

**Senate Standing Committee on Environment and Communications
Legislation Committee**

Answers to questions on notice

Sustainability, Environment, Water, Population and Communities portfolio

Supplementary Budget Estimates, October 2010

Program: Division or Agency: 1.2: AWD **Question No:** 10

Broad Topic: Orchids at Jandakot Airport

Proof Hansard Page and Date 124 (18/10/10)
or Written Question:

Senator Siewert asked:

Senator SIEWERT—Thank you. I would like to go to an answer that you gave me—and I am sorry to jump around but there are a couple of issues that I want to cover—in response to my questions on notice about the Jandakot airport last estimates. I thank you for the answer; it was very useful for me. I have got a couple of follow-up questions. The comment was made that none of the translocated plants set seed. Does it concern you that they continue to transplant orchids and that some of them have survived and set flowers but none have set seed? Is that normal? Have you looked into it?

Ms Middleton—In relation to the translocation that is currently occurring on Jandakot airport, it is all being managed by the Botanic Gardens and Parks Authority in Western Australia. They are the leading experts in terms of the two orchid varieties on Jandakot and their latest reports to us are that they are actually encouraged by how well the plants that they have currently translocated are progressing.

Senator SIEWERT—These are also the ones from 2004 that have been translocated and have flowered but have not set seed. Has any work been done or have you required any work to look at why they did not set seed and what potential that has for the future?

Ms Middleton—I am not a technical expert on orchids but I can take that on notice and check with the Botanic Gardens and Parks Authority.

...

Senator SIEWERT—If you could take on notice and provide me with any further information on that, it would be really appreciated. ...

Answer:

According to Professor Kingsley Dixon, Director Science at the Kings Park Botanic Gardens, WA, it is not unusual for the orchid species *Caladenia huegelii* in the northern extent of its range to have a very low seed set. Research currently being carried out indicates that this is a result of low numbers of the orchid-specific pollinators in the area. Further south where there are high numbers of pollinators, the orchid seed set is observed to be slightly higher. Research is continuing into understanding the ecology of the specific pollinating insect with a view to potentially managing and enhancing local abundance for increasing pollination rates in wild and translocated orchid populations.

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Sustainability, Environment, Water, Population and Communities portfolio

Supplementary Budget Estimates, October 2010

Program: Division or Agency: 1.2: AWD **Question No:** 11

Broad Topic: Strategic assessment of the
Midlands Water Scheme

Proof Hansard Page and Date Written Question
or Written Question:

Senator Colbeck asked:

1. What is the schedule for the assessment of the Midlands Irrigation Schemes?
2. What meetings are planned for the assessment, if any? Where? With who?
3. How much will the assessment cost?
4. What has been the impact of the listing of the Tasmanian native grasslands on the irrigation development?
5. What is the current status of this assessment?
6. When will the proponents be given final sign-off (if any!)?
7. How many submissions were made to the assessment process?
8. Who have the assessors met with as part of the assessment process? Where? When? Who?
9. What were the findings with respect to the threats to any species identified by the Tasmanian Conservation Trust?
10. What measures, if any, will the proponents need to undertake as a result of the assessment – over and above what was already proposed?
11. What has been the cost of the assessment?

Answer:

1. Two draft strategic assessment reports – comprising a Program Report and Strategic Impact Assessment Report – describe the Tasmanian Government’s Water Access Program for the Midlands Water Scheme under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). They were both released for public comment between 30 September 2010 and 4 November 2010.

Following public comment, the schedule for the assessment of the Midlands Water Scheme is:

- a. The Tasmanian Government prepares a “Strategic Impact Assessment, Supplementary Report”, in light of the public comments, and if required a revised “Program Report” for submission to the Minister for Sustainability, Environment, Water, Population and Communities. The timing for preparation of this report rests with the Tasmanian Government.

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- b. Once the Minister for Sustainability, Environment, Water, Population and Communities receives the “Supplementary Report” and final “Program Report” he will consider whether to endorse and approve the Water Access Program Midlands Water Scheme. There is no set time under the EPBC Act for these decisions.
2. As part of the public consultation process, departmental staff from both the Australian and Tasmanian Governments held joint briefings in Tasmania between 12 and 14 October 2010 with representatives from the following organisations:
 - a. Tasmanian Irrigation Development Board
 - b. Tasmanian Farmers and Graziers Association
 - c. Lower South Esk Irrigators Group
 - d. Midlands Water Group
 - e. Arthurs Pipeline Regional Representative Group
 - f. Elizabeth Macquarie Irrigators Group
 - g. Brickendon Estate
 - h. Oatlands Irrigators Group
 - i. Bush Heritage Australia
 - j. Tasmanian Land Conservancy
 - k. Tasmanian Conservation Trust
 - l. Tasmanian Department of Primary Industries, Parks, Water and Environment
 - m. Individual farmers.
3. As the assessment process under the EPBC Act is conducted within the normal allocated departmental budget, there is no separate budget for this assessment. Questions relating to the cost of the assessment to Tasmania need to be directed to the Tasmanian Government.
4. The listing of the Lowland Native Grasslands of Tasmania (‘grasslands’) means that a proposed action that could have a significant impact on the grasslands must be referred under the EPBC Act. There have been no referrals to date. The listing has also led to the agreement with the Tasmanian Government to undertake a strategic assessment of the Midlands Water Scheme.
5. See answer to question one.
6. See answer to question one.
7. Twelve.
8. See answer to question two.
9. As the “Strategic Impact Assessment, Supplementary Report” has not yet been completed by the Tasmanian Government, there are as yet no conclusions or measures flowing from the assessment.
10. See answer to question nine.
11. See answer to question three.

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Answers to questions on notice

Sustainability, Environment, Water, Population and Communities portfolio

Supplementary Budget Estimates, October 2010

Program: Division or Agency: 1.2: AWD **Question No:** 12

Broad Topic: Monsoon Vine Thicket

Proof Hansard Page and Date Written Question
or Written Question:

Senator Siewert asked:

1. Will the Department be acting on the Threatened Species Scientific Committee recommendation that Monsoon Vine Thicket be included on the vulnerable category list under the EPBC Act? If yes, what is the timeframe?
2. Is the Department aware that Monsoon Vine Thickets are threatened by the proposed gas development at James Price Point?
3. Does the Department believe that more work needs to be done identifying and listing threatened species in the Kimberley?

Answer:

1. The Western Australian government recognises Monsoon Vine Thickets as a vulnerable ecological community at the state level. The Threatened Species Scientific Committee (TSSC) has not yet assessed whether Monsoon Vine Thickets is eligible for *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) listing. A nomination for this ecological community has been received by the TSSC and will be considered for assessment prioritisation in 2011.
2. The Department is aware that the proposed Browse Basin Liquid Natural Gas hub at James Price Point would affect a proportion of the Monsoon Vine Thicket in the vicinity of James Price Point. The proposal is still subject to public consultation and subsequent decision-making by the Western Australian and Commonwealth Governments.
3. Work to identify and list threatened species is ongoing, including in relation to the Kimberley. The Department and the TSSC work with a variety of stakeholders to identify and assess for possible listing under the EPBC Act species that may be threatened. The Department also makes an annual public call for nominations for listing of threatened species under the EPBC Act.

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Answers to questions on notice

Sustainability, Environment, Water, Population and Communities portfolio

Supplementary Budget Estimates, October 2010

Program: Division or Agency: 1.2: AWD

Question No: 13

Broad Topic: Bumble Bees

Proof Hansard Page and Date Written Question
or Written Question:

Senator Colbeck asked:

At the last Estimates I asked about the importation of Bumblebees into Tasmania following representations to me from the horticulture sector. Following those Estimates, Marcus Brandsema, a tomato greenhouse operator at Turners Beach in North West Tasmania met with Minister Garrett. Minister Garrett mentioned to Mr Brandsema that a possible way forward would be to “challenge” the Act and said that a brief would be forwarded from his office to Mr Brandsema in a time-frame of around 4 weeks. On 13 August Mr Brandsema emailed the Minister – following numerous other emails and phone calls to the Minister's office – and said he had still not received the promised brief.

1. Did the Dept provide advice to the Minister on this matter? Was an official present at the meeting in late May (part of the community cabinet process)?
2. Is the Dept still preparing advice?
3. Is there a reason why bumblebees could not be brought into Tasmania when they are already present and have been so for at least 15 years?

Answer:

1. The department provided briefing to the then Minister for Environment Protection, Heritage and the Arts prior to the community cabinet meeting in May 2010, at which Mr Brandsema met the Minister. Yes, an official was present.
2. The department has recently discussed the situation with and written to Mr Brandsema and will be providing him directly with further information on options available to him.
3. Yes. See attached statement of reasons for the then Minister's decision of 22 October 2008 not to allow the importation of bumblebees into Australia.

**STATEMENT OF REASONS FOR DECISION UNDER SECTION 189 OF THE
ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999**

I, PETER GARRETT, Minister for the Environment, Heritage and the Arts, provide the following statement of reasons for my decision of 22 October 2008, not to approve the inclusion of *Bombus terrestris*, on the List of Specimens taken to be Suitable for Live Import (the live import list) pursuant to sections 303EC(1) and 303EG of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Legislation

1. Section 303EB of the EPBC Act (Listing of specimens suitable for live import) relevantly provides:

- (1) The Minister must, by instrument published in the *Gazette*, establish a list of specimens that are taken to be suitable for live import.
- (2) The list is to be divided into 2 Parts, as follows:
 - (a) Part 1 is to be a list of unregulated specimens;
 - (b) Part 2 is to be a list of allowable regulated specimens.
- (3) The list may only contain specimens that are live animals or live plants.
- (4) Part 1 of the list, as first established, must contain only the specimens referred to in Part I of Schedule 5 or Part I of Schedule 6 to the *Wildlife Protection (Regulation of Exports and Imports) Act 1982*, as in force immediately before the commencement of this section.
- (5) Part 1 of the list must not contain a CITES specimen.
- (6) Part 1 of the list is taken to include a live plant the introduction of which into Australia is in accordance with the *Quarantine Act 1908*.
- (7) For each specimen included in Part 2 of the list (except a specimen referred to in subsection (11A)), there is to be a notation that states whether the inclusion of the specimen in that part of the list is subject to restrictions or conditions and, if so, the nature of those restrictions or conditions.
- (8) A restriction or condition referred to in subsection (7) may:
 - (a) consist of a quantitative limit in relation to the import of the specimen;
 - or
 - (b) relate to the circumstances of the import of the specimen; or
 - (c) relate to the source of the specimen; or
 - (d) relate to the circumstances in which the specimen was taken.
- (9) Subsection (8) does not limit subsection (7).

- (10) Part 2 of the list, as first established, must contain only specimens that were, at any time before the commencement of this section, the subject of an import permit granted under the *Wildlife Protection (Regulation of Exports and Imports) Act 1982*.
- (11) For the purposes of subsection (10), a specimen is taken to have been the subject of an import permit if, and only if, the specimen was identified in the permit at the species or sub-species level.
- (11A) Part 2 of the list is taken to include a live plant that:
 - (a) is a CITES specimen; and
 - (b) is introduced into Australia in accordance with the *Quarantine Act 1908*.
- (12) A copy of an instrument under subsection (1) is to be made available for inspection on the Internet.

Section 303EC of the EPBC Act (Minister may amend list) relevantly provides:

- (1) The Minister may, by instrument published in the *Gazette*, amend the list referred to in section 303EB by:
 - (a) including items in a particular part of the list; or
 - (b) deleting items from a particular part of the list; or
 - (c) correcting an inaccuracy or updating the name of a species; or
 - (d) imposing a restriction or condition to which the inclusion of a specimen in Part 2 of the list is subject; or
 - (e) varying or revoking a restriction or condition to which the inclusion of a specimen in Part 2 of the list is subject.
- (2) For the purposes of paragraph (1)(c), **correcting an inaccuracy** includes ensuring that the list complies with subsections 303EB(4) and (10).
- (3) Before amending the list referred to in section 303EB as mentioned in paragraph (1)(a), (b), (d) or (e) of this section, the Minister:
 - (a) must consult such other Minister or Ministers as the Minister considers appropriate; and
 - (b) must consult such other Minister or Ministers of each State and self-governing Territory as the Minister considers appropriate; and
 - (c) may consult such other persons and organisations as the Minister considers appropriate.
- (4) An instrument under subsection (1) (other than an instrument mentioned in paragraph (1)(c)) is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*.
- (5) The Minister must not amend the list referred to in section 303EB by including an item in the list, unless:
 - (a) the amendment is made following consideration of a relevant report under section 303ED or 303EE; or

(b) the amendment is made following consideration of a relevant review under section 303EJ.

(6) A copy of an instrument under subsection (1) is to be made available for inspection on the Internet.

Section 303EE of the EPBC Act (Application for amendment of list) relevantly provided:

- (1) A person may, in accordance with the regulations, apply to the Minister for the list referred to in section 303EB to be amended by including an item.
- (2) The Minister must not consider the application unless:
 - (a) an assessment is made of the potential impacts on the environment of the proposed amendment; and
 - (b) a report on those impacts is given to the Minister.

The report must be prepared in accordance with section 303EF

Section 303EF of the EPBC Act (Requirement for assessments) relevantly provided:

An assessment under subsection 303ED(2) or 303EE(3) must provide for:

- (a) the preparation of draft terms of reference for a report on the relevant impacts; and
- (b) the publication of the draft terms of reference for public comment for a period of at least 10 business days that is specified by the Minister; and
- (c) the finalization of the terms of reference, to the Minister's satisfaction, taking into account the comments (if any) received on the draft terms of reference; and
- (d) the preparation of a draft of a report on the relevant impacts; and
- (e) the publication of the draft report for public comment for a period of at least 20 business days that is specified by the Minister; and
- (f) the finalisation of the report, taking into account the comments (if any) received after publication of the draft report; and
- (g) any other matter prescribed by the regulations.

Section 303EG of the EPBC Act (Timing of decision about proposed amendment) relevantly provides:

- (1) If the Minister receives a report under section 303ED or 303EE in relation to a proposed amendment, the Minister must decide whether or not to make the proposed amendment within:
 - (a) 30 business days; or

- (b) if the Minister, by writing, specifies a longer period—that longer period; after the first business day after the day on which the report was received.

Section 303EI of the EPBC Act (Notice of refusal of proposed amendment) relevantly provides:

If section 303EE applies and the Minister refuses to make the proposed amendment, the Minister must give the applicant notice of the refusal.

Section 391 of the EPBC Act (Minister must consider precautionary principle in making Decisions) relevantly provides:

Taking account of precautionary principle

- (1) The Minister must take account of the precautionary principle in making a decision listed in the table in subsection (3), to the extent he or she can do so consistently with the other provisions of this Act.

Precautionary principle

- (2) The *precautionary principle* is that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment where there are threats of serious or irreversible environmental damage.

Decisions in which precautionary principle must be considered

- (3) The decisions are:

Item: 10C

Section decision is made under: 303EC

Nature of decision: about including an item in the list referred to section 303EB.

Note: Amendments to the EPBC Act became effective on 19 February 2007. Those amendments included amendments to sections 303EE and 303EF; however the transitional provisions for these amendments provide that they do not apply to assessments begun prior to 19 February 2007. There were also amendments made to 303EB which apply to decisions made after 19 February 2007. See Part 6 of Schedule 2 of the *Environment and Heritage Legislation Amendment Bill (No.1) 2006*.

Background

1. An application was submitted on 20 October 1997 to the Department by Dr Stephen Goodwin and Ms Marilyn Steiner of Gosford IPM Services under section 9 the *Wildlife Protection (Regulation of Exports and Imports) Act 1982* to include *Bombus terrestris* for use as a pollinator in commercial greenhouses. Only preliminary progression was made on this application as the applicant was required to undertake studies to fulfill the information requirements.
2. On 18 May 2001, the Australian Hydroponic & Greenhouse Association (the Applicant), wrote to the Department seeking a change of applicant status, from Gosford IPM Services to the Australian Hydroponic & Greenhouse Association becoming the principal applicant. The request was accepted.
3. Following correspondence with the Applicant, on 18 September 2003 the Department notified the Applicant that following the repeal of the *Wildlife Protection (Regulation of Exports and Imports) Act 1982*, the application to import *B. terrestris* would be accepted in accordance with section 303EE(1) of the EPBC Act.
4. Draft Terms of Reference for an environmental assessment report on the impacts of *B. terrestris* were published on the Department's website for public comment, from 8 April 2004 to 23 April 2004 pursuant to section 303EF(b) of the EPBC Act. The terms of reference were finalised on 25 February 2005 pursuant to section 303EF(c).
5. The Applicant prepared a draft environment assessment report pursuant to section 303EF(d) of the EPBC Act and provided it to the Department on 29 March 2006.
6. The draft report was published on the Department's website, and public comments were invited between 7 April 2006 and 23 April 2006, pursuant to section 303EF(e) of the EPBC Act. Comments on the draft report were also sought from:
 - state and territory ministers with environmental responsibilities;
 - relevant Commonwealth Ministers.
7. The Department provided a copy of all comments received to the Applicant in August 2006.
8. The Applicant provided a final report, prepared pursuant to section 303EF(f) to the Department on 17 March 2008.
9. On 9 October 2008 I received the final report in a brief provided to me by the Department. The brief included a copy of the final report, the public and government comments, and my Department's own analysis.
10. On 22 October 2008 I decided not to approve the inclusion of *B. terrestris* on the live import list pursuant to 303EG of the EPBC Act.

Evidence or other material on which my findings were based

11. The evidence or other material upon which my findings were based is listed below:

- A brief from the Department dated 7 October 2008, which included the following documents:
 - a. a copy of the Applicant's final environmental assessment report addressing public comments on the impacts of importing *B. terrestris*;
 - b. comments provided by the public on the draft assessment report in response to the invitation to provide comment made pursuant to section 303EF(e);
 - c. advice from state and territory ministers, and relevant Commonwealth Ministers.

Findings on material questions of fact

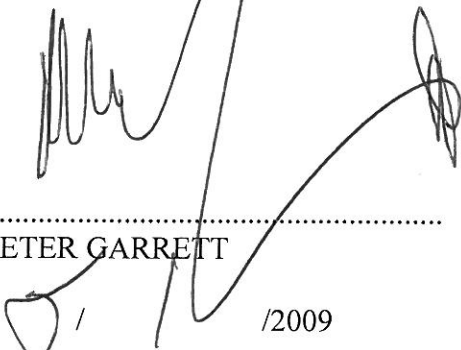
12. I found that the Applicant was seeking the inclusion of *B. terrestris* on the list to enable the import of this species to enable the provision of large numbers of live colonies of *B. terrestris* to greenhouses across Australia, for use as pollinators in commercial greenhouses.
13. I found that the proposal is considered important to the future development of the greenhouse tomato industry, with expected additional earnings in excess of \$40 million per annum from the improved productivity expected. I found that the use of *B. terrestris* in greenhouses would potentially lead to a reduction in the use of pesticides in those greenhouses.
14. I found that the number of colonies that would potentially be distributed to commercial greenhouses would be many thousands each year. I found that at such high numbers, the chances of escape or release of insects is very high, particularly as the responsibility for hive management in the greenhouse, including destruction, would rest with individual greenhouse growers, as proposed by the Applicant.
15. I found that every state and territory government was opposed to the proposal and their reasons for this included difficulty in containing the insects, the likelihood that the species would escape and establish feral populations, and the likely negative impacts on the environment should the species escape from factors such as increased weed spread and competition with native species.
16. I found that the Applicant proposed a number of measures to limit the risk of escapes so that the importation would not have a detrimental effect on the environment. These included:
- a. the use of queen excluder devices on individual hives to prevent the exit of the larger queen bees,
 - b. the cyclical destruction by incineration, and replacement of hives, and
 - c. the development of protocols for greenhouse growers to follow in managing the hives, with penalties for non compliance with the protocols.

17. I found that the queen excluder devices described in the environmental report intended to prevent escape of queens may be susceptible to tampering, particularly if they prevent the optimum functioning of the hive, as was reported in the public comments.
18. I found that the use of *B. terrestris* in greenhouses would require the replacement of hives approximately every eight weeks. The hives would need to be destroyed to prevent the colony reproducing and thereby minimise the potential for environmental impact. There was an expectation that individual growers would be responsible for the destruction of the old hives.
19. I found that the monitoring and regulation necessary to ensure adherence to management protocols and minimize the potential for escapes would be costly for governments and may not deliver an acceptable level of compliance. Identifying the source of any bumblebees found to have escaped, and applying penalties, would be difficult. I found that no state or territory government was in favour of having to regulate the proposed use of bumblebees in greenhouses.
20. I found that the risk of bumblebees escaping would be very high, despite the implementation of mitigation measures recommended in the report.
21. I found that *B. terrestris* has established populations in several countries outside its natural range, including New Zealand, Chile, Uruguay, Israel, Scotland, Argentina and Japan. I considered that this is likely to be indicative of the species' invasive potential in Australia. Several scientific studies have shown a high invasive potential of bumblebees in modified environments, for example, following fire and grazing of pastures. This could have serious implications for Australian ecosystems with the potential for *B. terrestris* to quickly colonise disturbed habitats and impact negatively on recolonising native species.
22. I found that *B. terrestris* had been unlawfully imported into Tasmania in the early 1990s, and that its successful establishment in Tasmania may indicate the pattern of spread and potential impact that could also occur in a number of mainland states.
23. I noted that scientific evidence shows that *B. terrestris* can establish in a wide range of environments in relatively short periods of time, such as has occurred in Tasmania. The predictive tools CLIMATE and CLIMEX indicate climate compatibility with much of cool temperate Australia, which at a conservative estimate, would potentially include much of South Eastern Victoria and parts of coastal NSW.
24. I found that the modeling on climate compatibility had been done with *B. terrestris*, subspecies *audax*, but that other *Bombus* subspecies exist that would be eligible for import should *B. terrestris* be included on the live import list. I found evidence in the public comments, that other subspecies have temperature tolerances that may result in a greater invasive potential in Australia than *B. terrestris audax*.

25. I found that if *B. terrestris* were to become established on mainland Australia any eradication attempt could be very costly and that successful eradication would be difficult to achieve.
26. I found that there is a significant risk that *B. terrestris* could increase the pollination and seed set of some weed species and lead to their increased presence in Australia. *B. terrestris* has the necessary size and weight to more effectively pollinate some European weed species not currently receiving effective pollination in Australia. The resulting enhanced reproduction and invasiveness of some species of weed could potentially create significant environmental and agricultural problems.
27. I found that the Australian government spends tens of millions of dollars annually on exotic weed control, and the scale of costs associated with controlling new weed species, would likely outweigh the expected financial benefits to the greenhouse tomato industry.
28. I found that there is a significant risk of *B. terrestris* competing for floral resources, with a range of native species dependent on this resource, and causing negative impacts on those species. Bumblebees are more efficient pollinators than many native bee species due to their physical and behavioural characteristics, and the potential for them to out compete native species for limited pollination resources is high.
29. I found that *B. terrestris*' strategy of biting holes in the base of flowers to access the nectar within (known as 'nectar robbing') can destroy a flower's reproductive capacity. I found that at sufficient densities, *B. terrestris* has the potential to disrupt native pollination processes, and reduce the seed set of some native plants by nectar robbing. I found that there was a potential for negative flow-on effects of this disruption to ecosystems and other nectar-dependent native species.
30. I found that the nectar robbing behaviour of bumblebees could, at sufficient densities, potentially impact negatively on the cut flower industry by damaging flowers, and also impact on other sectors reliant on existing pollinators.
31. I found that there was insufficient evidence to support the argument that, if imported, *B. terrestris* would not have a significant impact on the Australian environment.
32. I found that there is no conclusive study proving that *B. terrestris* will cause environmental damage in Australia. However much of the scientific literature available on this issue raises concerns about the potential invasiveness and pest potential of *B. terrestris* and demonstrates trends to support this.
33. I found that on the basis that full scientific certainty is not available, the precautionary principle should be applied to prevent risk of damage to the environment should *B. terrestris* escape containment and establish on mainland Australia.

Reasons for decision

34. In making my decision, I took account of the precautionary principle as required under section 391 of the EPBC Act and public comments received.
35. In light of my findings, I was satisfied that the import of *B. terrestris* for use in commercial greenhouses would potentially result in significant impacts to the Australian environment.
36. I therefore decided on 22 October 2008 not to approve the inclusion on the live import list of *Bombus terrestris*.



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PETER GARRETT
/ / 2009

**Senate Standing Committee on Environment and Communications
Legislation Committee**

Answers to questions on notice

Sustainability, Environment, Water, Population and Communities portfolio

Supplementary Budget Estimates, October 2010

Program: Division or Agency: 1.2: AWD **Question No:** 14

Broad Topic: Strategic assessment of the
Midlands region

Proof Hansard Page and Date Written Question
or Written Question:

Senator Colbeck asked:

On 17 September, Senator Stephens representing the Minister said the Government would undertake – alongside the Tas Govt – a strategic assessment of the Midlands region. It appears this has simply been rolled into the assessment undertaken for the irrigation schemes (rather than a separate special assessment related to the grasslands). The Government said it would publicly release "a report on the impacts and proposed management arrangements" (for the grasslands) within 6 months of commencement.

1. Can you confirm whether or not you have met this guarantee to the Senate?
2. How many landholders have been identified as having grasslands on their holdings?
3. What impact has the grasslands' listing had on farm practices?
4. The Government also promised to make departmental officers available to carry out site visits to provide information on the impact of the grasslands listing. Can you confirm this has occurred?
5. How many site visits have occurred? When?

Answer:

1. The Government's commitment for a strategic assessment relates to the Midlands region where the Midlands Water Scheme is proposed, and as subsequently agreed with the Tasmanian Government (Page 6846, The Senate, Thursday 17 September 2009, Hansard, *The Senate, Environment Protection and Biodiversity Conservation Act 1999, Motion for Disallowance, Speech*).

Pursuant to the Government's commitment the department

- a. has issued the *Lowland Native Grasslands of Tasmania, A nationally threatened ecological community, Environment Protection and Biodiversity Conservation Act 1999 policy statement 3.18*, which helps farmers by providing information on the key threats faced by the Lowland Native Grasslands of Tasmania ('grasslands') and suggests management actions.
- b. discussed strategic assessment options for the grasslands with the Tasmanian government. Under the *Environment Protection and Biodiversity Conservation Act 1999*, strategic assessments of plans, programs or policies are only undertaken by agreement.

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- c. agreed with the Tasmanian government initially to focus a strategic assessment on the highest priority for rural land use change potentially affecting the grasslands, the proposed Midlands irrigation development.
- d. will continue to explore options for strategic assessments and grassland protection with the Tasmanian government.

On 5 February 2010 the former Minister entered into an agreement with the Tasmanian government for a strategic assessment of the Water Access Program, Midlands Water Scheme. The draft Program Report and Strategic Impact Assessment Report describing the program of intended activities, potential impacts on grasslands and other matters of national environmental significance, and commitments and undertakings to avoid, mitigate or offset impacts were released by the Tasmanian Government for public comment on 30 September 2010. The timing for preparation of these reports rested with the Tasmanian Government.

- 2. The reports released by the Tasmanian Government on 30 September 2010 do not identify how many landholders have grasslands on their holdings and the department does not otherwise have this information.
- 3. Since the listing of the grasslands, farmers who want to change their use of the grasslands, or begin a new activity in the grasslands, may need approval under the EPBC Act. However, the continuing use exemption (section 43B) of the EPBC Act allows farmers to continue existing farming practices, that is, those that have been continually undertaken since before the enactment of the EPBC Act, without the need for consideration under the EPBC Act.
- 4. Yes. Invitations have been extended to farmers to have site visits by the department.
- 5. Six site visits have occurred to date:
 - 10 November 2009
 - 11 November 2009
 - 13 October 2010
 - 13 October 2010
 - 13 October 2010
 - 14 October 2010

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Sustainability, Environment, Water, Population and Communities portfolio

Supplementary Budget Estimates, October 2010

Program: Division or Agency: 1.2: AWD **Question No:** 15

Broad Topic: Fitzgerald River National Park
coastal walk trail

Proof Hansard Page and Date Written Question
or Written Question:

Senator Siewert asked:

Re the proposed coastal walk trail through Fitzgerald River National Park:

1. Is the Department aware of the coastal walk trail through the Fitzgerald River National Park? If yes, has the Department got concerns about the potential to spread dieback in the Park?
2. Has the Department been approached to help fund the walk trail?
3. What is the Federal Government's approach to funding infrastructure in Fitzgerald National Park?
4. Does the Department believe the proposal should be assessed under the EPBC Act?

Answer:

1. The Western Australian Department of Environment and Conservation submitted a referral (2009/4958) for road upgrades and a walk trail development within the Fitzgerald River National Park under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) in June 2009. In July 2009, a delegate for the former Minister for Environmental Protection, Heritage and the Arts determined this action to be a non-controlled action if undertaken in a particular manner. The particular manner decision included measures to reduce the risk of *Phytophthora cinnamomi* (dieback) within the Fitzgerald National Park, such as:
 - There must be no further spread of dieback to special environmental areas as a result of the development, its associated activities and/or its consequential impacts.
 - The Response Plan for the Management of *Phytophthora cinnamomi* in the Fitzgerald River National Park 2006-2011 must be applied.
 - A dieback management plan must be developed for the action.

The department does not have concerns regarding the potential spread of dieback within the park due to the coastal walk trail, provided these dieback mitigation measures are adequately implemented.

2. No.
3. On 17 December 2009, the Hon Anthony Albanese MP, then Minister for Infrastructure, Transport, Regional Development and Local Government announced \$20 million Australian Government funding for Fitzgerald River National Park, as part of the Economic Stimulus

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Plan. Further information can be found at:

<http://www.minister.infrastructure.gov.au/aa/releases/2009/december/index.htm>

4. The proposal has already been assessed under the EPBC Act (see response to part 1 above).

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Program: Division or Agency: 1.2: MD **Question No:** 16

Broad Topic: Seasonal fishing bans in WA

Proof Hansard Page and Date 118 (18/10/10)
or Written Question:

Senator Siewert asked:

Senator SIEWERT— ... I want to know whether you have looked at, and discussed with the department of fisheries in Western Australia, the issue of the seasonal bans and the declining fish stocks in the areas where the seasonal bans have been put in place. Have you had any discussions with the department about that?

Mr Oxley—I need to confer with one of my staff for a minute. There may have been some discussion but I think it would be easier on this occasion if you were to give us an indication more clearly on notice and we will respond.

Senator SIEWERT—As you will be aware there are some seasonal bans coming into effect in WA and that is having quite a significant impact, as we understand it, on some of the local tackle shops and things, and the discussion is now centring around spatial bans rather than seasonal bans. I am wondering whether you have been having any discussions with the department or are you learning from the process that is being undertaken there at the moment.

Mr Oxley—I will take that on notice. I cannot give you the nitty gritty of what discussions our liaison officer in Western Australia may have had with WA fisheries department officials.

Answer:

Engagement between the Department of Sustainability, Environment, Water, Population and Communities (the Department) and the Western Australian (WA) Department of Fisheries has been ongoing since the commencement of the marine bioregional planning program in 2006.

A Memorandum of Understanding (MoU) was put in place for the South-west Marine Region and signed by the WA Department of Fisheries and the Department on 4 October 2006. The MoU was initiated to support data and information sharing and cooperative arrangements between agencies with regard to stakeholder engagement. It has been reaffirmed through an exchange of letters with the changes to WA Fisheries ministers.

A Marine Planning Government Working Group was established in 2006 under the MoU between the Department and WA state government agencies, including the WA Department of Fisheries. This joint government approach seeks to ensure a coordinated and cooperative approach to marine planning for matters of mutual interest in waters adjacent to South-west Australia. The Working Group generally meets monthly to discuss key stages of the planning process.

Several meetings outside of the Working Group have also occurred between the Department and WA Fisheries to discuss key aspects of the marine bioregional planning program, share available fisheries data to support the design of the draft proposed South-west marine reserve network and assist engagement with the commercial fishing industry. Within these comprehensive discussions, spatial management measures, seasonal bans and the status of fish stocks have been discussed.

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Program: Division or Agency: 1.2: MD **Question No:** 17

Broad Topic: East Marine Bioregional Plan
consultation meetings

Proof Hansard Page and Date 126 (18/10/10)
or Written Question:

Senator Macdonald asked:

Senator IAN MACDONALD—I want to speak to Mr Oxley again about the marine regional plan and I would like to go back to the natural resource management groups and Caring for our Country. Mr Oxley, in answer to a question on notice from the last estimates, regarding the East Marine Bioregional Plan, you indicated that it followed a similar model to the others, which involved a broad stakeholder audience, ‘but without multi-sectoral information sessions partly due to the geographic spread and requirements of interest groups in the region.’ Without asking you to go to too much effort, is it possible for you to give me a list of all the meetings that you had in relation to the East Marine Bioregional Plan?

Mr Oxley—Yes, it is possible, but I think we might check previous answers to questions, because I thought we had given at that time quite a comprehensive list of all the parties that we have met with.

Senator IAN MACDONALD—You did. Have there been no—

Mr Oxley—There may have been a period of time between when we answered that question and the commencement of the caretaker period. I am happy for us to provide further details.

Senator IAN MACDONALD—Did the meetings stop during the caretaker period?

Mr Oxley—Yes, we stopped doing the public consultation—actually, I should not say they stopped; they were actually at their natural end at that point in time.

Senator IAN MACDONALD—Please check for me that you have not previously given me information on the east regional plan. You certainly have given details for the northern plan; would you give me a list of those that you have not already told me about?

Mr Oxley—Yes, we will.

Answer:

Below is a list of stakeholder groups in the East Marine Region consulted since 19 June 2010.

Stakeholder Organisation, Group or Individual
Department of Industry & Investment New South Wales
Advisory Council of Recreational Fishing New South Wales
Urangan Fisheries
Tin Can Bay Trawl Fishers
Hervey Bay Chamber of Commerce
Nomad Sports & Game Fishing Charter Service
Game Fishing Association New South Wales (AGM)
Coffs Harbour Game Fishing Club
Great Lakes Game Fishing Club
Lake Macquarie Game Fishing Club

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Lord Howe Island Game Fishing Club
Port Stephens & Newcastle Game Fishing Club
Port Macquarie Game Fishing Club
Botany Bay Game Fishing Club
Broken Bay Game Fishing Club
Central Coast Game Fishing Club
Port Hacking Game Fishing Club
Sydney Game Fishing Club
Wollongong Game Fishing Club
Batemans Bay Game Fishing Club
Bermagui Big Game & Anglers Club
Canberra Game Fishing Club
Eden Sport & Game Fishing Club
Jervis Bay Game Fishing Club
Kiama Game Fishing Club
Merimbula Game Fishing Club
Narooma Sport & Game Fishing Club
Shellharbour Game Fishing Club
Shoalhaven Game Fishing Club
Tathra Game Fishing Club
Ulladulla Game Fishing Club
National Seafood Industry Alliance

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Program: Division or Agency: 1.2: MD **Question No:** 18

Broad Topic: Marine bioregions

Proof Hansard Page and Date Written Question
or Written Question:

Senator Colbeck asked:

1. Can you give me an outline of where each of the bioregions are?
2. It was anticipated the South West would be the first bioregion to have draft areas published. Will this still be the case?
3. What communications are planned following the release of each of the draft plans?
4. Is there any scientific data that is not being released to stakeholders?
5. What is the current status of the displacement policy?
6. Has the displacement stakeholder group been added to? What is the reason for this?
7. What meetings have been held with the group?
8. What meetings are planned?
9. When will the policy be finalised and released? Will a draft be released first for stakeholder input?
10. What advice has been provided to the Minister about the release of the displacement policy? When?
11. Does the displacement policy need to be approved by Cabinet or a sub-committee of the Cabinet?

Answer:

1. Australia's Commonwealth waters are divided into 5 marine planning regions. A map of the regions is on the Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC) website at <http://www.environment.gov.au/coasts/mbp/index.html>.

They are:

North-West marine region – stretches from Kimberley in the north to Ningaloo and Shark Bay in the south, from the North-west Shelf to the Cuvier and Argo abyssal plains. The regions north-western boundary is defined in accordance with the Perth Treaty negotiated with the Republic of Indonesia

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North marine region – includes the Commonwealth waters of the Gulf of Carpentaria, the Arafura and eastern Timor seas as far west as the Northern Territory- Western Australia border.

East marine region – includes Commonwealth waters from the Coral and Tasman seas, from the northern tip of Cape York Peninsula to southern New South Wales, includes Lord Howe Island and as far east as Norfolk Island.

South-west marine region – includes Commonwealth waters from the eastern end of Kangaroo Island, South Australia, to waters off Shark Bay, Western Australia.

South-east marine region – includes Commonwealth waters off southern New South Wales (northern boundary off Bermagui), Victoria, Tasmania (including Macquarie Island), and eastern South Australia from the South Australian – Victorian border to Victor Harbour.

There are 41 provincial marine bioregions and 44 mesoscale bioregions in Australian waters. These are identified in the Integrated Marine and Coastal Regionalisation of Australia version 4.0 which is available from the department's web site at <http://www.environment.gov.au/coasts/mbp/publications/imcra/imcra-4.html>.

2. Yes
3. It is intended that draft Bioregional Plans will be released in printed and electronic formats and will be available on the department's web site.

Supporting material in the form of guides to the different sections of each Draft Plan will also be available.

Release of draft plans will be followed by both general and sector-specific briefings and meetings in the regions over the 90 day period the Draft Plans are open for comment.

Comments will be sought from all interested stakeholders. Electronic and hardcopy submissions will be accepted.

4. All biophysical data that is being used in the development of the draft marine bioregional plans is already, or soon will be, publicly available. All the scientific information used in compiling the bioregional profiles and for identifying the areas for further assessment for marine reserves and bioregional profiles is already publicly available.
5. The displaced activities policy is under development.
6. Membership of the Stakeholder Advisory Group has not increased or changed in 2010. The Group expanded following its first meeting to include representatives of charter fishing and land-based marine industries.
7. The Stakeholder Advisory Group met on three occasions– 7 July 2009, 28 July 2009 and 16 April 2010.

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8. The next meeting of the Stakeholder Advisory Group has not been scheduled.
9. The Government's commitment is to release a displaced activities policy prior to the release of the first draft Marine Bioregional Plan. The process and timing for that release is still to be determined by the Government.
10. The Department has provided advice to the Minister about displaced activities policy.
11. The Department is unable to comment on Cabinet processes.

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Program: Division or Agency: 1.2: MD **Question No:** 19

Broad Topic: Southwest Bioregion mapping
and budgetary implications

Proof Hansard Page and Date Written Question
or Written Question:

Senator Siewert asked:

1. Has the department prepared a cost estimate for the bioregional marine plan? In doing so have you taken into account studies that show that large no-take reserves are cheaper to manage than more complex zoning of marine parks (“Marine protected area management costs: an analysis of options for the Coral Sea,” 2009, Natalie C. Ban, Vanessa Adams, and Robert L. Pressey, ARC Centre of Excellence for Coral Reef Studies James Cook University)?
2. Is the Department aware of the study by Allen Consulting Group – “The economics of marine protected areas: Application of principles to Australia’s South West Marine Region”? Has the methodology and findings recommended in this report been taken into consideration by the department in preparing their costs estimate?
3. Have the benefits such as a boost to ecotourism in the SW to \$55m per year and spill over benefits to the fishing and rock lobster industry of \$2.4m per year been considered in these estimates of costs?
4. In determining the size and location of marine sanctuaries in Marine Bioregional Plans, how have the potentially catastrophic impacts of climate change and ocean acidification been taken into account?

Answer:

- 1-3. Identification of draft networks of marine reserves and associated cost estimates of managing them have not yet been finalised. The Department is aware of the Ban et al and Allen Consulting Group studies. These and other relevant studies will be taken into consideration in the preparation of final cost estimates for reserve design, implementation and management. Possible industry benefits and spill over effects will be considered.
4. The threats to the conservation values of the marine environment have been taken into account in identifying options for marine reserves. Threats include, amongst other things, the effects of climate variability and ocean acidification on the conservation values identified in each marine region.

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Program: Division or Agency: 1.2: MD **Question No:** 20

Broad Topic: Declining fish stocks

Proof Hansard Page and Date Written Question
or Written Question:

Senator Siewert asked:

1. In considering impacts on recreational fishers, is the Department aware of recent studies that show very low impacts on their activities following the establishment of scientific levels of marine protection at the Great Barrier Reef and Ningaloo Reef? For example work cited in “Adaptive management of the Great Barrier Reef: a globally significant demonstration of the benefits of a network of marine reserves, 2010, Laurence J. McCook et al” showing that five years after establishing 33% Green Zones on the Great Barrier Reef boat sales had continued to increase and 73% of surveyed recreational fishers said fishing had not been affected or had improved?
2. Has the Department approached the Western Australian Fisheries Department to discuss how new commonwealth marine sanctuaries might help with protecting breeding areas for declining demersal fish stocks in Western Australia?
3. Is the Department aware of Fisheries Occasional Publication No 65, A Review of Management Arrangements for the Recreational Fishery for Demersal Scalefish in the West Coast Bioregion, Peter Neville, April 2009, that recommends sanctuaries are necessary for ongoing sustainable management of this fishery?

Answer:

1. Yes. The Department is aware of this publication.
2. Engagement between the Department of Sustainability, Environment, Water, Population and Communities (the Department) and the WA Department of Fisheries has been ongoing since the commencement of the marine bioregional planning program in 2006.

A Memorandum of Understanding (MoU) was put in place for the South-west Marine Region and signed by the WA Department of Fisheries and the WA Department of Environment and Conservation on 4 October 2006. The MoU was initiated to support data and information sharing and other cooperative arrangements between the agencies.

This approach seeks to ensure a coordinated and cooperative approach to marine planning for matters of mutual interest in waters adjacent to the South-west and North-west marine regions.

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Several meetings have occurred between the Department and WA Fisheries in this period to discuss key aspects of the marine bioregional planning program, share available fisheries data to inform the design of proposals for the South-west marine reserve network and assist engagement with the commercial fishing industry.

The use of closures or sanctuaries to enhance particular commercial target stocks is primarily a matter for fisheries management authorities. The Department works with fisheries managers to ensure that, to the greatest extent practicable, closures and reserves can deliver multiple benefits while minimising adverse economic impacts on users.

3. Yes. The Department is aware of this publication.

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Program: Division or Agency: 1.2: MD **Question No:** 21

Broad Topic: Scientific research and
bioregion policy

Proof Hansard Page and Date Written Question
or Written Question:

Senator Siewert asked:

1. Is the Department aware that the position paper on marine protected areas of the Australian Marine Sciences Association, Australia's peak marine science organisation, states that "A figure of 10% under no-take protection would slow but not prevent loss of biodiversity: the current no-take level in the GBRMP of 33% is more likely to achieve substantial and sustained biodiversity benefits."? Given that the Department's stated goal of the National Reserve System of Marine Protected Areas is "to establish and manage a comprehensive, adequate and representative system of marine reserves to contribute to the long-term conservation of marine ecosystems and to protect marine biological diversity at all levels", how is leading expert scientific opinion such as that from AMSA being taken into account in Marine Bioregional Plans so that Government can prevent further biodiversity loss?
2. Considering the latest advances in best practice marine science is the Department aware, in particular, of the following recent publications:
 - a. "Report on the Scientific Basis for and the Role of Marine Sanctuaries in Marine Planning, 2008, Simon Woodley, Professor Neil Loneragan and Dr Russ Babcock," recommending that a well designed network of large marine sanctuaries in WA would protect biodiversity, and may benefit fisheries.
 - b. "Adaptive management of the Great Barrier Reef: a globally significant demonstration of the benefits of a network of marine reserves, 2010, Laurence J. McCook et al," a long term study showing that reef fish size and abundance had doubled in marine sanctuaries on the Great Barrier Reef, and that sanctuaries had higher numbers of migratory protected species like turtles and sharks.
 - c. "Scientific Principles for Design of Marine Protected Areas in Australia: A Guidance Statement, 2009, University of Queensland." This document outlines principles for the design of marine protected areas in Australia and was signed by 50 of Australia's leading marine scientists. It recommends that a minimum of 20-30% of all of the key habitats in our oceans needed protection in marine sanctuaries, with higher levels of protection for unique or rare ecosystems, to ensure recovery of and provide long term protection for, Australia's fish stocks and marine life.
 - d. "Larval dispersal connects fish populations in a network of marine protected areas, January 2009, ARC Centre of Excellence for Coral Reef Studies and James Cook University," a paper that found fish larvae disperse & settle between sanctuaries, proving that a network of marine sanctuaries can provide protection for species over large distances.

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Answer:

1. Yes. The Department of Sustainability, Environment, Water, Population and Communities is aware of the Australian Marine Sciences Association (AMSA) position paper. The scientific opinion about marine reserve design objectives being advanced by scientific bodies such as AMSA is informing marine reserve design under the marine bioregional planning program. However, the Government's policy on the establishment of new Commonwealth marine reserves does not include the pursuit of percentage targets. The development of marine reserves is guided by the Goals and Principles for the Establishment of the National Representative System of Marine Protected Areas in Commonwealth waters.
2. Yes. The Department is aware of these publications.

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Program: Division or Agency: 1.2: MD **Question No:** 22

Broad Topic: Marine park creation by state governments

Proof Hansard Page and Date Written Question
or Written Question:

Senator Siewert asked:

1. Is the Department aware that the Western Australian Government is creating new marine parks in the Kimberley and that the South Australian Government has set aside 44% of state waters as marine protected areas?
2. If yes, what efforts are being undertaken by the Department in these states to maximise contiguity of Commonwealth and State parks?

Answer:

1. Yes
2. The Department of Sustainability, Environment, Water, Population and Communities considers the contribution of existing or proposed reserves, as well as other spatial measures such as fisheries closures, to conservation outcomes when developing options for reserve networks in Commonwealth waters. The Department considers opportunities to maximise contiguity of Commonwealth and State marine reserves where it makes sense to do so from a conservation outcome perspective, while also taking account of social and economic issues. The consideration of alignment with state marine reserves is being assisted by the use of the systematic reserve design tool MARXAN and setting within it preferential selection of areas adjacent to existing/proposed parks.

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Program: Division or Agency: 1.2: MD **Question No:** 23

Broad Topic: Special Envoy for Whale Conservation

Proof Hansard Page and Date Written Question
or Written Question:

Senator Birmingham asked:

1. Please summarise all final costs related to the appointment of the Special Envoy for Whale Conservation, including:
 - a. Daily and total fees paid, detailing the days for which fees were paid, and costs of support staff;
 - b. Total costs of travel, including a list of all international or interstate travel itemised by trip, detailing the cost of each trip, cities or other destinations visited, the purpose of the travel and any specific outcomes achieved, and costs of any accompanying Commonwealth Government staff; and
 - c. All other costs.
2. Please detail specific outcomes achieved through the Special Envoy's appointment.
3. Who is filling the void created by the abolition of the Special Envoy's position?
4. Has Mr Hollway been engaged by the Commonwealth to undertake any work since the conclusion of his contract as Special Envoy for Whale Conservation? If so, please detail the nature of any engagement and associated costs.

Answer:

1. Costs related to the appointment of the Special Envoy for Whale Conservation (the Special Envoy) as provided by the Department of Foreign Affairs and Trade (DFAT) are as follows:
 - a. The Special Envoy's fees were set at \$1,800 exclusive of GST and superannuation per full day (8 hours of work). The Special Envoy worked a total of 1,034 hours, or the equivalent of 129.25 full days. Fees paid to the Special Envoy, including GST and superannuation totalled \$271,183.50. A table of the hours/days worked by the Special Envoy is at **Attachment A**.
 - b. The total cost of travel undertaken by the Special Envoy was \$202,923.53. The total cost of Australian Government officers that accompanied the Special Envoy on advocacy trips was \$227,062.55 (\$123,974.61 for DFAT officers and \$103,087.94 for Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC) officers). Detailed costs, including a list of cities, are at **Attachment B**. The outcomes of Mr Hollway's work are detailed in 2 below.
 - c. All costs relating to the Special Envoy's appointment have been included in the attachments referred to in 1a and 1b above.

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2. The Special Envoy position was created as an avenue for direct dialogue with key International Whaling Commission (IWC) members, including Japan. The Special Envoy complemented ministerial and officials-level discussions to advocate Australia's position on the issue of whaling and his diplomatic skills also assisted in managing relations with other countries during discussions. Together with Australia's IWC Commissioner, Mr Hollway played an important role in building strong support among pro-conservation countries for Australia's position on IWC reform. He participated actively and constructively in discussions on the future of the IWC. His advocacy efforts at the 62nd annual meeting of the IWC in June 2010 assisted in Australia's efforts to ensure that the Chairs' proposed 'consensus decision', which would have legitimised commercial whaling in the Southern Ocean, North Pacific and North Atlantic, and led to the abandonment of the moratorium on commercial whaling, did not go forward. Mr Hollway's efforts with respect to lobbying of European members was particularly significant.
3. As at 10 December 2010, a decision on the ongoing need for a Special Envoy had not been made by the government.
4. Mr Hollway has not been engaged by the Commonwealth to undertake any work relating to whale conservation since the conclusion of his contract as Special Envoy for Whale Conservation on 30 June 2010. As at 9 December 2010, he has not been engaged by DSEWPaC to undertake work in any capacity since that date.

1a. Daily and Total fees paid		
Date	Hours worked	Fees
5-12 October 2008	48	\$10,800.00
13 October 2008	4	\$900.00
14 October 2008	8	\$1,800.00
15 October 2008	8	\$1,800.00
17 October 2008	4	\$900.00
19 October 2008	4	\$900.00
21 October 2008	3	\$675.00
22 October 2008	8	\$1,800.00
23 October 2008	3	\$675.00
27 October 2008	2	\$450.00
28 August 2010	4	\$900.00
29 October 2008	8	\$1,800.00
30 October 2008	3	\$675.00
31 October 2008	5	\$1,125.00
7 November 2008	8	\$1,800.00
10 November 2008	2	\$450.00
12 November 2008	2	\$450.00
25 November 2008	8	\$1,800.00
27 November 2008	2	\$450.00
9-10 December 2008	4	\$900.00
15 December 2008	2	\$450.00
14 January 2009	6	\$1,350.00
15 January 2009	8	\$1,800.00
16 January 2009	2	\$450.00
30 January 2009	1	\$225.00
1 February 2009	1	\$225.00
2 February 2009	6	\$1,350.00
12 February 2009	2	\$450.00
13 February 2009	6	\$1,350.00
14 February 2009	2	\$450.00
15 February 2009	2	\$450.00
16-20 February 2009	40	\$9,000.00
22 February 2009	4	\$900.00
23-27 February 2009	40	\$9,000.00
28 February 2009	4	\$900.00
1 March 2009	4	\$900.00
2 March 2009	8	\$1,800.00
4 March 2009	4	\$900.00
23 March 2009	2	\$450.00
24 March 2009	2	\$450.00
31 March 2009	5	\$1,125.00
1 April 2009	3	\$675.00
2-3 April 2009	16	\$3,600.00
4 April 2009	2	\$450.00
5 April 2009	2	\$450.00
6-8 April 2009	6	\$1,350.00
8 April 2009	2	\$450.00
14 April 2009	3	\$675.00
1 May 2009	2	\$450.00
4 May 2009	3	\$675.00
6 April 2009	4	\$900.00
8 May 2009	2	\$450.00
2 June 2009	3	\$675.00
3 June 2009	2	\$450.00
10 June 2009	3	\$675.00
12 June 2009	2	\$450.00
30 June 2009	8	\$1,800.00
1 July 2009	2	\$450.00
2 July 2009	2	\$450.00

7 July 2009	2	\$450.00
8 July 2009	2	\$450.00
10 July 2009	4	\$900.00
30-31 July 2009	16	\$3,600.00
1 August 2009	1	\$225.00
3 August 2009	2	\$450.00
5 August 2009	1	\$225.00
11 August 2009	2	\$450.00
12 August 2009	5	\$1,125.00
26 August - 4 September 2009	64	\$14,400.00
5-6 September 2009	5	\$1,125.00
1 October 2009	2	\$450.00
2 October 2009	2	\$450.00
4 October 2009	4	\$900.00
5-10 October 2009	48	\$10,800.00
11 October 2009	4	\$900.00
12-15 October 2009	32	\$7,200.00
16 October 2009	4	\$900.00
17 October 2009	2	\$450.00
19 October 2009	6	\$1,350.00
23 October 2009	2	\$450.00
2 November 2009	1	\$225.00
4 November 2009	3	\$675.00
21 November 2009	3	\$675.00
22 November 2009	5	\$1,125.00
24-25 November 2009	2	\$450.00
27 November 2009	6	\$1,350.00
2 December 2009	2	\$450.00
3 December 2009	2	\$450.00
4 December 2009	4	\$900.00
4-6 December 2009	24	\$5,400.00
8 December 2009	4	\$900.00
16 December 2009	6	\$1,350.00
8-9 January 2010	2	\$450.00
12-13 January 2010	4	\$900.00
14 January 2010	8	\$1,800.00
15 January 2010	2	\$450.00
19 January 2010	4	\$900.00
20 January 2010	4	\$900.00
20 January 2010	4	\$900.00
24 January 2010	6	\$1,350.00
25 January 2010	2	\$450.00
26-30 January 2010	40	\$9,000.00
1 February 2010	8	\$1,800.00
2 February 2010	6	\$1,350.00
3 February 2010	6	\$1,350.00
5 February 2010	4	\$900.00
17 February 2010	4	\$900.00
18 February 2010	4	\$900.00
19 February 2010	6	\$1,350.00
21 February 2010	1	\$225.00
22 February 2010	1	\$225.00
23 February 2010	8	\$1,800.00
24-25 February 2010	2	\$450.00
28 February - 5 March 2010	40	\$9,000.00
7 March 2010	4	\$900.00
8 March 2010	4	\$900.00
11 March 2010	2	\$450.00
12 March 2010	4	\$900.00
15 March 2010	8	\$1,800.00
30 March 2010	3	\$675.00
31 March 2010	2	\$450.00

1 April 2010	8	\$1,800.00
7 April 2010	2	\$450.00
12-17 April 2010	32	\$7,200.00
19 May 2010	8	\$1,800.00
21 May 2010	2	\$450.00
24 May 2010	5	\$1,125.00
27 May 2010	3	\$675.00
31 May 2010	1	\$225.00
1 June 2010	4	\$900.00
4 June 2010	4	\$900.00
5 June 2010	4	\$900.00
7-11 June 2010	40	\$9,000.00
14 June 2010	8	\$1,800.00
15-26 June 2010	92	\$20,700.00
Sub-total	1034	\$232,650.00
	GST	\$23,265.00
	Total	\$255,915.00
	Super	\$15,268.50
	Total	\$271,183.50

Cost per trip for Envoy and Accompanying Officers								
Dates	Location	Purpose	Traveller	Flights	Meals/Transport	Accom	Other	Sub-Total
5-12 Oct 2008	Tokyo, Japan; New York, USA	Meetings with Government officials	DSEWPaC	\$10,680.37	\$2,028.43	\$2,674.09	\$166.31	\$15,549.20
			DFAT					\$21,000.53
			Envoy	\$17,728.51	\$462.12	\$2,441.42	\$38.94	\$20,670.99
								\$57,220.72
14-15 Oct 2008	Canberra	Meetings with Government officials	Envoy	\$0.00	\$73.73	\$325.81	\$0.00	\$399.54
21-23 Oct 2008	Canberra	Meetings with Government officials, Ministers	Envoy	\$623.19	\$175.66	\$520.50	\$0.00	\$1,319.35
28-30 Oct 2008	Tokyo, Japan	Meetings with Government officials	DSEWPaC	\$6,027.19	\$410.84	\$505.18	\$205.81	\$7,149.02
			DFAT					\$7,950.71
			Envoy	\$6,797.57	\$0.00	\$505.18	\$106.01	\$7,408.76
								\$22,508.49
31 Oct 2008	Canberra	Meetings with Government officials	Envoy	\$501.01	\$97.38	\$0.00	\$86.42	\$684.81
7 Nov 2008	Canberra	Meetings with NGOs and Canberra-based officials from 13 other pro-conservation member states)	Envoy	\$40.59	\$57.13	\$0.00	\$65.00	\$162.72
14 Nov 2008	Sydney	Discussions with ANU academic	Envoy	\$0.00	\$0.00	\$0.00	\$26.99	\$26.99
25 Nov 2008	Canberra	Meetings with Government officials	Envoy	\$0.00	\$49.02	\$0.00		\$49.02
9-10 Dec 2008	Melbourne	Meeting with New Zealand's (NZ) IWC Commissioner	DSEWPaC	\$1,074.70			\$25.00	\$1,099.70
			DFAT					\$407.66
			Envoy	\$635.24	\$202.52	\$174.50	\$0.00	\$1,012.26
								\$2,519.62
14-15 Jan 2009	Wellington, NZ	Meeting with NZ Ministers and officials and NZ IWC Commissioner	DSEWPaC	\$2,408.78	\$71.97	\$162.49	\$84.01	\$2,727.25
			DFAT					\$3,083.49
			Envoy	\$2,646.80	\$169.58	\$190.81	\$21.24	\$3,028.43

								\$8,839.17
13 Feb-3 Mar 2009	Johannesberg, South Africa; Nairobi, Kenya; London, England; Berlin, Germany; Prague, Czech Republic; Madrid, Spain; Lisbon, Portugal; Stockholm, Sweden; Tokyo, Japan	Meetings with government officials from key like-minded countries.	DSEWPaC	\$17,449.28	\$1,706.22	\$7,081.74	\$1,717.47	\$27,954.71
			DFAT					\$38,469.61
			Envoy	\$19,410.00	\$2,537.54	\$7,399.77	\$1,310.23	\$30,657.54
								\$97,081.86
31 Mar - 6 Apr 2009	Washington, USA	Meetings with US officials and NGOs	DSEWPaC	\$12,576.43	\$1,318.89	\$2,954.48	\$157.46	\$17,007.26
			DFAT	\$11,388.41	\$1,165.29	\$1,954.85	\$216.17	\$14,724.72
			Envoy	\$11,082.55		\$3,342.81	\$105.45	\$14,530.81
								\$46,262.79
6 May 2009	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$43.00	\$0.00	\$0.00	\$43.00
2 Jun 2009	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$58.00	\$0.00	\$0.00	\$58.00
30 Jun 2009	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$58.00	\$0.00	\$0.00	\$58.00
2 Jul 2009	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$43.00	\$0.00	\$0.00	\$43.00
10 Jul 2009	Canberra	Meetings with Government officials	Envoy	\$439.68	\$116.40	\$0.00	\$0.00	\$556.08
30-31 Jul 2009	Wellington, NZ	Meetings with NZ officials	DSEWPaC	\$3,155.41	\$612.56	\$726.58	\$200.07	\$4,694.62
			DFAT	\$2,756.72	\$177.50	\$126.87	\$0.00	\$3,061.09
			Envoy	\$2,192.72	\$114.33	\$226.16	\$0.00	\$2,533.21
								\$10,288.92
5 Aug 2009	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$39.00	\$0.00	\$0.00	\$39.00
12 Aug 2009	Canberra	Meetings with Ministers and NZ IWC Commissioner	Envoy	\$458.94	\$109.62	\$0.00	\$0.00	\$568.56
26 Aug 2009	Sydney	NGO Roundtable	Envoy	\$0.00	\$27.64	\$0.00	\$0.00	\$27.64
26 Aug - 4 Sep 2009	Berlin, Germany; Reykjavik, Iceland; Washington DC, USA; Mexico City,	Meetings with Government officials	DSEWPaC	\$23,324.88	\$872.72	\$1,996.50	\$174.91	\$26,369.01
			DFAT	\$22,407.50	\$1,829.91	\$3,945.11	\$0.00	\$28,182.52

	Mexico		Envoy	\$25,950.40	\$401.34	\$2,290.04	\$0.00	\$28,641.78
								\$83,193.31
4-16 Oct 2009	Santiago, Chile	IWC Support Group meeting	Envoy	\$6,285.60	\$252.65	\$3,160.36	\$0.00	\$9,698.61
19 Oct 2009	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$38.00	\$0.00	\$0.00	\$38.00
20 Oct 2009	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$68.00	\$0.00	\$0.00	\$68.00
4 Nov 2009	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$23.00	\$0.00	\$0.00	\$23.00
19-24 Nov 2009	New York, USA	Meetings with officials	Envoy	\$8,677.07	\$445.83	\$1,165.10		\$10,288.00
27 Nov 2009	Canberra	Meetings with Government officials	Envoy	\$251.70	\$135.77	\$0.00	\$0.00	\$387.47
2-3 Dec 2009	Canberra	CANCELLED	Envoy	\$152.83	\$0.00	\$0.00	\$0.00	\$152.83
3 Dec 2009	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$69.00	\$0.00	\$0.00	\$69.00
4-6 Dec 2009	Seattle, USA	IWC Support Group meeting	Envoy	\$6,813.36	\$217.63	\$697.11		\$7,728.10
16 Dec 2009	Canberra	Meetings with Government officials	Envoy	\$205.13	\$129.50	\$0.00	\$0.00	\$334.63
13-16 Jan 2010	Tokyo, Japan	CANCELLED	DSEWPaC	\$537.17	\$0.00	\$0.00	\$0.00	\$537.17
			DFAT	\$732.83	\$0.00	\$0.00	\$0.00	\$732.83
			Envoy	\$190.20	\$0.00	\$0.00	\$0.00	\$190.20
							\$1,460.20	
14 Jan 2010	Canberra	Meetings with Government officials and Ministers	Envoy	\$404.77	\$107.76	\$0.00	\$0.00	\$512.53
19 Jan 2010	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$25.31	\$0.00	\$0.00	\$25.31
19-20 Jan 2010	Adelaide	Meeting Ministers	Envoy	\$1,328.62	\$240.80	\$210.00	\$0.00	\$1,779.42
25 Jan 2010	Canberra	Meeting Ministers	Envoy	\$0.00	\$203.45	\$0.00	\$0.00	\$203.45

26-30 Jan 2010	Honolulu, USA	IWC Support Group meeting	Envoy	\$3,162.10	\$1,086.74	\$1,196.24	\$0.00	\$5,445.08
1-2 Feb 2010	Canberra	Meetings with Government Officials, Ministers	Envoy	\$0.00	\$404.95	\$279.60	\$0.00	\$684.55
19 Feb 2010	Sydney	Work at DFAT Sydney Office	Envoy		\$70.04		\$48.00	\$118.04
23 Feb 2010	Canberra	NGO Roundtable	Envoy	\$480.46	\$0.00	\$0.00	\$0.00	\$480.46
28 Feb - 5 Mar 2010	St Petersburg, USA	IWC Small Working Group meeting	Envoy	\$10,420.95	\$963.32	\$1,283.06		\$12,667.33
8 Mar 2010	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$23.00	\$0.00	\$0.00	\$23.00
11 Mar 2010	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$38.00	\$0.00	\$0.00	\$38.00
15 Mar 2010	Canberra	Meetings with Government officials	Envoy	\$449.72	\$91.46	\$0.00	\$65.00	\$606.18
1 Apr 2010	Canberra	Meetings with Government officials	Envoy	\$577.95	\$0.00	\$0.00	\$122.34	\$700.29
7 Apr 2010	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$50.00	\$0.00	\$0.00	\$50.00
12-15 Apr 2010	Washington, USA	IWC Support Group meeting	Envoy	\$10,201.00	\$528.74	\$1,086.19	\$156.68	\$11,972.61
19 May 2010	Canberra	Meetings with Government officials	Envoy	\$580.37	\$0.00	\$0.00	\$122.17	\$702.54
24 May 2010	Canberra	Meetings with Government officials	Envoy	\$480.46	\$0.00	\$0.00	\$113.23	\$593.69
27 May 2010	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$72.10	\$0.00	\$0.00	\$72.10
4 Jun 2010	Sydney	Work at DFAT Sydney Office	Envoy	\$0.00	\$25.00	\$0.00	\$0.00	\$25.00
7-15 Jun 2010	London, England; Berlin, Germany; Brussels, Belgium; Paris, France; Madrid, Spain	Meetings with key European officials	DFAT	\$2,754.14	\$1,464.34	\$2,142.97	\$0.00	\$6,361.45
			Envoy	\$2,825.51	\$1,299.94	\$2,222.69	\$0.00	\$6,348.14

15-25 Jun 2010	Agadir, Morocco	IWC62	Envoy	\$13,257.50	\$1,908.81	\$3,212.17	\$18,378.48
							Total Envoy
							\$202,923.53
							Total DSEWPaC
							\$103,087.94
							Total DFAT
							\$123,974.61
							Total Accompanying officers
							\$227,062.55

**Senate Standing Committee on Environment and Communications
Legislation Committee**

Answers to questions on notice

Sustainability, Environment, Water, Population and Communities portfolio

Supplementary Budget Estimates, October 2010

Program: Division or Agency: 1.2: MD **Question No:** 24

Broad Topic: Offshore oil exploration

Proof Hansard Page and Date Written Question
or Written Question:

Senator Siewert asked:

This year the Government took the decision to make available 31 new offshore oil exploration leases in Commonwealth waters.

1. Which of these are located over areas designated for further assessment as potential marine protected areas as part of the bioregional marine planning process?
2. Do any of these leases overlap with areas that the Department has identified as draft marine protected areas, and in particular as draft marine sanctuaries?
3. How has the process to finalise the draft boundaries of marine protected areas taken into account the release of these new leases and the leases due to be made available in 2011?
4. What correspondence has occurred between the Department of Resources and the Department regarding these leases?

Answer:

1. The following acreage areas are located within or intersect Areas for Further Assessment.

W10-1 and W10-2 intersect the Bonaparte Area for Further Assessment in the North-west Marine Region.

W10-3, W10-4, W10-5, W10-6 W10-7, W10-8, W10-9 W10-10, W10-11 and W10-12 intersect the Pilbara North Area for Further Assessment in the North-west Marine Region.

W10-16, W10-17, W10-18, W10-19, W10-23, W10-24 and W10-25 are all located within the Gascoyne Area for Further Assessment in the North-west Marine Region.
2. Identification of draft marine protected areas, including potential sanctuaries, has not yet been finalised.
3. The systematic reserve design approach implemented by the Department of Sustainability, Environment, Water, Population and Communities considers data about the distribution of a range of commercial and recreational uses. The design of the reserves seeks to optimise the location and size of marine protected areas, i.e. to achieve the conservation objectives while minimising impact on human access and uses. Prospectivity for petroleum resources is considered in this context.

**Senate Standing Committee on Environment and Communications
Legislation Committee**

Answers to questions on notice

Sustainability, Environment, Water, Population and Communities portfolio

Supplementary Budget Estimates, October 2010

4. The Department provided advice to the Department of Resources, Energy and Tourism in 2009 during the preparation of the acreage release proposals, including information about the marine bioregional planning process.

**Senate Standing Committee on Environment and Communications
Legislation Committee**

Answers to questions on notice

Sustainability, Environment, Water, Population and Communities portfolio

Supplementary Budget Estimates, October 2010

Program: Division or Agency: 1.2: IMD **Question No:** 26

Broad Topic: NERP - Reef and Rainforest
Research Centre

Proof Hansard Page and Date 113 and 115 (18/10/10)
or Written Question:

Senator Macdonald asked:

[EC 113]

Senator IAN MACDONALD—I think Mr Sullivan might be able to answer my first questions on the National Environmental Research program. I see that \$1.808 million for administrative arrangements for transition from MTSRF to NER was to be paid on 1 July. Was it paid?...
Mr Richardson—No, that money has not all been paid. We have paid the invoices that we have now received from the Reef and Rainforest Research Centre, which administers that program on behalf of the department.

Senator IAN MACDONALD—So how much has been paid?

Mr Richardson—I am sorry, Senator, we will have to take on notice the exact amount.

Senator IAN MACDONALD—Most of the \$1.8 million, or some of it, or half of it?...

Mr Richardson—The research contract was front-end loaded, so there was a significant payment upfront, but I cannot tell you exactly how much.

[EC 115]

Senator IAN MACDONALD—This research work in reef and rainforest has been going for—what is it: three, six years, Mr Sullivan? They have employed scientists in Far North Queensland, where the reefs and rainforests are. Who has been paying them since 1 July?...

Mr Grimes—It is possible that the institute may have had cash reserves that has allowed it to fund its way through this period, but we will take that on notice and see what information we can provide for you.

Answer:

\$1,148,477.20 had been paid by the Department by 18 October 2010. This amount covered all the invoices received by the Department at that time.

The vast majority of these researchers are employed by three institutions – the Australian Institute of Marine Science, James Cook University and the Commonwealth Scientific and Industrial Research Organisation. All three of these organisations have advised that they have not lost staff as they have paid them from their own funds in the interim.

Both the Australian Institute of Marine Science and James Cook University had submitted invoices and had been paid by 18 October. The Department subsequently received an invoice for the CSIRO payment on 17 November 2010 and it was processed that day for immediate payment.