

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

Program: Division or Agency: 5.2: EACD **Question 214**
No:

Topic: Proposed port developments at
Balaclava Island - potential impacts
on the snubfin dolphin

Proof Hansard Page and Date Written

or Written Question:

Senator Waters asked:

1. Has the Department assessed the potential impacts on the snubfin dolphin of the proposed port developments (including dredging and associated increases in shipping) north of Gladstone at Balaclava Island?
2. What are the likely impacts on the snubfin dolphin of the proposed developments?
3. On the information currently available about the species, is the Department confident that impacts on this species from proposed new developments are able to be managed so that the species is not significantly impacted?
4. What advice has the Department received to explain the unusually high deaths of reportedly at least five pacific-humpback dolphin in Gladstone Harbor last year?

Answer:

1. The proponents of the Balaclava Island Coal Export Terminal (EPBC 2009/5158) and Fitzroy Terminal Project (EPBC 2011/6069) are preparing draft assessment documentation.
2. Likely impacts will be determined as part of the assessment process.
3. Likely impacts will be determined as part of the assessment process.
4. On 12 December 2011, the department received information from the Queensland Department of Environment and Resource Management of up to five dolphin deaths in Gladstone Harbour in the 2011 calendar year. Details of that information are as follows:

Three of the five dolphins that were found deceased were Indo-Pacific Dolphins. Of those three dolphins, one death was suspected to be from netting; one was unknown as it was too decomposed to determine a cause of death; one was suspected to be from boat strike. A fourth dolphin was too decomposed to be correctly identified. The fifth dolphin was not able to be found after reports of it being in the harbour.

From June 2011 until 23 March 2012, no dolphins have been found deceased in Gladstone Harbour.

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Program: Division or Agency: 5.2: EACD **Question No:** 215

Topic: James Price Point – social impacts assessment

Proof Hansard Page and Date or Written Question: Written

Senator Siewert asked:

1. What studies has the Minister or SEWPAC commissioned for the Browse Strategic assessment?
2. When can they be made available?
3. When does the Department expect to make recommendations to the Minister on the Browse Strategic assessment?
4. Has the Department received the additional studies from DSD on Browse?
5. Is the Department concerned that there was no free, prior and informed consent on the proposal?

Answer:

1. The Department of Sustainability, Environment, Water, Population and Communities (the department) has commissioned the following studies for the Browse Strategic Assessment:
 - GHD (January 2009), Comparative Analysis of the Feasibility of Alternative Locations for the Development of a Liquefied Natural Gas Precinct, prepared for the Commonwealth Department of the Environment, Water, Heritage and the Arts.
 - BMT WBM (October 2010), Review of the Technical Dredging Assessment for the Browse LNG Precinct Strategic Assessment – Final, prepared for the department.
 - ImpaxSIA (March 2011), Independent expert peer review of the Social Impact Assessment component of the Browse LNG Precinct Strategic Assessment, prepared for the department.
 - BMT WBM (May 2011), Browse LNG Strategic Assessment Review (Dredging and Spoil Disposal), prepared for the department.
2. The 2009 GHD report is publically available, as part of the draft strategic impact assessment report, released for public comment in December 2010. The results of the other reports will be reflected in the final strategic impact assessment report.
3. The department will make a recommendation to the Minister after the final Precinct Plan and strategic impact assessment report have been received.
4. The department has not received the final documentation for the strategic assessment including any additional supporting studies from the WA Department of State Development.

5. The strategic assessment terms of reference require the Minister to consider 'whether the Traditional Owners have given informed consent, in a culturally appropriate manner to the implementation of the Plan' prior to an endorsement decision. The WA Government is still finalising the Precinct Plan and strategic impact assessment report. Once finalised and submitted to the Minister for consideration for endorsement, the Minister will determine whether the proponent has adequately addressed the strategic assessment terms of reference.

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Program: Division or Agency:	5.2: EACD	Question No:	216
Topic:	Queensland Coal Seam Gas projects - maps		
Proof Hansard Page and Date	16,18		
or Written Question:	(14/2/12)		

Senator Joyce asked:

Senator JOYCE: I am just trying to nail it down. With those three approvals you gave, what are we showing? Are we showing one lease area that covers Dalby, Chinchilla and Roma? Are we talking about an area around Dalby? Are we talking about an area around Roma?

Ms Dripps: We can provide you with a map of those three projects if you wish.

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Senator JOYCE: What were the specific listed matters that triggered these three references to the EPBC Act?

Ms Dripps: The ecological community does have an unusual name, and Mr Barker has reported the listed name of that community. It is ground spring dependent ecological communities. It means the collection of plants and animals that exist in that place that rely on those springs for their life.

...

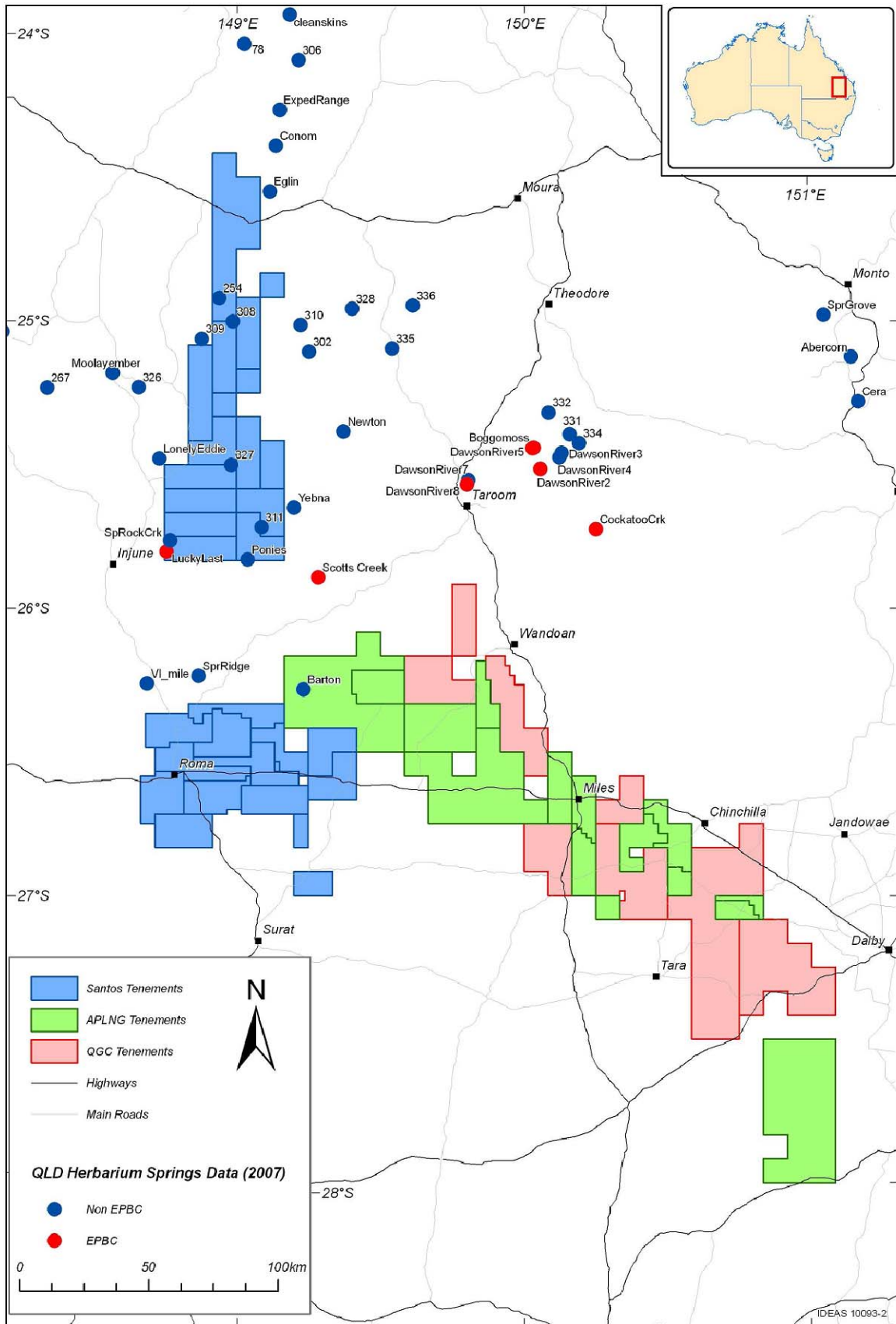
Senator JOYCE: ...Ms Dripps, where are those certain communities that you are referring to in those three references?

Ms Dripps: I can provide you with a map on notice.

Answer:

A map of the location of springs with respect to the tenements of the three approved coal seam gas projects in Queensland is below.

Springs marked in red and denoted 'EPBC' on the map are known to support the *Environment Protection and Biodiversity Conservation Act 1999* - listed ecological community - The community of native species dependent on natural discharge of groundwater from the Great Artesian Basin.



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Program: Division or Agency: 5.2: EACD **Question 217**
Topic: Cattle grazing in the Alpine National Park **No:**
Proof Hansard Page and Date 22
or Written Question: (14/2/12)

Senator McKenzie asked:

Senator McKENZIE: What studies have been done—I would rather you answer this now rather than on notice—on the impact of cattle, given that this trial was only for 400 cattle, as you stated, in certain parts of the park?

Ms Murray: There is a range of scientific information that dates back, as I understand, from late in the 19th century to early in the 20th century that provides scientific evidence about the impact of grazing on heritage values and biodiversity in those alpine areas in the park. There is a range of information, so I can provide it all to you on notice.

Answer:

There is a broad and long-standing scientific consensus, based on numerous studies and investigations (including by land management agencies) that cattle grazing has an adverse effect on the natural heritage values of the Australian Alps National Parks and Reserves.

On 31 January 2012, the Minister for Sustainability, Environment, Water, Population and Communities determined that the Victorian Government's proposal to conduct a cattle grazing research trial in the Alpine National Park would have a clearly unacceptable impact on the National Heritage values of the Australian Alps National Parks and Reserves National Heritage Place, a matter protected by 15B and 15C of Part 3 of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act).

The documentation on which the Minister based his decision is publicly available on the department's website at:

<http://www.environment.gov.au/epbc/notices/assessments/victoria-alpine-national-park/index.html>

This documentation includes (but is not limited to):

1. Supporting advice from the Department of Sustainability, Environment, Water, Population and Communities' Heritage and Wildlife Division; and the following studies and reports on the impacts of cattle grazing in the Australian Alps National Parks and Reserves National Heritage Place:
2. Wahren, C-H. A., Papst, W.A., Williams, R.J. (1994) *Long-term vegetation change in relation to cattle grazing in subalpine grassland and heathland on the Bogong High Plains: an analysis of vegetation records from 1945 to 1994*. Australian Journal of Botany, 42, 607-639.

3. Groves, R.H (1998) *Grazing in the Victorian High Country: an assessment of the scientific adequacy of grazing studies in the Victorian High Country 1945-1998, with some recommendations for future research*. CSIRO, Canberra.
4. Alpine Grazing Taskforce (2005) *Report of the Investigation into the future of cattle grazing in the Alpine National Park*. Published by the Victorian Government.

These four documents provide examples of the range of scientific information available on the impacts of cattle grazing in alpine areas. Copies of these documents are attached.

The Department of Sustainability, Environment, Water, Population and Communities has advised that it is able to provide further assistance with regards to accessing specific articles or reports that are referenced within these documents, upon request.

Attachments:

1. Supporting Advice from the Department of Sustainability, Environment, Water, Population and Communities' Heritage and Wildlife Division, including Attachment A: Statements of Unacceptability of Alpine Grazing.
2. Wahren, C-H. A., Papst, W.A., Williams, R.J. (1994) *Long-term vegetation change in relation to cattle grazing in subalpine grassland and heathland on the Bogong High Plains: an analysis of vegetation records from 1945 to 1994*. Australian Journal of Botany, 42, 607-639.
3. Groves, R.H (1998) *Grazing in the Victorian High Country: an assessment of the scientific adequacy of grazing studies in the Victorian High Country 1945-1998, with some recommendations for future research*. CSIRO, Canberra.
4. Alpine Grazing Taskforce (2005) *Report of the Investigation into the future of cattle grazing in the Alpine National Park*. Published by the Victorian Government.

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Program: Division or Agency:	5.2: EACD	Question No:	218
Topic:	EPBC Act – release of petroleum acreage		
Proof Hansard Page and Date or Written Question:	22-23 (14/2/12)		

Senator Siewert asked:

Senator SIEWERT: I would like to know if you were consulted and if you provided any advice over the current release of acreage, one of which covered potential marine sanctuaries and one of which covered the blue whale habitat feeding area.

Mr Ward: Annually we provide information to the Department of Resources, Energy and Tourism on matters of environmental sensitivity in relation to proposed acreage release. There is also a general disclaimer that it is the responsibility of people taking up acreage to refer matters to the department if the acreage involves matters of NES.

Senator SIEWERT: That is once it is taken up by a proponent?

Ms Dripps: We provide advice to the Department of Resources, Energy and Tourism before the release of acreage about the existence of particularly sensitive areas in the marine environment and we also provide them with advice that, should acreage be released in those areas, the proponents are likely to have obligations under the EPBC Act and require an understanding of avoidance, mitigation and offsetting of any particular environment impacts.

Senator SIEWERT: I appreciate the wording around environmental sensitivity. Did you specifically provide advice that those particular areas are proposed for, firstly, marine sanctuary and, secondly, a feeding area for blue whales?

Ms Dripps: We would have to look up our files to determine that. We will take that question on notice.

Answer:

Yes, the department provides specific advice where proposed acreage areas overlap or are proximate to proposed or existing marine protected areas and known blue whale feeding areas.

For example, see the 2011 Areas and Special Notices document at:
<http://www.ret.gov.au/Documents/par2011/exploring/index.html>

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Program: Division or Agency: 5.2: EACD **Question No:** 219

Topic: Great Barrier Reef World Heritage Area – approved/proposed projects

Proof Hansard Page and Date Written

or Written Question:

Senator Waters asked:

1. In response to questions on notice following the October 2011 Senate Estimates, the Department advised that a total of 113,184,000 cubic metres had been approved, or had been applied for to be dredged within the Great Barrier Reef World Heritage Area. Please provide a breakdown of this figure – which approved/ proposed projects will involve dredging, where the dredging will occur, what quantities of dredging at each site, timeframes for dredging, and whether the figures include maintenance dredging.
2. Please also provide an update, to ensure latest data on approvals and applications have been captured.

Answer:

1&2. Dredging approved under the *Environment Protection and Biodiversity Conservation Act 1999* in the Great Barrier Reef World Heritage Area since 1 January 2007

EPBC #	Location	Total Volume (m ³)	Approval Timeframe	Maintenance	Capital
2006/2602	Bowen	500,000	1/07/2027	0	500,000
2008/4058	Gladstone	50,000	31/10/2060	0	50,000
2008/4096	Gladstone	(a)	31/10/2060	0	(a)
2008/4401	Gladstone	1,375,000	31/10/2060	0	1,375,000
2008/4497	Townsville	2,831,000	15/05/2060	1,880,000	951,000
2009/4759	Hay Point	275,000	3/03/2015	0	275,000
2009/4904	Gladstone	46,000,000	22/10/2030	0	46,000,000
2009/4977	Gladstone	900,000	22/02/2061	0	900,000
2011/5863 (b)	Townsville	1,303,000	30/11/2016	0	1,303,000

(a) To be approved upon submission of a Dredge Management Plan (DMP). The DMP will be submitted if pipeline construction involves dredging.

(b) Project approved since preparation of October 2011 Senate Estimates response.

**Dredging approved under the *Great Barrier Reef Marine Park Act 1975* in the
Great Barrier Reef Marine Park since 1 January 2007**

Ref	Year	Location	Total Volume (m³)	Maintenance or capital dredging
G11/34029.1	2011	Hay Point	650,000	Maintenance
G10/33583.1 (a)	2010	Nelly Bay, Magnetic Island	1,500	Maintenance
G09/31615.1 (a)	2009	Port Douglas	40,000	Maintenance
G07/19979.1 (a)	2007	Palm Island	25,000	Maintenance

(a) Not included in October 2011 Senate Estimates Response.

**Proposals involving dredging in the Great Barrier Reef World Heritage Area being
assessed under the *Environment Protection and Biodiversity Conservation Act 1999***

EPBC #	Location	Total Volume (m³)	Timeframe nominated in referral	Maintenance	Capital
2006/2939	Shute Harbor	Not defined	Not stated	-	-
2008/4060	Gladstone	Not defined	2010	-	-
2008/4406	Gladstone	11,300,000	2010	-	11,300,000
2008/4468	Abbot Point	100,000	2014	-	100,000
2009/4837	Abbot Point	38,000,000(b)	2012	-	38,000,000
2009/5158	Balaclava Is	Not defined	2012	-	-
2010/5521	Great Keppel Island	Not defined	2012	-	-
2011/5979	Townsville	12,900,000	2035	-	12,900,000
2011/6069	Port Alma	Not defined	2016	-	-
2011/6092	Princess Charlotte Bay	Not defined	2014	-	-
2011/6213(a)	Abbot Point	3,000,000	2014	-	3,000,000
2012/6240(a)	Dudgeon Point	13,000,000	2017	-	13,000,000
2012/6250(a)	Abbot Point	Not defined	2014	-	-

(a) Projects referred since preparation of October 2011 Senate Estimates response.

(b) Volume updated to include variation approved 26 November 2010.

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Program: Division: 5.2: EACD **Question No:** 220

Topic: Great Barrier Reef World Heritage Area – ecosystem services

Proof Hansard Page and Date or Written Question: Written

Senator Waters asked:

1. Has the Department (or GBRMPA) undertaken or commissioned any assessment of the value of the Great Barrier Reef World Heritage Area's ecosystem services?

Answer:

1. The ecosystem services that the Great Barrier Reef World Heritage Area (GBRWHA) provides to the Australian and Queensland community were described in 2003 in the Productivity Commission Report *Industries, land use and water quality in the Great Barrier Reef catchment*. The ecosystem services were valued at that time at around \$5 billion annually.

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Program: Division or Agency: 5.2: EACD **Question No:** 221

Topic: Great Barrier Reef strategic assessment

Proof Hansard Page and Date or Written Question: Written

Senator Waters asked:

1. What major port and industrial projects within the region to be covered by the GBR strategic assessment, are currently being assessed through project-based assessment by the Department?
2. What major port and industrial projects within the region to be covered by the GBR strategic assessment, is the Department currently aware of that are likely to be referred for assessment under the Act prior to the conclusion of the strategic assessment?
3. How many of the projects listed in 1 and 2 above relate to coal or coal seam gas development and/ or export?
4. What transitional arrangements have been in place for previous strategic assessments (SA) under the EPBC Act to deal with:
 - a. projects within the SA area which are referred or which are subject to a controlled action decision prior to the commencement of the SA – ie where the final decision was made during or after the conclusion of the strategic assessment.
 - b. projects within the SA area which are referred or which are subject to a controlled action decision while the SA is underway - ie where the final decision was also made during or after the conclusion of the SA.
5. Please give examples of implications (if any) that previous SAs have had for projects falling in these 2 categories in question (4) above?

Answer:

1. There are 42 projects currently being assessed under Part 8 of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) that were determined to be controlled actions for likely impacts to the Great Barrier Reef. Not all of these could be described as “major port and infrastructure developments within the region covered by the strategic assessment.”

An example of a highly complex development includes the proposed development of a multi cargo facility at Abbot Point (EPBC2009/4837). Examples of moderate and less complex proposals include the Lower Fitzroy River Infrastructure Project (EPBC 2009/5173) and a waste water treatment facility upgrade at Proserpine (EPBC 2010/5711) respectively.

2. Any response would be purely speculative. Developments are only considered to be proposed once a referral has been received in accordance with legislation.

3. As per the attached list, 26 of the developments referred to in the response to Question 1 are related to coal or coal seam gas development. Many of the infrastructure projects will also service other needs and are not solely for the purposes of coal and coal seam gas development.
- 4a&b. Formal transitional arrangements were not prescribed for previous strategic assessments, however, in practice, the arrangements have been similar to those explained for the Great Barrier Reef in so far as the department has endeavoured to keep both processes closely aligned. Developments and projects requiring consideration prior to endorsement and approval under Part 10 of the EPBC Act have been referred and dealt with on a project-by-project basis in accordance with the normal provisions of the EPBC Act. Individual project assessments were managed to ensure alignment with the strategic assessment approaches where appropriate.
5. The strategic assessment under the EPBC Act of the Victorian Government's program for Delivering Melbourne's Newest Sustainable Communities (Victorian Government, December 2009) was endorsed on 2 February 2010. Several referrals were received during this process and were rigorously assessed under the EPBC Act and approved consistent with the expected approaches of the strategic assessment. Final approvals for several 'classes of actions' under Part 10 of the EPBC Act are yet to be made. A number of developments have been referred and are continuing to be assessed under the normal project-by-project assessment provisions of the EPBC Act in the interim period.

EPBC #	SHORT TITLE	TITLE	Coal or CSG related
2003/922	LG Chem Gladstone	LG Chem Ltd/Manufacturing/Landing Road, Gladstone/QLD/Construction of a Chlor-Alkali/Ethylene Di-Chloride (CA/EDC) plant, Gladstone State Development Area	No
2005/2159	Ella Bay	Satori Resorts Ella Bay Pty Ltd/Urban and commercial new development/Ella Bay/QLD/Ella Bay Residential and Tourism Development	No
2005/2390	Mulgrave River Aquifer	Cairns Regional Council/Water management and use/Aloomba/QLD/Ground water extracted from Mulgrave River Aquifer, bore field and associated infrastructure	No
2006/2527	Water for Bowen	SunWater/Water management and use/Claire Weir - Bowen/QLD/Water for Bowen project	Yes
2006/2939	Shute Harbour	Shute Harbour Marina Development Pty Ltd/Tourism, recreation and conservation management/Shute Bay/QLD/Construction of Marina Facility	No
2007/3580	Hook Island	Laguna Pty Ltd/Tourism and recreation/Hook Island, Whitsunday Shire/QLD/Additional development for resort expansion	No
2007/3613	Palm Island Sponge Aquaculture	Coolgaree Aboriginal Corporation for CDEP/Aquaculture/Palm Island group of islands/QLD/Palm Island Sponge Aquaculture Project	No
2008/3971	Wild duck Is	Pathold No 84 Pty Ltd/Commercial development/Wild Duck Island/QLD/Tourism Resort	No
2008/4060	Santos Curtis Bridge and Road	Santos Ltd/Transport - land/Hamilton Point, Curtis Island, near Gladstone/QLD/Construction of Bridge and Road to Access Proposed Natural Gas Liquefaction Park	Yes
2008/4313	Nathan Dam	SunWater/Water management and use/Dawson River 75km downstream of Taroom/QLD/Construction and operation of Nathan Dam and pipeline	Yes
2008/4406	BG Gladstone Dredging	BG International Ltd & QGC Ltd/Energy generation and supply (non-renewable)/Port of Gladstone/QLD/Queensland Curtis LNG Project - Swing Basin and Channel Dredging	Yes
2008/4429	Connors River Dam	SunWater/Water management and use/Mt Bridget, Fitzroy River Basin, Central QLD/QLD/Construct and Operate the Connors River Dam and Pipelines	Yes
2008/4468	T3, Abbot Pt	Hancock Coal/Mining/Abbot Point Road, Port Abbot, 25km North of Bowen/QLD/Coal Terminal Expansion, and Associated Infrastructure	Yes
2008/4647	Alpha Port options	Hancock Prospecting Pty Ltd/Energy generation and supply (non-renewable)/Abbott Point, north of Bowen, or Dudgeon, south of Mackay/QLD/Alpha Coal Project - Port Options Development	Yes
2008/4648	Alpha Coal Mine and Rail	Hancock Prospecting Pty Ltd/Mining/Near Alpha, Clermont and Mackay/QLD/Alpha Coal Project - Mine and Rail Development	Yes
2009/4737	Waratah Mine and Rail	Waratah Coal Incorporated/Mining/Alpha in the Galilee Basin to Abbot Point/QLD/Establishment of Galilee Coal Mine and Associated Infrastructure	Yes

2009/4785	Taylor retreat	Taylor Family Trust/Tourism and recreation/Mission Beach/QLD/Taylor Family Health Retreat	No
2009/4837	MCF	North Queensland Bulk Ports Corporation/Transport - water/Abbot Point, Queensland/QLD/Development of a New Multi Cargo Facility, Point Abbot, Queensland	Yes
2009/5007	Arrow LNG plant	Shell CSG (Australia) Pty Ltd/Mining/Curtis Island, Approx. 6km N of Gladstone, QLD/QLD/Investigating the Development of a Liquefied Natural Gas Facility	Yes
2009/5008	Arrow pipeline	Shell CSG (Australia) Pty Ltd/Mining/Gladstone City Gate to Curtis Island/QLD/Construction of a high pressure gas pipeline, Gladstone City Gate to Curtis Island, Qld	Yes
2009/5158	Balaclava Island	Xstrata Coal Queensland Pty Ltd/Mining/Balaclava Island/QLD/Balaclava Island Coal Export Terminal	Yes
2009/5173	Lower Fitzroy	Gladstone Area Water Board & SunWater Limited/Water management and use/Lower Fitzroy-Mackenzie Catchment/QLD/The Lower Fitzroy River Infrastructure Project	Unclear
2009/5211	Tropical Paradise	Tropical Resort Developments Pty Ltd/Tourism and recreation/Cairns/QLD/Tropical Paradise Resort Precincts Development	No
2010/5448	Cardwell WWT	Cassowary Coast Regional Council /Waste management (sewerage)/Cardwell/QLD/Sewerage Treatment Plant & Outfall	No
2010/5514	Burdekin Cassava	CassTech/Agriculture and forestry/14 km south west of Home Hill /QLD/The Burdekin Cassava Project	No
2010/5521	Great Keppel Island	GKI Resort Pty Ltd/Tourism and recreation/Great Keppel Island /QLD/Tourism & Marina Development	No
2010/5711	Proserpine WWT	Whitsunday Regional Council/Waste management (sewerage)/1km north of Proserpine township/QLD/Proserpine Waste Water Treatment Facility upgrade	No
2010/5736	Carmichael	Adani Mining Pty Ltd/Mining/Moray Downs Cattle Station 160km North West of Clermont/QLD/Carmichael Coal Mine and Rail Project	Yes
2011/5965	Rolleston	Xstrata Coal Queensland Pty Ltd/Mining/Rolleston Coal Mine Expansion	Yes
2011/5979	Port of Townsville exp	Port of Townsville Limited/Transport - water/Cleveland Bay approx 3km east of Townsville/QLD/Port of Townsville - Port Expansion Project	No
2011/6034	Bow pipeline	Bow Energy/ Blackwater to Gladstone pipeline	Yes
2011/6062	Sarsfield Expansion	Resolute Mining Limited/Mining/Ravenswood, 120km south of Townsville/QLD/Sarsfield Expansion Project	Yes
2011/6069	Fitzroy Terminal	Fitzroy Terminal Project Pty Ltd/Transport - water/Port Alma, approx 50km south-east of Rockhampton/QLD/Fitzroy Terminal Project	Yes
2011/6072	Bedrock sand quarry	Bedrock Landscape Supplies (QLD) Pty Ltd/Mining/Carty Road, Cape Cleveland /QLD/Sand Extraction and Associated Screening	No
2011/6082	BHPB Goonyella to	BHP Billiton MetCoal Holdings Pty Ltd/Transport - land/24 km NNW of Moranbah, Bowen Basin/QLD/BHP Billiton Goonyella to Abbot Point rail project	Yes

	Abbot Pt Rail		
2011/6092	Wongai Coal Mine and Port	Aust-Pac Capital/Mining/150 km NW of Cooktown, QLD/QLD/Wongai Underground Coal Mine Project, Qld	Yes
2011/6181	Reedy Ck to Glebe Weir pipeline	SunWater Limited/Water management and use/Jackson-Wandoan Road to Nathan Road, Taroom/QLD/Reedy Creek to Glebe Weir Pipeline Project	Yes
2011/6185	BHP T2 Abbot Pt	BHP Billiton MetCoal Holdings Pty Ltd/Transport - water/Port of Abbot Point /QLD/Coal Terminal 2	Yes
2011/6194	T0 Abbot Pt	Adani Abbot Point Terminal Pty Ltd/Mining/Port of Abbot Point/QLD/Abbot Point Coal Terminal 0	Yes
2011/6213	Abbot Pt Dredging T0, T2, T3	North Queensland Bulk Ports Corporation Limited/Exploration (mineral, oil and gas - marine)/Approx 3km offshore Abbot Point/QLD/Abbot Point Terminal 0, 2 & 3 Capital Dredging	Yes
2012/6240	Dudgeon Pt / Hay Pt Expansion	North Queensland Bulk Ports Corporation Limited/Transport - water/Port of Hay Point/QLD/Dudgeon Point Coal Terminals Project	Yes
2012/6250	Waratah Coal Terminal	Waratah Coal Pty Ltd/Transport - water/25km north of Bowen/QLD/Abbot Point Coal Terminal Project	Yes

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Program: Division or Agency: 5.2: EACD **Question 222**
Topic: Gladstone Harbour - Western Basin
dredging approval conditions **No:**
Proof Hansard Page and Date Written
or Written Question:

Senator Waters asked:

Given the inconclusive findings of the Gladstone Fish Health Scientific Advisory Panel's Final Report (5 January 2012):

1. Has the Department revisited the Western Basin dredging approval conditions and reviewed whether the monitoring requirements are adequate?
2. Has the Department taken any steps (such as first hand investigations) to satisfy itself that the monitoring, evaluation and compliance regime for the Western Basin Dredging Process is adequate, given high levels of community concern? If so, what steps have been taken?
3. Has the Department advised the Minister on the adequacy of the current water monitoring requirements, and/ or any options to change/ expand the monitoring requirements?
4. What has the Department done to ensure the recommendations of the Scientific Advisory Panel's Final Report are being implemented, at least as far as there are implications from the recommendations for matters of national environmental significance?
5. Do the EPBC approval conditions and/or environmental management plans established in accordance with the Western Basin Dredging approval conditions require the water sampling undertaken to test water quality (both in the baseline and ongoing monitoring) to be conducted throughout the water column? At what depths is sampling required at each monitoring site?
6. Is it common practice for the Department when approving large scale dredging activities to require water sampling undertaken to test water quality (in baseline testing and ongoing monitoring) to be conducted throughout the water column?

Answers:

1. No.
2. In August 2011 and February 2012, departmental officers visited the project site and met with Gladstone Ports Corporation staff to discuss compliance with approval conditions and associated management plans as well as discussing the water quality monitoring program. On 11 November 2011, departmental officers met with the Dredge Technical Reference Panel to discuss compliance with conditions and water quality monitoring criteria. The department is in regular communication with Gladstone Ports Corporation staff and advisory panels appointed under the conditions of approval. The department has a compliance audit program and compliance policies with a range of regulatory mechanisms to respond to allegations of non-compliance.

3. No.
4. The Queensland Scientific Advisory Panel's Final Report did not make recommendations in relation to matters of national environmental significance, protected under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). The report was prepared for the Honourable Craig Wallace MP, Queensland Minister for Main Roads, Fisheries and Marine Infrastructure. The findings of the report relate to a number of fish species (not listed under the EPBC Act) and water health in a discrete area of the Great Barrier Reef World Heritage Area (not impacting on the world heritage values associated with the Great Barrier Reef World Heritage Area). The report's recommendations relate to the responsibilities of Queensland authorities and their role in the investigation of fish disease and monitoring of water quality in Gladstone Harbour.
5. The continual water quality monitoring loggers used in the Gladstone Harbour collect water quality data at approximately 1.0m depth. In addition, bimonthly monitoring at those locations is depth profiled to 10m (throughout the water column).
6. Yes.

**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

Program: Division or Agency: 5.2: EACD **Question No:** 223
Topic: Environmental Impact Assessments
Proof Hansard Page and Date Written
or Written Question:

Senator Waters asked:

1. In making an approval decision under the Act, the Minister has to consider economic and social matters (s.136(1)). Proponents often include economic data and claims in their Environmental Impact Statements (EIS). Does the Department critically analyse proponent's claims about the economic benefits of their projects? Does the Department undertake any independent analysis of the potential economic costs and benefits of a proposed project?
2. What expertise does the Government have in-house, and what is drawn on externally to analyse the economic aspects of a proposed project?
3. Please provide examples of the types of analysis the Department has undertaken (or out-sourced) to assess the economic claims made by proponents, and independent assessments undertaken?
4. Does the Department critically analyse the potential social impacts of proposed projects?
5. What expertise does the Government have in-house, and what is drawn on externally to analyse the social aspects of a proposed project?
6. Please provide examples of the types of analysis the Department has undertaken (or out-sourced) to assess the potential social impacts of proposed projects?

Answer:

1. All projects referred under the *Environment Protection and Biodiversity Conservation Act 1999* are rigorously assessed. Independent analysis of economic and social impacts may be sought on a case-by-case basis.
2. When considered necessary, advice has been sought from economists within the department, from other government agencies and from consultants.
3. See: Attachment 9 at:
<http://www.environment.gov.au/epbc/notices/assessments/2007/3385/pubs/att-b9.pdf>

<http://environment.gov.au/epbc/notices/assessments/2006/3150/pubs/traveston-dam-cie-report-part1.pdf>
4. Refer to the response provided to Q1 above.
5. When considered necessary, the department has requested advice from relevant government agencies and from consultants.
6. See: <http://www.environment.gov.au/epbc/notices/assessments/2005/2502/dept-advice.pdf>

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Answers to questions on notice
Sustainability, Environment, Water, Population and Communities portfolio
Additional Budget Estimates, February 2012

Program: Division or Agency: 5.2: EACD **Question 224**
Topic: Boggabri Coal Project **No:**
Proof Hansard Page and Date Written
or Written Question:

Senator Waters asked:

1. In relation to the Department's decision not to call-in the Boggabri Coal Project continuation project for assessment under the EPBC Act, on the grounds that it had a previous approval under the Environment Protection (Impact of Proposals) Act 1974 (EPIP Act):
 - a. Can the Department confirm that this project proposes to destroy 542ha of very intact, high conservation value critically endangered Box Gum?
 - b. Can the Department confirm that the project will now proceed without any further federal assessment?
 - c. Did the Department investigate and consider the differences between the original Boggabri Coal Project (approved under the EPIP Act) and the current proposal?
 - d. Did the assessment referred to in (c) consider the fact that there is no underground mining proposed, and that the overburden emplacement areas, annual extraction rates and associated infrastructure have changed markedly?
 - e. Please give examples of what the Boggabri Coal project would hypothetically need to involve in order for the Department to determine that this project was no longer the subject a prior existing approval?

Answer:

1. The Boggabri Coal Project continuation consists of the existing operation mine and the proposed mine expansion. The department is currently assessing the proposed expansion of the existing operating Boggabri Coal Mine, which was assessed and approved under the *Environmental Protection (Impact of Proposals) Act 1974* (EPIP Act).
 - a. The existing operating mine would involve clearing approximately 542ha of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) listed critically endangered White box- Yellow box- Blakely's Red Gum ecological community. The Boggabri coal mine proposed extension project will clear approximately 82ha of the EPBC listed critically endangered White box- Yellow box- Blakely's Red Gum ecological community.
 - b. The existing operating Boggabri mine project was assessed in accordance with the EPIP Act Administrative Procedures on 20 November 1978, and as such, it is not possible for the existing Boggabri Coal Mine to be referred, assessed and approved under the EPBC Act, due to its previous assessment under the EPIP Act.

- c. A referral for the proposed extension of the existing Boggabri Coal Mine was received 22 December 2009 and determined to be a controlled action on 5 February 2010 because of the likelihood of significant impacts on listed threatened species and ecological communities and listed migratory species. This project is currently being assessed through an accreditation of the New South Wales Government assessment process under Part 3A of the *Environmental Planning and Assessment Act 1979* (NSW).
- d. The department reviewed the existing Boggabri coal mine and determined that the environmental assessment requirements of the EPIP Act were satisfied in relation to this proposal, and consequently the assessment and approval provisions of the EPBC Act do not apply to the currently operating Boggabri mine.
- e. The changes to the overburden emplacement areas, annual extraction rates and associated infrastructure are currently being assessed as part of the referral for the proposed extension of the existing mining operations.

It is not possible for the existing Boggabri Coal Mine to be referred, assessed and approved under the EPBC Act, due to its previous assessment under the EPIP Act.

**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

Program: Division or Agency: 5.1: HWD **Question No:** 225
Topic: Key Threatening Processes
Proof Hansard Page and Date Written
or Written Question:

Senator Waters asked:

1. How many properly made nominations for key threatening processes (KTP) did the department receive in each of 2009, 2010, and 2011? Please provide a list of these nominations and any existing summaries of these nominations.
2. What is the status for each of these nominations (eg. recommendation made to Minister, currently being assessed, rejected)?
3. On average, how long does it take for a KTP listing and the development of a threat abatement plan? More specifically, for the last 3 examples relevant to each stage, how long did each of the following stages take;
 - a. From the closing date from applications to the publication of TSSC's decision about nominations to be assessed?
 - b. From the TSSC decision to assess a KTP nomination to completion of that assessment and a recommendation to the Minister?
 - c. From a recommendation to the Minister to a listing of a KTP?
 - d. From a KTP listing to the finalisation of a threat abatement plan for those KTPs for which a TAP is recommended.?
4. Have there been any KTP nominations in the past decade that have taken less than 5 years from nomination to development of a TAP?
5. What is the current level of funding allocated to assessment of KTP nominations?
6. Based on current resources, what is the maximum number of KTP nominations that can be assessed in a year?
7. Is there a quota for acceptance of nominations based on the resources available for assessment? What is that quota?
8. What criteria does the Threatened Species Scientific Committee apply to determine which of the KTP nominations will be assessed?
9. What is the current level of funding allocated to development of threat abatement plans, per plan and in total?
10. How much federal funding was allocated to the implementation of threat abatement plans in the past two years? What is the breakdown of this allocation to specific TAPs?

11. How does the Government plan to implement the recommendation of the Hawke review of the EPBC Act to make KTP listings more flexible and to permit regional KTP listings?
12. What extra funding will be allocated to implement the Hawke review recommendations on KTP listings?

Answer:

1 & 2. There were 6 nominations for key threatening processes (KTPs) received by the Department of Sustainability, Environment, Water, Population and Communities (the department) from 2009 to 2011 (one in 2009, two in 2010 and three in 2011). The table below summarises these nominations and their status.

Year	Titles of public nominations received	Summary of nomination	Status of nomination
2009	Ecosystem degradation, habitat loss and species decline due to urban, semi-urban, industrial & other similar development (e.g. infrastructure development) and subsequent human occupation affecting nationally critically endangered, endangered or vulnerable species or ecological communities or those likely to become so.	See title of nomination in previous column.	Not included for assessment.
2010	Human population growth in Australia	Increase in human population, resulting in loss of habitat.	Not included for assessment.
	Ecosystem degradation, habitat loss and species decline due to invasion in southern Australia by introduced Tall Wheat Grass (<i>Lophopyrum ponticum</i>).	See title of nomination in previous column.	Not included for assessment.
2011	Herbivory and Habitat Degradation by Feral Deer.	See title of nomination in previous column.	Not included for assessment.
	Ecosystem degradation, habitat loss and species decline due to urban, semi-urban, industrial & other similar development (e.g. infrastructure development) and subsequent human occupation affecting nationally critically endangered, endangered or vulnerable species or ecological communities or those likely to become so.	See title of nomination in previous column	Not included for assessment.
	Aggressive exclusion of birds from potential woodland and forest habitat by overabundant noisy miners <i>Manorina melanocephala</i>	Impact of noisy miners on other native species due to an increase in numbers as a result of habitat modification.	Under assessment

3. The average time taken from the commencement of the assessment until the listing for all listed KTPs is one year and 10 months. The average development time for all new Threat Abatement Plans (TAPs) is 3 years and 8 months.
 - a. 90 days.
 - b. One year and 7 months.
 - c. 88 business days.
 - d. Only one of the last three KTPs has had a TAP finalised. It took three years and two months from the listing of the KTP to the date that the TAP was registered on the Federal Register of Legislative Instruments.
4. Yes:
 - 'Predation by exotic rats on Australian offshore islands of less than 1000 km² (100,000 ha)';
 - 'The reduction in the biodiversity of Australian native fauna and flora due to the red imported fire ant, *Solenopsis invicta* (fire ant)'; and
 - 'Predation, habitat degradation, competition and disease transmission by feral pigs.'
5. The assessment of KTP nominations is undertaken by staff of the department from within existing budget allocations. A specific funding breakdown is not available.
6. On average, one.
7. No.
8. The nominations are considered by the Threatened Species Scientific Committee against the following criteria outlined in the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) under s188(1)-(4):

Whether the nominated process is considered to be a KTP; and

Whether the listing is captured by another listed KTP or ongoing assessment.
9. The development of TAPs is undertaken by staff of the department from within existing budget allocations. A specific funding breakdown is not available.
10. Actions identified in threat abatement plans are funded by various means within the Australian Government including the Department of Sustainability, Environment, Water, Population and Communities; Caring for our Country; the Department of Agriculture, Fisheries and Forestry; and cooperative research centres.

The table below provides an estimate against each threat abatement plan of funding from the Department of Sustainability, Environment, Water, Population and Communities and Caring for our Country.

As projects funded through Caring for our Country typically address multiple threats to biodiversity, the component of each project allocated to implementation of a particular threat abatement plan cannot be separated from other components of the project (for example, where a project seeks to control foxes, rabbits and weeds, the total project funding has been allocated to both foxes and rabbits). Therefore, these estimates provide an upper figure of funding for actions under each threat abatement plan.

Threat abatement plan (TAP)	Funding 2010-2012
TAP for competition and land degradation by unmanaged goats	\$2,194,444
TAP for competition and land degradation by rabbits	\$11,921,239
TAP for predation by European red fox	\$5,149,675
TAP for predation by feral cats	\$6,273,475
TAP for predation, habitat degradation, competition and disease transmission by feral pigs	\$17,376,357
TAP for the biological effects, including lethal toxic ingestion, caused by cane toads	\$88,050
TAP to reduce the impacts of exotic rodents on biodiversity on Australian offshore islands of less than 100,000 hectares	\$0*
TAP to reduce the impacts of tramp ants on biodiversity in Australia and its territories	\$1,325,939
TAP for dieback caused by the root-rot fungus <i>Phytophthora cinnamomi</i>	\$270,000
TAP for infection of amphibians with chytrid fungus resulting in chytridiomycosis	\$712,615
TAP for beak and feather disease affecting endangered psittacine species	\$2,727,220
TAP for the impacts of marine debris on vertebrate marine life	\$2,678,429
TAP for the incidental catch (or bycatch) of seabirds during oceanic longline fishing operations	<u>\$1,120,090</u>
	\$51,837,532

*Note that \$1,485,300 was provided towards the implementation of the TAP to reduce the impacts of exotic rodents on biodiversity on Australian offshore islands of less than 100,000 ha in 2009–10.

11. As outlined in the Australian Government Response to the *Independent Review of the Environment Protection and Biodiversity Conservation Act 1999*, the government has agreed to amend the Act to provide greater flexibility in the criteria for identifying and listing a key threatening process. These criteria will be prescribed by regulation and have not yet been developed.
12. The government is continuing to identify appropriate mechanisms and resourcing to implement the Australian Government Response to the report of the *Independent Review of the Environment Protection and Biodiversity Conservation Act 1999*.