

Senate Standing Committee on Environment, Communications and the Arts

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2009

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|--------------------------|---------------------------------|---------------------|----|
| Outcome: | 1 | Question No: | 39 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Gunns Pulp Mill | | |
| Hansard Page ECA: | 100 (24/2/09) | | |

Senator Abetz asked:

Senator Abetz—We can go into that later. What is that advice and are we able to have that made available? I note that another report was made available and a lot of mischief created with it, but clearly there is another report. I am just wondering what the advice is and can we get a copy of it.

Mr Burnett—I will take that on notice. I can tell you in terms of the general process that the Independent Expert Group provided quite comprehensive advice in relation to each of those modules. It is advice to the minister. I will take it on notice...

Answer:

The Chair of the Independent Expert Group (IEG) – Professor Frank Larkins – wrote to the Minister on 17 December 2008 providing advice on draft Modules L, M and N of Gunns' Environment Impact Management Plan (EIMP). The Department as a matter of practice does not table advice provided to the Minister.

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| Outcome: | 1 | Question No: | 40 |
| Output: | 1.5 | | |
| Division/Agency: | AWD | | |
| Topic: | Gunns Pulp Mill | | |
| Hansard Page ECA: | 103 (24/2/09) | | |

Senator Abetz asked:

Senator ABETZ—Sorry, I used the term ‘report’ and I should have used the term ‘document’. Is there a document that exists that basically sets out in tabulation form that which is at table 26 on page 57 of module L?

Mr Early—I do not think there is. There is information about those various parameters, but I do not think there is anything that replicates that table.

Mr Burnett—We will check, but I am not aware of any other report. The only document that I can think of is the advice of the IEG to the minister. There may have been correspondence, but I do not know.

Senator ABETZ—Can you please take that on notice and search very carefully, because I have a feeling there may be such a document that was relied upon potentially for table 26 in module L. I will leave that aspect.

Senator WONG—Just to be clear, you are asking the department to take on notice whether there is a document with the figures that are in table 26?

Senator ABETZ—That is it. If there is such a document can it be made available and, if not, why not? I accept it may be commercially sensitive, but let us wait and see. I was going to ask about the trigger levels in that document. The trigger levels in module L are different from those that were being considered in the Herzfeld report. Is that correct?

Answer/s:

There is no document that precisely replicates the information captured in table 26 on page 57 of Module L. However, Dr Graeme Batley (CSIRO), a member of the Independent Expert Group, prepared a briefing note on trigger values for pulp mill contaminants in Commonwealth waters in February 2008 entitled ‘Recommended guideline trigger values for pulp mill contaminants in Commonwealth waters’ and this briefing note was an important input into the Department’s consideration when Module L was being finalised. Following discussions with Gunns some minor edits were made to the note and the Department provided a copy to Gunns and their consultants on 28 November 2008. The note was provided to Gunns to assist in developing proposed trigger levels and maximum limits to include in draft Module L of their Environment Impact Management Plan (EIMP). A copy of Dr Batley’s briefing note is provided for information.

In providing Dr Batley’s briefing note the Department has also addressed Question AI-74 asked of the CSIRO in the Senate Economics Committee.

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The Department also provides the following answer to Question AI-64 asked of the CSIRO. The Independent Group of Experts (IEG) established to advise the Minister on the development of the EIMP included three CSIRO staff (Drs Batley, Herzfeld and Westcott). The IEG's advice to the Minister in relation to proposed triggers and limits for Commonwealth waters in draft Module L represented the views of all members of the IEG.

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Recommended guideline trigger values for pulp mill contaminants in Commonwealth waters

Graeme Batley

Centre for Environmental Contaminants Research, CSIRO Land and Water Bangor
NSW 2234

The recommendations from the Chief Scientist specified trigger values and maximum concentrations of a number of contaminants in the effluent that were designed to protect Commonwealth waters from adverse impacts. Compliance with these guidelines is best assessed by measurements on the effluent rather than on Commonwealth waters, because of the greater ease with which these concentrations can be measured. Hydrodynamic modelling would then be used to predict concentrations in waters outside the mixing zone. The ANZECC/ARMCANZ (2000) Guidelines for Fresh and Marine Water Quality specify guideline trigger values for a number of toxicants and chemical stressors in marine waters. For chemical toxicants, the guideline trigger values are preferentially derived from a mathematical fit of all available toxicity data in a species sensitivity distribution (SSD). The derived trigger values are relevant to different levels of ecosystem protection. Commonwealth waters would be considered pristine and of high conservation value, so 99% species protection applies, whereas near-shore waters could be considered as slightly to moderately disturbed, and 95% species protection is appropriate. If there are insufficient species for this approach, a less reliable method is to apply a factor to the lowest no observed effect concentration (NOEC). For physical and chemical stressors, the default trigger values are provided for different regions. These are based on the 80th percentile of background data for the region. Data for South-east Australia are appropriate for Bass Strait waters.

The following discusses the relevant trigger values in marine waters for contaminants associated with the pulp mill effluent:

Nitrate: 5 µg N/L is the ANZECC/ARMCANZ default value for SE Australia.

Chlorate: Using all available toxicity data for chlorate, the 99% species protection value is 3 µg/L (95th percentile is 11 µg/L). The data are biased by a NOEC of 5 µg/L for *Fucus vesiculosus*, a macroalgal species not present in Tasmanian waters. A site-specific guideline of 30 µg/L was derived leaving out this species.

Resin acids: The only published guideline 52 µg/L is based on freshwater species (Ontario 1994). It includes resin acids other than dehydroabietic acid.

Dehydroabietic acid: The Ontario (1994) value was 13 µg/L (again for freshwater species). No marine data could be found, but chronic NOEC values for freshwaters included a crustacean *Daphnia magna* (200 µg/L), rainbow trout (130 µg/L at pH 8) and fathead minnow (240 µg/L) (Kamaya et al. 2005). Using an assessment factor of 10 on the lowest NOEC, yields the low reliability value of 13 µg/L.

Chlorinated acetic acids:

Monochloroacetic acid: A value of 0.58 µg/L is listed in the European Union risk assessment of monochloroacetic acid (EU 2005). Few marine toxicity data are available.

Trichloroacetic acid: A value of 3 µg/L based on freshwater test is shown in the Ontario guidelines (Ontario 1994).

Chlorophenols: Few marine data are available and guideline values were calculated using the application factor method. Low reliability values are mainly based on freshwater data and are from 2-340 µg/L depending on the compound.

Aluminium: A low reliability marine guideline of 0.5 µg/L was derived using the assessment factor approach. There are only three trophic levels represented in the ANZECC/ARMCANZ database and an insufficient spread of data to derive a 99% value. Speciation considerations come into consideration with aluminium. Much of the aluminium will be colloidal and unavailable, while complexation with dissolved organics will also be appreciable.

The exceedence of a guideline trigger value does not necessarily imply an adverse impact on the ecosystem. The recommended approach is that further investigation will be required if guideline trigger values are exceeded. In the first instance, this will be to undertake toxicity testing using several sensitive marine species. Only if effects are seen relative to controls is there deemed to be a problem.

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Earlier estimates of the ratio of toxicant to guideline concentration at the 1/100 dilution point given in the Toxicos report (2007) are shown in Table 1. Ratios greater than 1 indicate the compounds of potential concern. Subsequent estimates from Gunns suggest that lower chlorate and chloroacetic acid concentrations are achievable in the effluent.

Table 1. Chemicals of concern in diluted effluent

| Chemical | Trigger value | Estimated concentration at DV ₁₀₀ | Ratio DV ₁₀₀ /TV | Comment |
|-----------------------|---------------|--|-----------------------------|--|
| | µg/L | | | |
| Aluminium | 0.5 | 11 | 22 | Bioavailable aluminium likely to be much lower. Unlikely to be an issue |
| Chlorate | 30 | 37 | 1.2 | Including all overseas data makes this ratio 12! |
| Nitrate (N) | 0.5 | 9.8 | 20 | Nitrate is a nutrient not a toxicant. May induce algal blooms, but reduces chlorate toxicity |
| Monochloroacetic acid | 0.58 | 0.74 | 1.3 | |
| Trichloroacetic acid | 3 | 0.74 | 0.25 | |
| Resin acids | 52 | 2.5 | 0.05 | From softwoods only |
| Dehydroabiatic acid | 13 | 0.5 | 0.04 | From softwoods only |
| Chlorophenols | 2 | 0.05 | 0.025 | |
| Dioxins | ? | 0.02 pg/L | - | Undetectable by current techniques which is close to 1 pg/L |

The ANZECC/ARMCANZ guidelines recommend that, in comparing toxicant test data against default guidelines, a conservative approach be adopted and that no action is triggered if 95% of the test data fall below the guideline. Because this percentage is very high, 'a single observation greater than a trigger value would be legitimate grounds for action in most cases'.

February 12, 2008

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Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Innovation, Industry, Science and Research Portfolio

Additional Estimates Hearing

26 February 2009

AGENCY/DEPARTMENT: COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION

TOPIC: Report for DEWHA

REFERENCE: Question on Notice (Hansard 26 February 2009, E126 – E127)

QUESTION No.: AI-74

Senator ABETZ—There has been a lot of public discussion in my home state about that. The Herzfeld report is out, but I understand other papers have been produced. Can you confirm to me whether CSIRO has produced other papers?

Dr Johnson—CSIRO has provided advice through the independent experts group. I am not aware of the totality of the other papers provided, but, again, if that was of interest to you we would be happy to provide it on notice.

Senator ABETZ—Yes, that would be very helpful. And any work that Dr Batley and—

Dr Johnson—Dr Westcott.

Senator ABETZ—yes—Dr Westcott have done? I understand there was an FOI request in relation to the Herzfeld report?

Dr Johnson—Correct.

Senator ABETZ—Could I be advised whether I can get a copy of any of the reports that the other—is it gentlemen?

Dr Johnson—Yes.

Senator ABETZ—gentlemen have done?

Dr Johnson—Just to be clear, the input that CSIRO has had in this process has been through the Department of the Environment, Water, Heritage and the Arts. In answering your request for information, I think it is best that you do it through that portfolio and not through CSIRO. We have delivered those reports to them and they are the client for the work.

Senator ABETZ—Dr Johnson, I am very disappointed because you have foiled me. I was hoping I could get that which I sought at Environment through you.

Dr Johnson—No.

Senator ABETZ—I am going to be foiled now here as well.

Dr Johnson—As I say, the—

Senator ABETZ—But as much information as you are at liberty to disclose to me I would appreciate. If officers of the department of environment read this section of the *Hansard*, I would like to know from it or from CSIRO whether we can get any other reports or documentation such as the Herzfeld report. I have a funny feeling that there might be other documents around. If need be, we will use FOI.

ANSWER

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Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Innovation, Industry, Science and Research Portfolio

Additional Estimates Hearing

26 February 2009

AGENCY/DEPARTMENT: COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION

TOPIC: Gunns Pulp Mill

REFERENCE: Question on Notice (Hansard 26 February 2009, E125 & E126)

QUESTION No.: AI-64

Senator ABETZ—...Can I ask about the Gunns pulp mill. Has the CSIRO been involved in that to assist the independent expert group...

Dr Johnson—As you correctly point out, Senator, CSIRO has been engaged and three of our staff are members of the independent expert group that has been working with officers in the Department of the Environment, Water, Heritage and the Arts...

Senator ABETZ—Are you aware of the trigger levels, and I am testing memory now, in table 26 on page 57 of module L—and undoubtedly they would be well known to you, Dr Johnson—and of whether the CSIRO panel of three were of a like mind or agreed that that was the appropriate standard against which the mill ought to be assessed?

Dr Johnson—I am not in a position to answer that question. I do not know the answer to that.

Senator ABETZ—All right. Could you please take that on notice for me?

Dr Johnson—Sure.

ANSWER

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| Outcome: | 1 | Question No: | 41 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Gunns Pulp Mill | | |
| Hansard Page ECA: | 104 (24/2/09) | | |

Senator Abetz asked:

Senator ABETZ—What did you do to notify them? Did you tell them a letter was coming in the mail or you were going to fax it?

Mr Burnett—From recollection, I telephoned Mr Calton Frame of Gunns, advised him of the decision, and then emailed him a PDF version of the minister's letter. That was at approximately 12 o'clock.

Senator ABETZ—So if you could get me the exact date, because I assume your email send box would tell you the time you sent it. That would be of interest to me. Mr Burnett, you were the one to ring Gunns?

Mr Burnett—Yes

Answer:

Mr Peter Burnett, First Assistant Secretary, Approvals and Wildlife Division, emailed the PDF version of the Minister's letter to Mr Calton Frame of Gunns at 12.15 on Monday 5 January 2009.

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| Outcome: | 1 | Question No: | 42 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Gunns Pulp Mill | | |
| Hansard Page ECA: | 105 (24/2/09) | | |

Senator Abetz asked:

Senator ABETZ—I want to know why the minister has not answered my questions that I put on notice— and this is a direct one to you, Minister—that should have been answered by now so that I could pursue this very issue today.

Senator Wong—I will have to take that on notice. I hear your criticism of the delay and will ascertain if we can provide the answer—

Answer:

The answers to Senator Abetz's question on notice of 16 January 2009 were provided to the tabling office on 25 February 2009 and were circulated to the Senate on 10 March 2009.

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| Outcome: | 1 | Question No: | 43 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Gunns Pulp Mill | | |
| Hansard Page ECA: | 106 (24/2/09) | | |

Senator Abetz asked:

Senator ABETZ—No wonder the department tells us they only saw an early version of the release. Allow me to move on. Does the minister stand by his assertion that Gunns may have misled the Australian Stock Exchange with the letter that they wrote?

Mr Early—We cannot answer that.

Senator ABETZ—Take that on notice. Once again, this was a hugely serious matter raised by the minister and, given all the information that has come out tonight, it would seem that what was put to the Australian Stock Exchange was quite appropriate.

Answer/s:

The Minister stands by all the actions that he has taken in relation to the Gunns matter.

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| Outcome: | 1 | Question No: | 44 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Gunns Pulp Mill | | |
| Hansard Page ECA: | 106 (24/2/09) | | |

Senator Abetx asked:

Senator ABETZ - Finally, does the department have any advice as to the various levels of pollutants in the Tamar River at the moment?

Senator Wong—As a base line?

Senator ABETZ—Yes, as a base line.

Mr Burnett—I would have to take that on notice. I do not know what information the department holds.

Answer:

The Department does not hold any information on current pollutant levels in the Tamar River. The National Pollution Inventory database (available at www.npi.gov.au) contains details of pollutant emissions within the Tamar catchment but does not specifically address the water quality of the river.

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| Outcome: | 1 | Question No: | 45 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Sugarloaf Pipeline – Condition 12 | | |
| Hansard Page ECA: | 106-107 (24/2/09) | | |

Senator Xenophon asked:

Senator XENOPHON—Thank you, Chair. In relation to the Sugarloaf pipeline, the approval given by the minister on 12 September had 17 conditions. Condition 12 referred to: The pipeline crossing of the Yea River flood plain must ensure passage of groundwater. This may be achieved by use of a groundwater shunt within the deep channel to permit the water tables to equilibrate post construction across the pipeline or by some alternative method. Could you indicate what the status of that particular condition is and also whether an alternative method has been used in relation to the Yea River?

Mr Burnett—Senator, I do have information on some of those conditions but I do not think I have any information on that specific condition.

Senator XENOPHON—Perhaps you can take that on notice, thank you.

Senator Wong—That was in relation to condition 12.

Answer:

Condition 12 on the approval of the Sugarloaf Pipeline Project states that:

The pipeline crossing of the Yea River flood plain must ensure passage of groundwater. This may be achieved by use of a groundwater shunt within the deep channel to permit the water tables to equilibrate post construction across the pipeline or by some alternative method.

Approximately 450 metres of the Sugarloaf Pipeline will traverse the Yea River floodplain. The proponent, the Sugarloaf Pipeline Alliance (the Alliance), has recently advised that plans for the Yea Floodplain section of the Sugarloaf Pipeline have been refined since the approval of the project but construction of this section has not yet begun. The construction plan will also be considered by Alliance hydrogeological staff to identify any anomalies or unexpected flows that could require additional treatment.

The depth to which the pipeline trench will be excavated has been reduced from the original specifications to minimise intersection with groundwater. The trench will be backfilled with material that is at least as permeable as the surrounding native soil.

These measures are expected to permit water tables to equilibrate around the pipeline following construction. Groundwater monitoring bores have been installed upstream and downstream of the pipeline at several locations across the floodplain to monitor groundwater levels during and following construction.

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| Outcome: | 1 | Question No: | 46 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Sugarloaf Pipeline – Condition 14 | | |
| Hansard Page ECA: | 107 (24/2/09) | | |

Senator Xenophon asked:

Senator XENOPHON—Yes. Condition 14 states:

....

Specifically in relation to the issue of the auditing of the water, what is proposed with respect to that? I note that the Victorian Auditor-General in a different context with the state government had some criticisms of their process with respect to the proposed water savings. What is proposed in terms of that condition being complied with?

Mr Burnett—We are writing to the proponent to indicate that we wish to consent to the nominated independent auditor the right of veto.

Senator XENOPHON—So that auditor has not been appointed as yet?

Mr Burnett—Not as far as I know.

Senator XENOPHON—What time frame are we looking at for the auditor to be appointed?

Mr Burnett—I do not know, Senator, I would have to take that on notice. The report is not due for 12 months so I do not know exactly when the auditor will be appointed.

Senator XENOPHON—Is it anticipated that there might be some preparatory work done by the auditor prior to that time, prior to August?

Mr Burnett—Sorry, Senator, that is just too detailed for me. I do not have that information.

Senator XENOPHON—Okay; perhaps you could take that on notice.

Answer:

The Department of the Environment, Water, Heritage and the Arts has written to the Sugarloaf Pipeline Alliance requesting that they nominate, for endorsement by the Department, an auditor for the purposes of Condition 14 on the approval of the Sugarloaf Pipeline Project. The letter advises the proponent that the Department expects that the nominated auditor to be appropriately qualified and independent of both the Victorian Government and the private sector partners in the Sugarloaf Pipeline Alliance or other entities involved in the construction and / or management of the Sugarloaf Pipeline.

The deadline for the annual submission of audit reports is August. All other aspects of the timing of audits, including the appointment of auditors, are matters to be managed by the Sugarloaf Pipeline Alliance.

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| Outcome: | 1 | Question No: | 47 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Sugarloaf Pipeline | | |
| Hansard Page ECA: | 108-109 (24/2/09) | | |

Senator Heffernan asked:

Senator HEFFERNAN—So that is delivered in the pipeline, which is net?

Senator Wong—We can take that on notice, and I think Ms Skippington will, but the provision to which she is referring in condition 11 indicates the cap—in other words, not more than 75 gegalitres. It is not a minimum.

Answer:

Condition 11 on the approval of the Sugarloaf Pipeline Project states that “...the Melbourne water extracted to the Sugarloaf Pipeline must be...not more than 75 GL in any one year...”. This refers to the volume of water that may be transferred *via* the pipeline from the intake on the Goulburn River to the Sugarloaf Reservoir.

The Victorian Government has indicated that it expects 75 gegalitres to be available for allocation to the Sugarloaf Pipeline annually (long-term average) as a result of water savings accruing from the Food Bowl Modernisation Project. It is on this basis that the Sugarloaf Pipeline offtake has been limited to 75 gegalitres *per annum*.

It is a condition on approval of the Sugarloaf Pipeline Project that all water savings taken from the Goulburn River must be sourced from projects that comply with the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). The Victorian Government has advised its intention to refer the Food Bowl Modernisation Project for assessment under the EPBC Act. This will allow thorough assessment of such issues as conveyance water and return flows to either groundwater or surface water (also called outfalls), to the extent that they relate to matters of national environmental significance.

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| Outcome: | 1 | Question No: | 48 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Sugarloaf Pipeline | | |
| Hansard Page ECA: | 110-111 (24/2/09) | | |

Senator Birmingham asked:

BIRMINGHAM—But all that says is that there may be no more than 75 gigalitres in any one year; that does not say ‘not more than 75 gigalitres as a third of the savings generated’.

Senator FISHER—Seventy-five could be 100 per cent of savings.

Ms Skippington—May I take that on notice?

....

Senator BIRMINGHAM—No, my question is: what in these conditions mandates the savings to actually be achieved. Can 100 per cent of savings be extracted up to 75 gigalitres?

Senator Wong—That is actually the same question, but that is fine. Ms Skippington has taken that on notice.

Answer/s:

The 75 gigalitre *per annum* cap imposed under Condition 11 on the approval of the Sugarloaf Pipeline Project is based on modelling by the Victorian Government of water savings that will accrue from the Food Bowl Modernisation Project (225 gigalitres), and a public commitment to allocate one third (75 gigalitres) of these savings each to irrigation, environmental flows and the Melbourne water grid.

However, conditions on the approval of the Sugarloaf Pipeline Project do not specify any such allocation of savings.

It is a condition on approval of the Sugarloaf Pipeline Project that water savings taken from the Goulburn river must be sourced from projects that comply with the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). Referral and assessment under the EPBC Act of the Food Bowl Modernisation Project, to which the Victorian Government has publicly committed, will provide an opportunity for thorough assessment of such issues as allocation of savings, to the extent that they relate to matters of national environmental significance.

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| Outcome: | 1 | Question No: | 49 & 50 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Lower Lakes | | |
| Hansard Page ECA: | 116 (24/2/09) | | |

Senator Hanson-Young asked:

Senator HANSON-YOUNG—Did this letter that Minister Garrett has written to the South Australian Premier—without seeing the letter it is hard for me to really understand what was in it—suggest an integrated system or strategy to deal with the crisis that we face in the Lower Lakes? Did it specifically say in that letter that we need to be looking at these proposals together and not looking at them in isolation, and therefore any type of environmental impact assessment would need to be looked at from an holistic view?

Senator Wong—There are a lot of aspects to that question—it was a triple- or quadruple-barrelled one. I think Ms Middleton has outlined broadly in response to some of your earlier questions aspects of the letter from Minister Garrett to the Premier in relation to the issues you have raised. I think if there is significant further detail on that we would have to take that on notice.

...

Senator BIRMINGHAM—It would probably assist deliberations if you were able to table Minister Garrett's letter.

Senator Wong—We will take that on notice.

Answer:

It is not general government practice to release intergovernmental correspondence on sensitive, ongoing issues.

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| Outcome: | 1 | Question No: | 51 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Lower Lakes | | |
| Hansard Page ECA: | 117 (24/2/09) | | |

Senator Hanson-Young asked:

Senator Wong—I am neither confirming nor denying that. But I will take on notice the issue of whether Minister Garrett has any further information about his expectations of the proponent, South Australia, in relation to the integration of the various EPBC Act referrals. Is that reasonable?

Senator HANSON-YOUNG—That is reasonable.

Senator Wong—Okay.

Senator HANSON-YOUNG—And whether Minister Garrett has any more expectations in terms of what type of public consultation would be required to ensure that that was done.

Senator Wong—In addition to the ones to which Ms Middleton has referred, which are already public consultations under the EPBC Act?

Senator HANSON-YOUNG—Yes, but they are not an integrated strategy, are they?

Senator Wong—That is a matter for others to comment on.

Senator HANSON-YOUNG—Well, they are not.

Senator Wong—I will take that on notice.

Answer:

Minister Garrett has issued guidelines for the development of the Environmental Impact Statement for the South Australian Government's proposal to opening the barrages. The guidelines require South Australia to identify and explain the relationship and impacts for each of South Australia's proposals under *Environment Protection and Biodiversity Conservation Act* (EPBC Act) assessment in the Lower Lakes and Coorong.

South Australia is required to seek public comment on each proposal being assessed in accordance with the requirements of the EPBC Act.

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| Outcome: | 1 | Question No: | 57 |
| Output: | 1.5 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | EPBC approvals | | |
| Hansard Page ECA: | 98 (24/2/09) | | |

Senator Cormann asked:

Senator CORMANN—Because I have to move along could you perhaps give me on notice the number of projects that your department has got themselves involved in on the basis of national environmental significance over the last three calendar years and perhaps could you have a closer look at the case that I have referred to, [Carabungup quarry] which is one of a number of examples that I have in my home state of Western Australia, to give me an indication as to whether that you think that the way it is currently being handled is appropriate? On that basis I would be happy to conclude.

Answer:

In the last three years, the number of referrals made to the Department that were determined to be “controlled actions” due to likely significant impact on matters of national environmental significance are as follows:

- 2006 – 66
- 2007 – 94
- 2008 – 126

The reference to Carabungup quarry relates to the Sand and Limestone Quarry (2008/4229) at Lot 605 Lake Mealup Road, Carabungup, Western Australia, which was referred to the Department on 27 May 2008. This project is being assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The project was determined to be a controlled action due to likely significant impacts on listed threatened species and communities and wetlands of international importance. The Department has met all statutory deadlines in relation to this assessment. The proposal was released for public comment from 23 February 2009 to 23 March 2009. As with all EPBC Act assessments details are available on the Department’s website at: www.environment.gov.au

Senate Standing Committee on Environment, Communications and the Arts

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Additional Estimates, February 2009

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|--------------------------|---------------------------------|---------------------|----|
| Outcome: | 1 | Question No: | 58 |
| Output: | 1.5.4 | | |
| Division/Agency: | Approvals and Wildlife Division | | |
| Topic: | Wetlands | | |
| Hansard Page ECA: | Written Question on Notice | | |

Senator Siewert asked:

Why doesn't the Government consider Duck shooting on Ramsar Wetlands (with waterbird numbers down by 82% across eastern Australia, diminished wetlands due to ongoing drought and climate change and birds crossing borders in search of wetlands – now a matter of national environmental significance)?

Answer:

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) requires approval for actions that are likely to have a significant impact on a matter of national environmental significance. Ramsar wetlands are a matter of national environmental significance. As such, approval would be required if duck shooting, or any other action, is likely to have a significant impact on the ecological character of a Ramsar wetland, or other matters of national environmental significance protected under the EPBC Act such as listed threatened species. The ecological character of a Ramsar wetland is specific to each site and a decision on the significance of duck shooting actions under the EPBC Act would therefore be made on a case by case basis.