

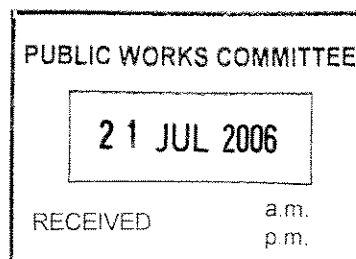


Australian Government

Department of the Environment and Heritage

SUBMISSION 2

Mr Jason Sherd
Inquiry Secretary
Parliamentary Standing Committee on Public Works
Parliament House
CANBERRA ACT 2600



Dear Mr Sherd

DEVELOPMENT OF AFP CANINE KENNELLING & TRAINING FACILITIES, MAJURA, ACT

I refer to your letter of 11 July 2006 inviting comment on the above proposal.

This Department administers the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) which provides for the protection of certain defined matters of national environment significance. The Act also provides for the protection of the environment of Commonwealth land and the environment more generally for activities undertaken by Commonwealth agencies.

New development proposals that are likely to have a significant impact on the above protected matters require formal referral, assessment and approval by this Department before they can proceed. The EPBC Act also provides for proposals to be referred where the question of significance is unclear. The Department is then required to make a decision within 20 business days as to whether or not significant impacts are likely and formal assessment is needed.

The Australian Federal Police (AFP) are an agency of the Commonwealth and referred the proposed redevelopment of the Majura Training Facility under the EPBC Act on 19 September 2002. A decision was made on 18 October 2002 that the proposed redevelopment activities are not likely to have a significant impact on important attributes of the environment and that assessment and approval under the Act is therefore not required.

Since this time, there have been variations to the redevelopment proposal. The EPBC Act places an obligation on an organisation or person proposing to take an action to review the potential for significant impacts if the proposal changes such that a significant impact on a protected matter may occur. The expectation is that a new referral may need to be made in such an instance, or that the original decision may need to be reconsidered pursuant to section 78 of the EPBC Act.

In this case, the AFP has provided regular briefings to the Department on the project as it has progressed through the detailed master planning process. The Department has noted changes to the location of various elements of the proposal, but does not consider that the nature, scale or potential for significant impacts has changed compared to the original proposal referred. The original decision (that significant impacts are not likely) therefore remains valid and the Department has no objections to the works proceeding.

The Department will continue to comment on management plans relevant to the redevelopment, such as the Natural Heritage Conservation Management Plan (May 2006) and Cultural Heritage Conservation and Management Plan (April 2006), in the interests of providing general portfolio advice on the proposed measures to achieve the best possible environmental outcomes. However, there are no outstanding obligations under the EPBC Act for the proposed works, including the development of canine kennelling and training facilities.

Please do not hesitate to contact the undersigned (02 6274 1861) if you wish to discuss this matter further or require additional information.

Yours sincerely



Steve Mercer
Director
EPBC Act Referrals Section
Approvals and Wildlife Division

19 July 2006

cc Ms Jane Ackland
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