO Box 439 Avalon
NSW 2107
Australia
+612 9973 1728
admin@hsi.org.au
www.hsi.org.au

Head Office:
2100 L Street, NW
Washington, DC 20037
USA
301-258-3010
Fax: 301-258-3082
hsi@hsihsus.org

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Committee Secretary
Environment and Communications Legislation Committee
Department of the Senate
PO Box 6100
Parliament House
CANBERRA ACT 2600
AUSTRALIA

By email: ec.sen@aph.gov.au

21st December, 2016

Dear Secretary,

Re: Inquiry into the Great Australian Bight Environment Protection Bill 2016

Humane Society International (HSI) is pleased to make this submission on behalf of our 65,000 Australian supporters. HSI is a strong advocate for the enhancement and protection of wild flora and fauna. HSI also works actively to assist government bodies and agencies to further the protection of animals and the environment through appropriate regulations and enforcement.

HSI has a number of concerns in regard to the environmental impacts that will occur as a result of any mining projects that could be allowed in the future in the Great Australian Bight (GAB), especially in regard to the critical habitats of species', such as whales, sea lions, and other marine species. As a result HSI offers our full support to the Great Australian Bight Environment Protection Bill 2016 which aims to protect this important marine area from mining activities.

The array of species that use this marine area as critical habitat (feeding and breeding areas) should be especially considered for this Inquiry. The Australian sea lion, and the world's largest animal, the blue whale, are prominent marine species within the GAB, and would be significantly impacted by any future use of the GAB for mining, and other related activities.

Studies released in 2015 show that the Australian sea lion is displaying continual population decline with recent population estimates indicating population size is now down to 9,652 individuals. A recent nomination by HSI has seen the Australian sea lion listed on the Finalised Priority Assessment List (FPAL) to be considered for listing as Endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Oil spills are already one of the

main threats known to sea lions and further impacts to the species and its habitat as a result of any kind of mining activity or exploration will limit the ability of this species to recover from even localised mortality. Studies show it is probable that the species' ability to defend against mortality episodes has already been compromised, making the GAB one of the last vestiges for this species to ensure recovery. Further declines in the species will likely lead to critical population levels, and therefore mining and other threatening processes should be excluded from the GAB by law.

The blue whale, which is listed as Endangered under the EPBC Act could also be heavily impacted by mining activities, and other kinds of exploration. The GAB is a known feeding and aggregation site for this species, and supports important breeding stocks. If mining activity including oil and gas exploration were to occur, this could lead to the disruption of important behaviours for the species such as reproduction, which coupled with a loss of habitat used for feeding, could seriously interfere in the recovery of blue whale populations.

A diverse range of other marine animals are also found within the GAB, including white sharks, seals and southern right whales, all of which are protected under the EPBC Act, and which should be considered in this Inquiry. White sharks, which are protected under a range of international treaties and both national and state legislation, are known to frequent locations within the GAB as this is a prominent feeding ground for them due to the populations of fur seals and sea lion colonies. The most up-to-date population data for this species shows that the Australian population is likely less than 10,000 individuals and could therefore not withstand further impacts such as population loss and habitat destruction within the GAB.

HSI has previously raised strong concerns in regard to the actions taken by the government toward the management of the GAB including the decision to accredit the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) to be able to undertake environmental assessments under Part 3 of the EPBC Act. We maintain that NOPSEMA is not an appropriate body to be the sole regulator of environmental approvals for offshore petroleum activities in Commonwealth waters. As a result we have called for the EPBC Act to be amended to revoke the accreditation of NOPSEMA to approve significant impacts on matters of national environmental significance, or at a minimum that amendments made to ensure that a ministerial 'call-in' assessment and decision-making power be provided.

In the original consultation on streamlining offshore petroleum environmental approvals, HSI raised a number of concerns regarding the proposed changes including a lack of accountability in decision-making and lack of transparency. We believe our concerns remain relevant to this Inquiry, whereby the decision to allow NOPSEMA to assess environmental impact has enshrined a less rigorous process for assessment and approval of offshore activities that impact nationally significant matters of environmental significance into law, and should again be highlighted in light this Bill to stop any future mining activities within the GAB.

As stated above the GAB is considered critical habitat for the majority of species found there, and therefore HSI strongly approves of the Great Australian Bight Environment Protection Bill 2016 and the protection of the GAB from environmental damage resulting from mining activities and other operations that would impact upon these species.

Should you require further input or clarification in relation to this submission please
contact Jessica Morris on _____ or _____

Yours sincerely,

Jessica Morris
Marine Scientist
Humane Society International