

**Senate Standing Committee on Environment and Communications**  
**Legislation Committee**  
Answers to questions on notice  
**Sustainability, Environment, Water, Population and Communities portfolio**  
Additional Budget Estimates, February 2012

<b>Program: Division:</b>	5.1: HWD	<b>Question No:</b>	198
<b>Topic:</b>	Great Barrier Reef World Heritage Area report to the World Heritage Committee		
<b>Proof Hansard Page and Date or Written Question:</b>	5 (14/2/12)		

**Senator Waters asked:**

Senator WATERS: ...There is a subsequent reference in that same report which cites an article by Professor Pandolfi saying that the reef is the 'largest and best managed reef in the world'. When you look at the source for that quote, you will see that it has been selectively quoted. The full quote is:

Even on Australia's Great Barrier Reef (GBR), the largest and best-managed reef in the world, decline is ongoing.

Those statements were made back in 2003 and Professor Pandolfi has made more recent statements. For example, in January of this year he said that the intensity of development was 'unacceptable' in the absence of a strategic plan and showed 'disregard for World Heritage requirements'. I think it is a little misleading, given that that selective quote was included in a section of the report which refers to 'contemporary management of the World Heritage area', yet the quote was from 2003 and the author has then distanced himself from those remarks. I wonder how such a selective quote appeared in this document that Australia has sent to the World Heritage Committee.

Ms Dripps: Is the question, 'How did that quote get selected?'

Senator WATERS: The question is how and why was the quote selectively quoted out of context and out of date; and why was the quote selected when the author has clearly stated an alternate view since.

Ms Dripps: I will have to take that on notice.

**Answer:**

The quote from Professor Pandolfi and 10 other eminent scientists is included in the introduction to the State Party Report on the State of Conservation of the Great Barrier Reef World Heritage Area. The quote is in context as it indicates external expert recognition of the management of the Great Barrier Reef.

The State Party Report also states that for many elements of reef health, 'decline is ongoing'. Chapter Two of the report (pages 57-70) provides a detailed update on the key conservation issues facing the Great Barrier Reef World Heritage Area including climate change, extreme weather impacts, coastal development, water quality and impacts related to fishing.

Statements made by Professor Pandolfi to the media in January 2012 took place after the text of the State Party Report was finalised.

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<b>Program: Division:</b>	5.1: HWD	<b>Question No:</b>	199
<b>Topic:</b>	National Historic Sites – shearing sheds		
<b>Proof Hansard Page and Date or Written Question:</b>	7-8 (14/2/12)		

**Senator Cameron asked:**

CHAIR: ...One of the areas I have been concerned about for some time—

...

CHAIR: is shearing sheds—historic shearing sheds and bridges. I used to be a country organiser, and I have seen some historic shearing sheds and bridges, and they have always been very interesting. Has anything specific been done in that area?

Mr Hooy: I do not recall any shearing sheds, Senator, but I will take that on notice.

**Answer:**

The Australian Government has responsibility for heritage places it owns and controls, and for places of national and world heritage significance. To be entered in the National Heritage List, a place must meet the very high threshold of being of ‘outstanding heritage significance to the nation’. While there are no shearing sheds in the National Heritage List in their own right, some of the places in the National Heritage List contain shearing sheds. For instance a shearing shed at the Orrorall Homestead is noted in the Australian Alps National Parks and Reserves listing, and there is a building in the Darlington Probation Station which served as a shearing shed (among other uses).

The former Department of the Environment, Water, Heritage and the Arts and the Australian Heritage Council commissioned Drs Michael Pearson and Jane Lenon to write a report on places of heritage value to the nation relating to the theme of ‘pastoralism’. The report *Pastoral Australia Fortunes, Failures and Hard Yakka – a historical overview 1788–1967* was published by CSIRO publishing in 2010. The book has a number of pictures and reference to significant historical woolsheds.

There are two historic bridges entered in the National Heritage List in their own right, the most famous spans Sydney Harbour, the other is considered Australia’s oldest large stone arch bridge, the Richmond Bridge in Tasmania. Several bridges in rural and remote Australia feature as part of broader listings, for instance there are bridges at Cobram and Tocumwal in the Great Ocean Road listing, the bridge crossing Bernacchi’s creek in the Darlington Probation Station; Bloody Bridge and several unnamed bridges feature in the National Heritage listing for the Kingston and Arthur’s Vale Historic Area.

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<b>Program: Division:</b>	5.1: HWD	<b>Question No:</b>	200
<b>Topic:</b>	Departmental budget for World Heritage listings		
<b>Proof Hansard Page and Date or Written Question:</b>	9 (14/2/12)		

**Senator Boswell asked:**

Senator BOSWELL: Can the department provide details of all monies allocated by the department in the 2011-12 financial year for World Heritage listing and provide a breakdown of those funds, including the amount direct to non-Commonwealth parties, such as the Queensland state government, lobbying groups and other third parties? Obviously you will not be able to answer that.

Ms Dripps: It might be one best to take on notice.

**Answer:**

\$3 million has been allocated from the Caring for our Country initiative to undertake consultations with Indigenous communities of Cape York Peninsula regarding a World Heritage nomination. These funds have been provided to the Queensland Government, although expenditure of the funds can only occur with the agreement of the Australian Government. To date there has been no expenditure of these funds.

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<b>Program: Division:</b>	5.1: HWD	<b>Question No:</b>	201
<b>Topic:</b>	Departmental expenditure – Cape York World Heritage Listing		
<b>Proof Hansard Page and Date or Written Question:</b>	9-10 (14/2/12)		

**Senator Boswell asked:**

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Senator BOSWELL: Can the department provide a breakdown of monies spent on the consultation with Aboriginal communities in relation to World Heritage, where and when those consultations took place and with whom, the amount spent on printed materials—and I would like copies of that to go to the committee—the amount spent on outside consultation, the process and their names? Could the department provide details of the amount spent by the Commonwealth developing a model of consent, including details of consultants, and provide the committee with material relating to the government's development of the consent models?

Ms Dripps: We can provide you an update on Cape York consultations that will touch on those questions.

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Senator BOSWELL: Can you answer any of those questions or give us some sort of an answer to those questions I put forward?

Dr Grimes: On the more detailed questions you asked?

Senator BOSWELL: Yes.

Dr Grimes: We can take those on notice.

**Answer:**

Please refer to the responses provided to Question on Notice 209 and 210.

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**Program: Division or Agency:** 5.1: HWD **Question No:** 202

**Topic:** Status of the World Heritage Listing of the Great Barrier Reef

**Proof Hansard Page and Date or Written Question:** 20 (14/2/12)

**Senator Waters asked:**

Senator WATERS: My question is: does the World Heritage Committee's concern about the status of the listing of the Great Barrier Reef not constitute significant new information that might be threatening the World Heritage status of the reef in the department's opinion?

Ms Dripps: I am sorry, Senator; can you repeat the question? I think you asked whether the World Heritage Committee's view and concerns about the management of the reef constitutes significant new information.

Senator WATERS: That is correct; and whether that would therefore justify reviewing—

Ms Dripps: I am going to have to take advice from the team, but my understanding of 'significant new information' is that it is significant new information that relates to the matter of national environmental significance—so scientific information about distribution, abundance, location and such similar matters.

Senator WATERS: I am interested in any advice the department has sought on that point—because I take a very different interpretation. Could you take that on notice, please?

**Answer:**

The World Heritage Committee expressed concern over the approval of particular liquefied natural gas processing projects and port facilities.

Section 78 of the *Environment Protection and Biodiversity Conservation Act 1999* refers to 'substantial new information' in the context of revoking a decision on whether or not an action is a controlled action. A new decision on whether the proposal is a controlled action may be made if there is substantial new information about the impacts that the action has, will have or is likely to have on a matter of national environmental significance.

The projects that were of concern to the World Heritage Committee were assessed as controlled actions and subsequently approved, and therefore possible reconsideration of decisions under section 78 is no longer relevant.

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**Program: Division:** 5.1: HWD **Question No:** 203

**Topic:** Importation of primates from Indonesia

**Proof Hansard Page and Date or Written Question:** Written

**Senator Rhiannon asked:**

1. Why is Australia importing primates from Indonesia when we have three government funded primate breeding facilities for the purpose of research?

**Answer:**

1. The types and quantities of animals required for research are not always available from Australia's primate breeding facilities.

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**Program: Division or Agency:** 5.1: HWD **Question No:** 204

**Topic:** Permits for importation of primates into Australia

**Proof Hansard Page and Date or Written Question:** Written

**Senator Rhiannon asked:**

1. Is it correct that eight permits have been granted to import primates into Australia for research over the last 10 years. Please detail what years and what animals have been imported.
2. Do you consider this potentially creates an illegal trade in wild caught primates?

**Answer:**

1. No. The department's records show that six permits have been granted to import live primates into Australia for research purposes over the last 10 years (refer table below):

Permit	Year Permit Granted	Species	Quantity
1	2003	<i>Macaca nemestrina</i>	60
2	2003	<i>Macaca nemestrina</i>	7
3	2005	<i>Macaca nemestrina</i>	36
4	2007	<i>Aotus nancymae</i>	21
5	2008	<i>Aotus nancymae</i>	25
6	2009	<i>Macaca nemestrina</i>	44

2. The department assesses live primate import applications carefully to ensure they fully comply with the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) and domestic law requirements.

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**Program: Division or Agency:** 5.1: HWD **Question No:** 205

**Topic:** Import of primates to Australia for research purposes – CITES data

**Proof Hansard Page and Date or Written Question:** Written

**Senator Rhiannon asked:**

1. Is it correct that CITES (Convention on the International Trade in Endangered Species) data shows in the period 2000 to 2008 a total of 220 pigtail macaques were imported from Indonesia and 46 owl monkeys came to Australia from the USA - all for research purposes? If not can you provide the correct figures.

**Answer:**

1. CITES data is managed by the United Nations Environment Programme World Conservation Monitoring Centre and held in the CITES Trade Database. The department's records indicate that between 2000 and 2008 CITES permits were issued for the import of: 251 live pigtail macaques (*Macaca nemestrina*) from Indonesia for research purposes; and 46 owl monkeys (*Aotus nancymaae*) from the United States of America for research purposes.



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**Program: Division or Agency:** 5.1: HWD **Question No:** 206

**Topic:** Import of primates to Australia for research purposes

**Proof Hansard Page and Date or Written Question:** Written

**Senator Rhiannon asked:**

1. Have there been any primates imported for research use since 2009? If so please provide details.
2. Is this practice being reviewed?
3. What advice has your department prepared for the government on this matter?

**Answer:**

1. There have been no live primates imported for research use since 2009 (that is, since 31 December 2009).
2. No.
3. The department has provided the Minister for Sustainability, Environment, Water, Population and Communities information on the issue, number and type of CITES permits relating to live primates.

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**Program: Division or Agency:** 5.1: HWD **Question No:** 207

**Topic:** Register of the National Estate – transfer of places to jurisdictions

**Proof Hansard Page and Date or Written Question:** Written

**Senator Wright asked:**

1. First, it seems that approximately 400 places were transferred from the Register to the National Heritage List and Commonwealth Heritage List back in 2006. Can you tell me what has happened since then with respect to the remaining places on the Register which are potentially eligible to be included on the Commonwealth Heritage List. Has the Department identified all such places, and will they have been assessed and transferred to the CHL by the time the Register is phased out on 19 February 2012?
2. Has the Department taken a leadership role in ensuring that each of the States and Territories will have completed the transfer process by February 2012? By the transfer process I mean identifying, assessing and transferring all eligible Register places to the appropriate heritage registers within their respective jurisdictions?
3. So, has the Department had any oversight of the transition process at all or has it been left up to the States and Territories to basically fend for themselves?
4. Is it possible, or even likely, then that a great many places currently listed on the Register will be left without any legislative protection when the Register is phased out on 19 February 2012?

**Answer:**

1. Since the initial transfer in 2006 another 50 places on the Register of the National Estate (the Register) have been added to the Commonwealth Heritage List and an additional 120 places on the register have been identified as potentially eligible for the Commonwealth Heritage List. These places were not assessed for inclusion in the Commonwealth Heritage List before 19 February 2012.
2. The department has contacted each State and Territory heritage agency on a number of occasions offering assistance in transferring data from the Register, which may assist other jurisdictions to decide whether places in the register are eligible for inclusion in their statutory lists.
3. See answer to Question 2.

4. No. The lapsing *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) provision, section 391A, only required the Minister to have regard to information in the Register in making any decision under the EPBC Act to which the information is relevant. The information in the Register will continue to be available to decision makers. Existing provisions under the EPBC Act still require approval of activities involving Commonwealth land and also for activities of Commonwealth agencies significantly affecting the environment. In addition the changes on 19 February 2012 should not diminish the protection of places that are on the Register under State and Territory heritage laws.

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**Program: Division:** 5.1: HWD **Question No:** 208  
**Topic:** Australia's kangaroo industry  
**Proof Hansard Page and Date or Written Question:** Written

**Senator Rhiannon asked:**

1. How much funding does DSEWPC allocate/provide for the marketing, promotion, maintenance and development of Australia's kangaroo industry in Australia and overseas?

**Answer:**

1. The Department of Sustainability, Environment, Water, Population and Communities does not allocate or provide any funding for the marketing, promotion, maintenance or development of Australia's kangaroo industry in Australia or overseas.

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**Program: Division:** 5.1: HWD **Question No:** 209

**Topic:** Cape York World Heritage Listing –  
Indigenous consent

**Proof Hansard Page and Date** Written  
**or Written Question:**

**Senator Boswell asked:**

1. The Commonwealth Government has stated that "any negotiations going forward in terms of tentative listing for world heritage are dependent on the full consent and participation of Indigenous people in Cape York". Is the Commonwealth planning to propose the tentative listing of Cape York during this or next financial year?
2. Provide details of the amount spent by the commonwealth developing a model of consent, including details of consultants. Provide the committee with material relating to the government's development of the consent model.

**Answer:**

1. The Australian Government would consider inclusion of Cape York on the World Heritage tentative list after Indigenous consent had been achieved.
2. The Commonwealth has not spent any money on developing a model of consent.

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**Program: Division:** 5.1: HWD **Question No:** 210

**Topic:** Cape York World Heritage Listing –  
breakdown of expenditure

**Proof Hansard Page and Date** Written  
**or Written Question:**

**Senator Boswell asked:**

1. Can the department provide a breakdown of monies spent on consultations with aboriginal communities in relation to World Heritage -
  - a. where and when those consultations took place
  - b. with whom
  - c. amount spent on printed materials - please furnish the committee with copies
  - d. amount spent on outside consultants to the process, and their names

**Answer:**

1. The Department of Sustainability, Environment, Water, Population and Communities has not undertaken consultations in Indigenous communities of Cape York Peninsula in relation to world heritage. The Australian Government has committed \$3 million of Caring for our Country funding to support engagement and consultation with the Indigenous people of Cape York Peninsula on the issue of a world heritage nomination. To date there has been no expenditure of these funds.

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**Program: Division:** 5.1: HWD **Question 211**  
**No:**

**Topic:** Impact on World Heritage Areas -  
Quarterly reporting to UNESCO

**Proof Hansard Page and Date** Written  
**or Written Question:**

**Senator Waters asked:**

1. The Australian government has established a process in place for quarterly reporting to UNESCO on projects likely to pose a significant impact on our world heritage areas. Will these reports be publicly available?
2. If yes to (1):
  - a. will the reports be made publicly available at the same time they are sent to the World Heritage Committee?
  - b. where will they be made available? ie where on the Department's website?
  - c. please confirm these reports will be available every March, June, September and so forth?

**Answer:**

1. Yes.
2. a. Yes.
  - b. The reports to date are available on the department's website at <http://www.environment.gov.au/heritage/places/world/great-barrier-reef/whc-concerns.html>.
  - c. Yes, reports are generated on a quarterly basis as required, and are available on the department's website.

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**Program: Division or Agency:** 5.1: HWD

**Question** 212

**No:**

**Topic:** EPBC reform legislation

**Proof Hansard Page and Date** Written

**or Written Question:**

**Senator Waters asked:**

1. Is the EPBC reform package of legislation on track to be introduced in the Autumn sittings?
2. Will there be an exposure draft of the legislation?

**Answer:**

1. It is expected that the Environment Protection and Biodiversity Conservation Amendment Bill will be introduced into the Parliament in the Winter sittings.
2. No.



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**Program: Division or Agency:** 5.1: HWD **Question 213**  
**Topic:** EPBC Act – referred decisions  
calendar year 2011 **No:**  
**Proof Hansard Page and Date** Written  
**or Written Question:**

**Senator Birmingham asked:**

For calendar year 2011:

1. What was the total number of proposed actions referred for decision under the EPBC Act?
2. What was the total number of proposed actions referred under the EPBC Act that were determined to be controlled actions?
3. What was the total number of proposed actions referred under the EPBC Act that either lapsed or were withdrawn after having been determined to be controlled actions?
4. What was the total number of proposed actions referred under the EPBC Act for which approval was granted after having been determined to be controlled actions?
5. What is the total number of proposed actions referred under the EPBC Act still awaiting approval after having been determined to be controlled actions?

**Answer:**

1. 425.
2. 155 controlled action decisions were made in 2011 (142 of these were proposed actions referred in 2011 – the remainder were referred in previous years).
3. 24 proposed actions that had controlled action determinations were lapsed or withdrawn in 2011 (2 of these were proposed actions referred in 2011 and 1 was determined a controlled action in 2011 but referred in 2010 – the remainder were referred in previous years).
4. 101 proposed actions were approved in 2011 (19 of these were proposed actions referred in 2011 – the remainder were referred in previous years).
5. 126 proposed actions were determined a controlled action in 2011 and are still undergoing assessment or the assessment approach is yet to be determined (114 of these were received and determined a controlled action in 2011 – the remainder were determined a controlled action in previous years).