

**Senate Standing Committee on Environment, Communications and The Arts  
Legislation Committee**

Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	35
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Threatened Species Scientific Committee - members		
<b>Hansard Page ECA:</b>	48 (28/5/09)		

**Senator BACK asked:**

**Senator BACK**—Can you tell me who members of the committee are? Is that information available?

**Mr Burnett**—Ms Smith may have information. There are about 10 of them, Senator; I cannot remember all their names.

**Senator BACK**—Perhaps I could take it on notice. Could I more particularly ask: would there be anybody on the committee who would be internationally or nationally recognised for having land management or, particularly, fire management skills?

**Ms Smith**—The committee members are all experts in various fields. Across the membership of the committee they have some expertise in these areas. Some of the members of the committee have been heavily involved in fire issues over their time.

**Senator BACK**—Would it be possible, if not here, to take on notice which of those committee members would be recognised by their peers for having expertise or skills in this area?

**Ms Smith**—Yes, but the process is, as Mr Burnett outlined, that the committee always goes out to expert consultation. They do not have to be experts in every field. They are experts in a number of fields. I do not know whether any of them would claim to be experts in fire, but, as I said, some of them have backgrounds in that.

**Answers:**

The Threatened Species Scientific Committee (TSSC) currently consists of the following ten members:

Member	Principal expertise
Associate Professor Bob Beeton AM FEIANZ (Chair)	Environmental scientist specialising in environmental problem solving and sustainability issues associated with both natural and rural systems and rural and regional communities
Dr Guy Fitzhardinge	Land manager and environment scientist
Dr Gordon Guymer	Botanist
Professor Peter Harrison	Marine ecologist

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Adjunct Professor William Humphreys	Zoologist, specialising in marine, freshwater and Terrestrial subterranean fauna
Dr Antony Lewis	Independent fisheries advisor
Dr Rosemary Purdie	Environmental scientist specialising in botany, and ecology
Dr Andrea Taylor	Wildlife population geneticist and molecular ecologist
Associate Professor (Adjunct) Keith Walker	Freshwater ecologist
Adjunct Professor John Woinarski	Environmental scientist specialising in wildlife research, including fire management and biodiversity

As the TSSC considers a wide range of issues and topics, members are selected with a broad range of expertise in key areas relating to conservation of biodiversity across Australia. In addition to bringing specific expertise relevant to key areas, all members possess a broad ecological knowledge. The range of expertise of current members is considered to be broad and appropriate for the Committee's role. Brief general biographies of members are available at: <http://www.environment.gov.au/biodiversity/threatened/committee-members.html>.

In preparing its advice, the TSSC also calls upon scientific and management experts, as well as broader stakeholders and the public, to provide comment and additional information on all assessments it undertakes.

Short details of several members' specific fire ecology and fire management experience are provided below.

**Associate Professor Robert Beeton (Chair)**

From 1998 to 2002 Associate Professor Beeton was foundation Head of the School of Natural and Rural Systems Management. Associate Professor Beeton has a continuing involvement in the study and management of fire in Australian ecosystems. In early life he served in a bush fire brigade. In conjunction with the Queensland Forestry Department, Associate Professor Beeton developed and taught fire management and suppression from 1982 to 1990. From 1978 to 1992 Associate Professor Beeton developed and taught National Park Management including fire management, and has assisted in developing and reviewing fire management plans for Stradbroke Island and Cooloolo National Parks. Associate Professor Beeton has presented 36 professional development courses for district Rangers, all of which had a fire component. Associate Professor Beeton (as Chair) commissioned the production of cross cutting theme 'Living in a land of Fire' in the 2006 State of Environment Report.

Associate Professor Beeton has produced the following publications relating to fire:

- Beeton RJS (1985). The Little Corella - A seasonally adapted species. Proc. Ecol. Soc. Ecological Society of Australia. 13:53-63

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- Witt GB and Beeton RJS (1994). The regional implications of “Naturalness” in protected area management : A case study from the Queensland Mulgalands. pp177 - 182 in Page, MJ and Beutel TS (1994). Proc. of Conference Ecological Research and Management in the Mulga Lands
- Witt GB, Moll EJ, Beeton RJS and Murry P (1997). Isotopes wool and rangelands monitoring : let the sheep do the sampling Environ. Mgt 22(1): 145-152
- Witt G.B, Berghammer LJ, Bland S, Beeton RJS and Moll EJ (1999). Ecological history from faecal deposits beneath shearing sheds: a novel approach for reconstructing vegetation change in Australian rangelands. In. E. Eldridge and D. Freudenberger (eds). People and Rangelands: Building the Future. Proceedings VI International Rangelands Congress, 19th-23rd July 1999. pp. 242-3
- Page MJ and Beeton RJS (2000). Is The Removal Of Grazing Pressure Sufficient To Restore Semi-Arid Conservation Areas Pacific Conservation Biology 6(3): 245 – 253
- Page MJ, Beeton RJS and Mott JJ (2000). Grass Response To Shrub Removal In Two Semi-Arid Rangeland Vegetation Communities Rangelands J 22(2): 220-234
- Witt GB, Berghammer LJ, Beeton, RJS and Moll EJ (2000). Retrospective monitoring of rangeland vegetation change: eco-history from deposits of sheep dung associated with shearing sheds. Austral Ecology 25: 260-267.
- Beeton RJS (2000). Local Government Association of Queensland Public Inquiry Management of National Parks in Queensland 36 pp Local Government Association of Queensland
- Page MJ and Beeton RJS (2004). Monitoring Mulga Land Change: 12 Years Later. In: Bastin and Walsh and Nicolson, Australian Rangeland Society 13th Biennial Conference. Australian Rangeland Society 13th Biennial Conference, Alice Springs, (345-346). 5-8 July 2004
- Beeton RJS, Buckley KI, Jones GJ, Morgan D, Reichelt RE, Trewin D (2006). Australian State of the Environment Committee) 2006, Australia State of the Environment 2006, Independent report to the Commonwealth Minister for the Environment and Heritage, Department of Environment and Heritage Canberra.

Associate Professor Beeton has also been closely involved in an ongoing project in the Queensland Mulgalands since 1992. This project includes a number of studies that have consideration of fire as a component. These are:

M. Page	PhD	1997	Vegetation Dynamics in the Mulgalands: A Currawinya National Park Case Study
T. Beutel	PhD	1998	Predicting the Future. How do wildlife habitat models measure up?
B. Witt	PhD	1997	How the west was once: Reconstructing historic vegetation change and monitoring the present using carbon isotope techniques
K. Steel	PhD	2003	Visions of South West Queensland: A Study into human environment connections in a grazier-cantered cultural

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			landscape
R Greenfield	MEM	2004	Impact of the Vegetation Management Act in Western Queensland
R Greenfield	PhD	Submitted	Vegetation Management in SW Queensland: A case study on a systemic intervention
J Lynch	PhD	2008	Modelling patterns in Biodiversity

Other recent experience relevant to Land Management and Fire include

- **1997 to 1999 Member**, Environment Protection Council (Queensland);
- **1999 Chair**, Implementation Advisory Panel for the Visions project reporting direct to Minister (NSW National Parks and Wildlife Service);
- **1999 to 2002 Member**, State of the Environment Advisory Committee, Commonwealth;
- **1999 to 2002 Member**, Natural Heritage Trust Regional Assessment Panel, Western Queensland;
- **2000 to 2001 Member**, Queensland Parks and Wildlife Service master planning advisory committee;
- **2000 to 2002 Member**, Board of Agricultural Production Systems Research Unit,
- **1998 to 2002 Member**, Board of Rural Extension Centre;
- **1999- 2004 Joint Interim Director**, Centre for Rural and Regional Innovation;
- **2004-2008 Chair**, Australian State of Environment 2006 Committee, Commonwealth;
- **2004- 2008 Participating Observer** on the National Land and Water Audit Advisory Council;
- **2005 –2008 Member**, National Research Priorities Standing Committee;
- **2007- 2009 Member** National NHT Advisory Council,

**Dr Gordon Guymer**

Dr Guymer is the Director of Biodiversity Sciences, Queensland Department of Environment and Resource Management and has been a member of the Council of Heads of Australian Herbaria since 1990.

Dr Guymer has a sound understanding of fire in the Australian landscape and currently manages staff who are experts on fire and Australian biodiversity. Recent fire-related publications by Dr Guymer's team include:

- Fire management guidelines for Queensland regional ecosystems for the Northwest Highlands, Gulf Plains and Cape York Peninsula bioregions ([www.derm.qld.gov.au/redd](http://www.derm.qld.gov.au/redd))
- Fensham R and Fairfax R (2007). Talking fire: Burning for pastoral management in the Desert Uplands. Desert Uplands Build-up and Strategy Committee: Barcaldine
- Fensham RJ and Fairfax RJ (2006). Can burning restrict eucalypt invasion on grassy balds? *Austral Ecology* 31: 317-325

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- Fensham RJ (2005). Challenges of fire and exotic plants for Queensland conservation reserves. In, M. Taylor & L. Schneiders (eds), *Growing Pains – Managing a larger Protected Estate. Proceedings of a Workshop on Protected Area Management in Queensland*. National Parks Association of Queensland: Indooroopilly
- Fensham RJ, Fairfax RJ and Archer S (2005). Rainfall, land-use and woody vegetation cover change in semi-arid Australian savanna. *Journal of Ecology* 93: 596-606
- Fensham RJ, Butler DW and Fairfax RJ (2005). The buffel grass dilemma for fire sensitive vegetation in Queensland's conservation reserves. In, A. Exelby and A. Melzer (eds), *Remnant Vegetation in the Brigalow Belt Management and Conservation*. Central Queensland University, Rockhampton
- Fensham RJ, Fairfax RJ, Bowman DMJS and Butler DW (2003). Effects of fire and drought in a tropical eucalypt savanna colonised by rain forest. *Journal of Biogeography* 30: 14-5-1414

**Dr Rosemary Purdie**

Fire management has often been highly relevant to Dr Purdie's work. For example:

- Dr Purdie is a member of the ACT Strategic Bushfire Management Plan Committee.
- In 2007, Dr Purdie prepared the Fire indicator for the ACT State of the Environment Report (see <http://www.environmentcommissioner.act.gov.au/soe/2007actreport/indicators07/fire07>);
- While at the Australian Heritage Commission working on forest issues Dr Purdie had a major role in preparing a submission to the Resource Assessment Commission Inquiry into Australia's forest and timber resources, October 1990, which included a literature review on fire impacts at that time;
- While ACT Commissioner for the Environment Dr Purdie oversaw the preparation of the 2004 State of the Environment Report for the Australian Capital Region. The report included a Fire indicator for each local government area (see <http://www.environmentcommissioner.act.gov.au/soe/soe2004/Region/introduction.htm>);

Dr Purdie has been principal or contributing author of the following publications relating to the interactions between fire and biodiversity.

- Gill AM, Cheney NP and Purdie RW (1975). The place of fire in city nature parks such as Ainslie - Majura. In: *Native Revegetation of Grazed Lands for Cultural and Recreational Purposes* (Ed. C.F. Pavich). Dept Capital Territory, Canberra
- Purdie RW (1977a). Ecological succession after burning in dry sclerophyll vegetation. Ph.D. Thesis, Australian National University, Canberra
- Purdie RW (1977b). Early stages of regeneration after burning in dry sclerophyll vegetation. I. Regeneration of the understorey by vegetative means. *Aust. J. Bot.* 25, 21-34

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- Purdie RW (1977c). Early stages of regeneration after burning in dry sclerophyll vegetation. II. Regeneration by seed germination. *Aust. J. Bot.* 25, 35-45
- Purdie RW and Slatyer RO (1977). Vegetation succession after fire in sclerophyll woodland communities in south-eastern Australia. *Aust. J. Ecol.* 1, 223-236
- Johnson RW and Purdie RW (1981). The role of fire in the establishment and management of agricultural systems. In: *Fire and the Australian Biota* (Eds A.M. Gill, R.H. Groves and I.R. Noble), pp 497-528. Academy of Science, Canberra

**Adjunct Professor John Woinarski**

Adjunct Professor John Woinarski is an expert on fire management and biodiversity conservation in northern Australia, and has undertaken a wide range of research on the subject over more than 20 years. Much of this research is specifically related to the assessment of fire management performance in national parks and other lands, and the provision of advice on fire management for biodiversity conservation outcomes to land management agencies. Beyond northern Australia, he also has expertise on fire and birds across Australia, and has undertaken a range of studies on the response of threatened birds to fire management in mallee environments.

Publications by Associate Professor Woinarski with a specific focus on fire include:

Book chapters

- Williams, R.J., Barrett, D., Cook, G., Gill, M., Hutley, L., Liedloff, A., Myers, B., and Woinarski, J.C.Z. (in press). Landscape-scale fire research in northern Australia. In *Manwurrk: Managing fire regimes in north Australian savannas—ecology, culture, economy.* (eds J. Russell-Smith, P.J. Whitehead, P. Cooke) (CSIRO Publications: Melbourne)
- Russell-Smith, J., Edwards, A.C., Woinarski, J.C.Z., McCartney, J., Kerin, S., Winderlich, S., Murphy, B.P., and Watt, F. (in press). The first ten years of the ‘Three Parks’ (Kakadu, Litchfield, Nitmiluk) fire regime and biodiversity monitoring program. In *Manwurrk: Managing fire regimes in north Australian savannas—ecology, culture, economy.* (eds J. Russell-Smith, P.J. Whitehead, P. Cooke) (CSIRO Publications: Melbourne)
- Woinarski, J.C.Z., Russell-Smith, J., Andersen, A., and Brennan, K. (in press). Fire management and biodiversity of the western Arnhem Land plateau. In *Manwurrk: Managing fire regimes in north Australian savannas—ecology, culture, economy.* (eds J. Russell-Smith, P.J. Whitehead, P. Cooke) (CSIRO Publications: Melbourne)
- Gill, M., Williams, R.J., and Woinarski, J.C.Z. (2009). Fires in Australia’s tropical savannas: interactions with biodiversity, global warming and exotic biota. In *Tropical fire ecology: climate change, land use and ecosystem dynamics.* (Ed. M.A. Cochrane.) pp. 113-141. (Springer, Berlin.)
- Williams, J., Keith, D., and Woinarski, J.C.Z. (2002). Biodiversity conservation – fire management from remnants to regions. In *Flammable Australia: the fire regimes and*

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biodiversity of a continent (Eds R. Bradstock, M. Gill and J. Williams) pp. 401-425.  
(Cambridge University Press: Cambridge.)

- Russell-Smith, J., Start, T., and Woinarski, J. (2001). Effects of fire in the landscape. In *Savanna burning: understanding and using fire in northern Australia.* (eds R. Dyer, P. Jacklyn, I. Partridge, J. Russell-Smith and R. Williams.) pp. 29-49. (Tropical Savannas CRC: Darwin.)

Papers in peer-reviewed journals

- Parr, C.L., Woinarski, J.C.Z., and Pienaar, D.J. (in press). Cornerstones of biodiversity conservation? Comparing the management effectiveness of Kruger and Kakadu National Parks, two key savanna reserves. *Biodiversity and Conservation*
- Kutt, A.S., and Woinarski, J.C.Z. (2007). Vegetation and the vertebrate fauna assemblage pattern in response to grazing and fire in a tropical savanna woodland in north-eastern Australia. *Journal of Tropical Ecology* 23, 95-106.
- Andersen, A.N., Hertog, T., and Woinarski, J.C.Z. (2006). Long-term fire exclusion and ant community structure in an Australian tropical savanna: congruence with vegetation succession. *Journal of Biogeography* 33, 823-832.
- Williams, R.J., Carter, J., Duff, G.A., Woinarski, J.C.Z., Cook, G.D., and Farrer, S.L. (2005). Carbon accounting, land management, science and policy uncertainty in Australian savanna landscapes: introduction and overview. *Australian Journal of Botany* 53, 583-588.
- Andersen, A.N., Cook, G.D., Corbett, L.K., Douglas, M.M., Eager, R.W., Russell-Smith, J., Setterfield, S.A., Williams, R.J., and Woinarski, J.C.Z. (2005). Fire frequency and biodiversity conservation in Australian tropical savannas: implications from the Kapalga fire experiment. *Austral Ecology* 30, 155-167.
- Price, O.F., Edwards, A., Connors, G., Woinarski, J.C.Z., Ryan, G., Turner, A., and Russell-Smith, J. (2005). Fire heterogeneity, Kakadu National Park, 1980-2000. *Wildlife Research* 32, 425-433.
- Whitehead, P.J., Russell-Smith, J., and Woinarski, J.C.Z. (2005). Fire, landscape heterogeneity and wildlife management in Australia's tropical savannas: introduction and overview. *Wildlife Research* 32, 369-375.
- Woinarski, J.C.Z., Armstrong, M., Price, O., McCartney, J., Griffiths, T., and Fisher, A. (2004). The terrestrial vertebrate fauna of Litchfield National Park, Northern Territory: monitoring over a 6-year period, and response to fire history. *Wildlife Research* 31, 1-10.
- Woinarski, J.C.Z., Risler, J., and Kean, L. (2004). The response of vegetation and vertebrate fauna to 23 years of fire exclusion in a tropical Eucalyptus open forest, Northern Territory, Australia. *Austral Ecology* 29, 156-176.
- Edwards, A., Kennett, R., Price, O., Russell-Smith, J., Spiers, G., and Woinarski, J. (2003). Monitoring the impacts of fire regimes on biodiversity in northern Australia: an example from Kakadu National Park. *International Journal of Wildland Fire* 12, 427-440.

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- Williams, R.J., Woinarski, J.C.Z., and Andersen, A.N. (2003). Fire experiments in northern Australia: lessons for ecology, management and biodiversity conservation. *International Journal of Wildland Fire* 12, 391-402.
- Woinarski, J.C.Z., Milne, D.J., and Wanganeen, G. (2001). Changes in mammal populations in relatively intact landscapes of Kakadu National Park, Northern Territory, Australia. *Austral Ecology* 26, 360-370.
- Woinarski, J.C.Z. (1999). Fire and Australian birds: a review. In *Australia's Biodiversity – responses to fire: plants, birds and invertebrates* (A.M. Gill, J.C.Z. Woinarski and A. York) pp. 55-111. Biodiversity Technical Paper no. 1. (Environment Australia: Canberra.)
- Woinarski, J.C.Z. (1999). Fire and Australian birds: an annotated bibliography. In *Australia's Biodiversity – responses to fire: plants, birds and invertebrates* (A.M. Gill, J.C.Z. Woinarski and A. York) pp. 113-180. Biodiversity Technical Paper no. 1. (Environment Australia: Canberra.)
- Woinarski, J.C.Z., Brock, C., Fisher, A., Milne, D., and Oliver, B. (1999). Response of birds and reptiles to fire regimes on pastoral land in the Victoria River District, Northern Territory. *The Rangeland Journal* 21, 24-38.
- Woinarski, J.C.Z., and Recher, H.F. (1997). Impact and response: a review of the effects of fire on the Australian avifauna. *Pacific Conservation Biology* 3, 183-205.
- Woinarski, J.C.Z. (1997). An overview of research on the impacts of fire on Australian birds. In *Bushfire '97. Proceedings of the Australian Bushfire Conference 8-10 July 1997.* (Eds. B.J.McKaige, R.J. Williams and W.M. Waggitt). Pp. 127-131. CSIRO: Darwin.
- Trainor, C.R., and Woinarski, J.C.Z. (1994). Responses of lizards to three experimental fires in the savanna forests of Kakadu National Park. *Wildlife Research* 21, 131-148.
- Woinarski, J.C.Z. (1990) Effects of fire on bird communities of tropical woodlands and open forests in northern Australia. *Australian Journal of Ecology* 15, 1-22.
- Bowman, D.M.J.S., Woinarski, J.C.Z., Sands, D., Wells, A. & McShane, V. (1990) Slash-and-burn agriculture in the wet coastal lowlands of Papua New Guinea: response of birds, butterflies and reptiles. *Journal of Biogeography* 17, 227-239
- Woinarski, J.C.Z., Eckert, J. & Menkhorst, P.W. (1988) A review of the distribution, habitat and conservation status of the Western Whipbird *Psophodes nigrogularis leucogaster* in the Murray Mallee. *South Australian Ornithologist* 30, 146-153.
- Woinarski, J.C.Z. (1987) Notes on the status and ecology of the Red-lored Whistler *Pachycephala rufogularis*. *Emu* 87, 224-231.

Other

- Woinarski, J.C.Z. (2006). Book review. "Fire and avian ecology in north America". *Emu* 106, 259-260.
- Woinarski J. 2005. Living with fire - birds in northern Australia. In *Fire and Birds. Fire Management for Biodiversity*, ed. P Olsen, M Weston, pp. 7-9. Hawthorn East: Birds Australia. [Wingspan 15 (Supplement), no. 3]



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- Woinarski, J.C.Z. and Westaway, J. (2008). Hollow formation in the *Eucalyptus miniata* report to Land and Water Australia. (Department of Natural Resources, Environment, The Arts and Sport, Darwin.)
- Hill, B.M., Woinarski, J.C.Z., Watt, F., and Hempel, C. (2008). Occurrence and persistence of logs in tropical eucalypt forests in Kakadu National Park after Cyclone Monica. Final report to Land and Water Australia. (Department of Natural Resources, Environment, The Arts and Sport, Darwin.)– *E. tetradonta* open forests and savanna woodlands of tropical northern Australia. Final
- Woinarski, J., Milne, D., Palmer, C., Fisher, A., Ward, S., Risler, J., Brennan, K., and Berghout, M. (2005). Fauna monitoring at Nitmiluk fire plots: baseline sampling, 2005. (Department of Natural Resources, Environment and The Arts, Darwin.)
- Woinarski, J.C.Z., and Griffiths, A.D. (1996). Report on fauna survey of some fire-monitoring plots at Kakadu National Park. Report to ANCA. (CCNT: Darwin.)

Additional publications by Adjunct Professor Woinarski which include some consideration of the management of fire and biodiversity include:

Books

- Woinarski, J., Mackey, B., Nix, H., and Traill, B. (2007). The Nature of Northern Australia: natural values, ecological processes and future prospects. (ANU e-press, Canberra.)
- Woinarski, J., Pavey, C., Kerrigan, R., Cowie, I., and Ward, S. (2007). Lost from our landscape: threatened species of the Northern Territory. (NT Government Printer, Darwin.)
- Williams, J.E., and Woinarski, J.C.Z. (eds) (1997). Eucalypt ecology: individuals to ecosystems. (Cambridge University Press: Cambridge).

Book chapters

- Garnett, S.T., Woinarski, J.C.Z., Crowley, G.M., and Kutt, A.S. (in press). Biodiversity conservation in Australian tropical rangelands. In *Conserving rangelands*. (eds J. du Toit, R. Kock and J. Deutsch.)
- Woinarski, J.C.Z. (2005). A difficult and destructive metamorphosis: conservation and land management in the Northern Territory in the 1950s. In *Modern Frontier: Aspects of the 1950s in Australia's Northern Territory*. (eds J.T. Wells, M. Dewar and S. Parry). pp. 33-55. (Charles Darwin University Press, Darwin.)
- Woinarski, J.C.Z. (2004). The forest fauna of the Northern Territory: knowledge, conservation and management. In *Conservation of Australia's Forest Fauna* (second edition) (ed. D. Lunney). pp. 36-55. (Royal Zoological Society of New South Wales: Sydney.)
- Woinarski, J.C.Z. (2004). In a land with few possums, even the common are rare: ecology, conservation and management of possums in the Northern Territory. In *The biology of Australian possums and gliding possums* (ed. R. Goldingay and S. Jackson). pp.51-62 (Surrey Beatty & Sons: Sydney.)

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- Whitehead, P.J., Woinarski, J.C.Z., Franklin, D., and Price, O. (2003). Landscape ecology, wildlife management and conservation in northern Australia: linking policy, practice and capability in regional planning. In *Landscape ecology and resource management: linking theory with practice*. pp. 227-259. (eds I. Storch and J.A. Bissonette.) (Island Press: Washington).
- Woinarski, J.C.Z. (1993). Australian tropical savannas, their avifauna, conservation status and threats. In: *Birds and their habitats: current knowledge and conservation priorities in Queensland* (eds. C.Catterall, P.Driscoll, K.Hulsman & A.Taplin). pp.45-63. Queensland Ornithological Society, Brisbane.

Papers in peer-reviewed journals

- Lindenmayer, D., Hobbs, R.J., Montague-Drake, R., Alexandra, J., Bennett, A., Burgman, M., Cale, P., Calhoun, A., Cramer, V., Cullen, P., Driscoll, D., Fahrig, L., Fischer, J., Franklin, J., Haila, Y., Hunter, M., Gibbons, P., Lake, S., Luck, G., MacGregor, C., McIntyre, S., Mac Nally, R., Manning, A., Miller, J., Mooney, H., Noss, R., Possingham, H., Saunders, D., Schmiegelow, F., Scott, M., Simberloff, D., Sisk, T., Tabor, G., Walker, B., Wiens, J., Woinarski, J., and Zavaleta, E. (2007). A checklist for ecological management of landscapes for conservation. *Ecology Letters* 10, xx
- Firth, R.S.C., Woinarski, J.C.Z., Brennan, K.G., and Hempel, C. (2006). Environmental relationships of the brush-tailed rabbit-rat *Conilurus penicillatus* and other small mammals on the Tiwi Islands, northern Australia. *Journal of Biogeography* 33, 1820-1837.
- Firth, R.S.C., Woinarski, J.C.Z., and Noske, R.A. (2006). Home range and den characteristics of the brush-tailed rabbit-rat *Conilurus penicillatus* in the monsoonal tropics of the Northern Territory, Australia. *Wildlife Research* 33, 397-408.
- Firth, R.S.C., Jefferys, E., Woinarski, J.C.Z., and Noske, R.A. (2005). The diet of the brush-tailed rabbit-rat *Conilurus penicillatus* from the monsoonal tropics of the Northern Territory, Australia. *Wildlife Research* 32, 517-524.
- Woinarski, J.C.Z., Williams, R.J., Price, O., and Rankmore, B. (2005). Landscapes without boundaries: wildlife and their environments in northern Australia. *Wildlife Research* 32, 377-388.
- Woinarski, J.C.Z., and Catterall, C.P. (2004). Historical changes in the bird fauna at Coomoolaroo, northeastern Australia, from the early years of pastoral settlement (1873) to 1999. *Biological Conservation* 116, 379-401.
- Taylor, R., Woinarski, J. and Chatto, R. (2003) Hollow use by vertebrates in the Top End of the Northern Territory. *Australian Zoologist* 32, 462-476.
- Woinarski, J.C.Z., and Fisher, A. (2003). Conservation and the maintenance of biodiversity in the rangelands. *The Rangeland Journal* 25, 157-171.
- Woinarski, J.C.Z., and Ash, A.J. (2002). Responses of vertebrates to pastoralism, military land use and landscape position in an Australian tropical savanna. *Austral Ecology* 27, 311-323.

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- Woinarski, J.C.Z., Andersen, A.N., Churchill, T., and Ash, A.J. (2002). Response of ant and terrestrial spider assemblages to pastoral and military land use, and to landscape position, in a tropical savanna woodland in northern Australia. *Austral Ecology* 27, 324-333.
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**Other Members**

All remaining members of the committee have strong ecological backgrounds and consequently an understanding of the role of fire in Australian ecology and land management. Many also have personal experience of fire either in its suppression or impact on people. Several have lost colleagues in recent bush fire events.

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<b>Outcome:</b>	1	<b>Question No:</b>	36
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Cocos Malay community proposal - letter		
<b>Hansard Page ECA:</b>	54 (28/5/09)		

**Senator SCULLION asked:**

**Senator SCULLION**—Would you be able to provide me with that letter on notice?

**Mr Burnett**—Yes.

**Senator SCULLION**—The most recent one.

**Mr Burnett**—We will just need to check with the congress that they are happy for you to have it. It is, in one sense, private correspondence, so it is subject to that.

**Answers:**

The Department received a letter on the 29 June from the Cocos Congress-Inc Cocos (Keeling) Islands Indian Ocean. A response to this letter is being prepared and will include a request to release of the letter Senator Scullion has referred to in the Question on Notice.

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<b>Outcome:</b>	1	<b>Question No:</b>	37
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Ramsar Wetlands – logging in Central Murray forest		
<b>Hansard Page ECA:</b>	56 (28/5/09)		

**Senator COLBECK asked:**

**Senator COLBECK**—Were there any forestry methods that were agreed as part of the agreement in 2002?

**Mr Burnett**—I do not even know if there was an agreement in 2002.

**Senator COLBECK**—I am basing it on the information that I have been given that there was. It was included and accepted—

**Senator Wong**—Between whom?

**Senator COLBECK**—If it were under a Ramsar site, it would have to have been the New South Wales government and the Commonwealth government, I would have thought.

**Senator Wong**—Let us stop for a minute there. I do not have any officers at the table telling me that there is such an agreement. I am just concerned about proceeding with subsequent questions on the basis that there was.

**Ms Kruk**—Could we take the exact nature of the agreement on notice? If we could have the benefit of background material, we could check that.

**Answers:**

The Department's records of the Ramsar nomination and listing process do not refer to any specific 'agreement' between DEWHA and FNSW including any agreement on the use of typical harvesting methods. Specifically, there was no detailed explanation by Forests NSW, either in correspondence or in the Murray Management Area Management Plan (1985) (which was the applicable forestry operations plan for the Murray forests) about what harvesting techniques were employed, beyond reference to forestry being "sustainable".

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<b>Outcome:</b>	1	<b>Question No:</b>	38
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Ramsar Wetlands – logging in Central Murray forest		
<b>Hansard Page ECA:</b>	57 (28/5/09)		

**Senator COLBECK asked:**

**Ms Kruk**—If I could assist here, I think both Mr Burnett and Mr Early have indicated that they have now been involved in some quite detailed discussions with New South Wales forests. You are probably aware, or your background material would indicate, that this has been a longstanding matter in New South Wales. This is a matter which I also understand is now in the court between New South Wales and the National Parks

Association, and it has as much to do with the compliance or otherwise by state forests in relation to the EIS processes. My understanding—and I am sure Mr Burnett would help me here with the detail—is that the department received an allegation from a party about logging practices. Particular logging works have quite long-term regimes, as you know. You have a belief about some commitment being made between the department—obviously my officers are not aware of that—but the discussions are currently underway between the two agencies. The department was responding to an allegation vis-à-vis compliance and the change in terms of activity.

**Senator COLBECK**—I am happy to move on. I would ask you to provide us with what information that you have in respect of those particular issues. I would appreciate that.

**Ms Kruk**—I am pleased to do so.

**Answer:**

The Central Murray Ramsar site located in south central New South Wales was listed in May 2003. It consists of a series of forested and wetland areas of approximately 84,000 hectares in total. The area has been managed under multiple use principles, including forestry, for over 150 years and provides connectivity with the listed Ramsar wetlands in Victoria (Barmah and Gunbower forests).

Further information is set out in the answer to Question No 37.



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<b>Outcome:</b>	1	<b>Question No:</b>	39
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Logging in Central Murray forest		
<b>Hansard Page ECA:</b>	60 (28/5/09)		

**Senator COLBECK asked:**

**Mr Burnett**—The concern is that clear felling in patches destroys the continuity of the tree canopy and that has a very significant impact on the ecological character of the Ramsar wetland, obviously where it is occurring within the Ramsar wetland, and elsewhere. By disrupting the continuity of the tree canopy it is having a significant impact on the habitat of nationally listed threatened species.

**Senator COLBECK**—Do you have science to back that assertion up?

**Mr Burnett**—Yes.

**Senator COLBECK**—Can you make that science available to the committee?

**Mr Burnett**—It is all in the expert report.

**Answer:**

The science is drawn together in the report prepared by Dr Peter Bacon that was referred to in evidence before the Committee. The report was commissioned by the department in the course of its investigations of alleged breaches of the *Environment Protection and Biodiversity Conservation Act 1999* in relation to this matter. In accordance with the Departmental Compliance and Enforcement Policy (available on the Departmental web site at <http://www.environment.gov.au/about/publications/compliancepolicy.html>) it is not appropriate to release the report at this stage as it may compromise the investigation.

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<b>Outcome:</b>	1	<b>Question No:</b>	40
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Ramsar Wetlands – logging in Central Murray forest		
<b>Hansard Page ECA:</b>	62 (28/5/09)		

**Senator COLBECK asked:**

**Senator COLBECK**—Is there more timber being harvested than there was when the wetland was first nominated—if that is the right term—or ratified?

**Mr Burnett**—That would be our understanding.

**Senator COLBECK**—So, there is more timber being harvested since the ratification of the site as a Ramsar wetland?

**Mr Burnett**—Yes.

**Senator COLBECK**—Is that part of the evidence too?

**Ms Webb**—We have obtained quite a deal of information from Forests NSW, as Mr Burnett previously indicated. We are still trying to work through the actual yield amounts. It is a little hard to say because the Ramsar site does not match up exactly with the forest sites. We could probably take that on notice, but I cannot give you a definitive answer.

**Answers:**

Data about the quantity of timber sourced from forestry areas within the wetlands comes from several sources and the department is not currently able to give a conclusive answer to this question. However, the primary issue of concern to the department is not the tonnage of timber harvested but the impact of changes to the harvesting practices on the matters protected by the *Environment Protection and Biodiversity Conservation Act 1999*.

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<b>Outcome:</b>	1	<b>Question No:</b>	41
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Ramsar Wetlands – logging in Central Murray forest		
<b>Hansard Page ECA:</b>	64 (28/5/09)		

**Senator BOSWELL asked:**

**Senator BOSWELL**—That can be disputed. Mr Burnett, you said before the parrot was not the only reason or the only species that was under threat. What other species are under threat?

**Mr Burnett**—There are about 24 of them. I do not know that I can list them all for you.

...

**Senator BOSWELL**—Are you able to provide us with a copy of that list?

**Ms Webb**—Yes, we can provide that.

**Mr Burnett**—We will take that on notice.

**Answers:**

There are many EPBC Act listed threatened and migratory species known to occur in the Central Murray State Forest Ramsar site (see list 1 below); in Forests NSW harvest areas in Western Lands Leases further west of the Central Murray State Forest Ramsar site along the Lachlan and Darling Rivers (see list 2 below); and in Murrumbidgee group of Forest NSW tenure between Wilbriggie and Narrandera (see list 3 below). (Note: some species occur on more than one list).

For additional information on matters protected by the EPBC Act that are of concern to the department, please see Attachment 1, an extract from the Ramsar Information Sheet on the Central Murray State Forest Ramsar site.

\*Please note that these lists do not include the NSW state listed threatened flora and fauna species.

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**List 1: EPBC listed threatened species occurring in the Central Murray State Forest Ramsar site**

**Source: EPBC Protected Matters Search Tool, 18/6/2009**

<b>Name</b>	<b>Status</b>
<a href="#">Anthochaera phrygia</a> Regent Honeyeater [ 82338 ]	Endangered
<a href="#">Lathamus discolor</a> Swift Parrot [ 744 ]	Endangered
<a href="#">Pedionomus torquatus</a> Plains-wanderer [ 906 ]	Vulnerable
<a href="#">Polytelis swainsonii</a> Superb Parrot [ 738 ]	Vulnerable
<a href="#">Rostratula australis</a> Australian Painted Snipe [ 77037 ]	Vulnerable
<a href="#">Litoria raniformis</a> Growling Grass Frog, Southern Bell Frog, Green and Golden Frog, Warty Swamp Frog [ 1828 ]	Vulnerable
<a href="#">Dasyurus maculatus maculatus (SE mainland population)</a> Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [ 75184 ]	Endangered
<a href="#">Nyctophilus timoriensis (South-eastern form)</a> Eastern Long-eared Bat [ 66888 ]	Vulnerable
<a href="#">Craterocephalus fluviatilis</a> Murray Hardyhead [ 56791 ]	Vulnerable
<a href="#">Maccullochella macquariensis</a> Trout Cod [ 26171 ]	Endangered
<a href="#">Maccullochella peelii peelii</a> Murray Cod, Cod, Goodoo [ 68443 ]	Vulnerable
<a href="#">Macquaria australasica</a> Macquarie Perch [ 66632 ]	Endangered
<a href="#">Delma impar</a> Striped Legless Lizard [ 1649 ]	Vulnerable
<a href="#">Amphibromus fluitans</a> River Swamp Wallaby-grass [ 19215 ]	Vulnerable
<a href="#">Austrostipa metatoris</a> [ 66704 ]	Vulnerable
<a href="#">Austrostipa wakoolica</a> [ 66623 ]	Endangered

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<a href="#">Brachyscome muelleroides</a> Mueller Daisy [ 15572 ]	Vulnerable
<a href="#">Callitriche cyclocarpa</a> Western Water-starwort [ 7477 ]	Vulnerable
<a href="#">Diuris sheaffiana</a> Tricolour Diuris [ 12177 ]	Vulnerable
<a href="#">Lepidium monoplocoides</a> Winged Pepper-cress [ 9190 ]	Endangered
<a href="#">Maireana cheelii</a> Chariot Wheels [ 8008 ]	Vulnerable
<a href="#">Myriophyllum porcatum</a> Ridged Water-milfoil [ 19919 ]	Vulnerable
<a href="#">Pimelea spinescens subsp. spinescens</a> Plains Rice-flower, Spiny Rice-flower, Prickly Pimelea [ 21980 ]	Critically Endangered
<a href="#">Sclerolaena napiformis</a> Turnip Copperbur [ 11742 ]	Endangered
<a href="#">Swainsona murrayana</a> Slender Darling-pea, Slender Swainson, Murray Swainson-pea [ 6765 ]	Vulnerable
<a href="#">Swainsona plagiotropis</a> Red Darling-pea, Red Swainson-pea [ 10804 ]	Vulnerable

**Migratory species:**

<b>Name</b>	<b>Status</b>
<a href="#">Haliaeetus leucogaster</a> White-bellied Sea-Eagle [ 943 ]	Migratory
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [ 682 ]	Migratory
<a href="#">Merops ornatus</a> Rainbow Bee-eater [ 670 ]	Migratory
<a href="#">Xanthomyza phrygia</a> Regent Honeyeater [ 430 ]	Migratory
<a href="#">Ardea alba</a> Great Egret, White Egret [ 59541 ]	Migratory
<a href="#">Ardea ibis</a> Cattle Egret [ 59542 ]	Migratory
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [ 874 ]	Migratory
<a href="#">Gallinago hardwickii</a> Latham's Snipe, Japanese Snipe [ 863 ]	Migratory

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<b>Name</b>	<b>Status</b>
<a href="#"><u>Rostratula benghalensis s. lat.</u></a> Painted Snipe [ 889 ]	Migratory
<a href="#"><u>Tringa nebularia</u></a> Common Greenshank, Greenshank [ 832 ]	Migratory
<a href="#"><u>Tringa stagnatilis</u></a> Marsh Sandpiper, Little Greenshank [ 833 ]	Migratory
<a href="#"><u>Apus pacificus</u></a> Fork-tailed Swift [ 678 ]	Migratory
<a href="#"><u>Ardea alba</u></a> Great Egret, White Egret [ 59541 ]	Migratory
<a href="#"><u>Ardea ibis</u></a> Cattle Egret [ 59542 ]	Migratory

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**List 2:**

**Other threatened flora and fauna communities listed under the EPBC Act found in Forests NSW harvest areas in Western Lands Leases further west of the Central Murray State Forest Ramsar site along the Lachlan and Darling Rivers**

**Source: EPBC Protected Matters Search Tool, 18/6/2009**

<b>Name</b>	<b>Status</b>
<a href="#"><u>Leipoa ocellata</u></a> Malleefowl [ 934 ]	Vulnerable
<a href="#"><u>Manorina melanotis</u></a> Black-eared Miner [ 449 ]	Endangered
<a href="#"><u>Pachycephala rufogularis</u></a> Red-lored Whistler [ 601 ]	Vulnerable
<a href="#"><u>Polytelis anthoepus monarchoides</u></a> Regent Parrot (eastern) [ 59612 ]	Vulnerable
<a href="#"><u>Rostratula australis</u></a> Australian Painted Snipe [ 77037 ]	Vulnerable
<a href="#"><u>Stipiturus mallee</u></a> Mallee Emu-wren [ 59459 ]	Endangered
<a href="#"><u>Litoria raniformis</u></a> Growling Grass Frog, Southern Bell Frog, Green and Golden Frog, Warty Swamp Frog [ 1828 ]	Vulnerable
<a href="#"><u>Nyctophilus timoriensis (South-eastern form)</u></a> Eastern Long-eared Bat [ 66888 ]	Vulnerable
<a href="#"><u>Craterocephalus fluviatilis</u></a> Murray Hardyhead [ 56791 ]	Vulnerable
<a href="#"><u>Maccullochella peelii peelii</u></a> Murray Cod, Cod, Goodoo [ 68443 ]	Vulnerable
<a href="#"><u>Atriplex infrequens</u></a> [ 4143 ]	Vulnerable
<a href="#"><u>Austrostipa nullanulla</u></a> Club Spear-grass [ 66622 ]	Vulnerable
<a href="#"><u>Caladenia tensa</u></a> Greencomb Spider-orchid, Rigid Spider-orchid [ 24390 ]	Endangered
<a href="#"><u>Lepidium monoplocoides</u></a> Winged Pepper-cress [ 9190 ]	Endangered
<a href="#"><u>Solanum karsense</u></a> Menindee Nightshade [ 7776 ]	Vulnerable
<a href="#"><u>Swainsona pyrophila</u></a> Yellow Swainson-pea [ 56344 ]	Vulnerable

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**Migratory Birds**

<b>Name</b>	<b>Status</b>
<a href="#"><u>Haliaeetus leucogaster</u></a> White-bellied Sea-Eagle [ 943 ]	Migratory
<a href="#"><u>Hirundapus caudacutus</u></a> White-throated Needletail [ 682 ]	Migratory
<a href="#"><u>Leipoa ocellata</u></a> Malleefowl [ 934 ]	Migratory
<a href="#"><u>Manorina melanotis</u></a> Black-eared Miner [ 449 ]	Migratory
<a href="#"><u>Merops ornatus</u></a> Rainbow Bee-eater [ 670 ]	Migratory
<a href="#"><u>Ardea alba</u></a> Great Egret, White Egret [ 59541 ]	Migratory
<a href="#"><u>Ardea ibis</u></a> Cattle Egret [ 59542 ]	Migratory
<a href="#"><u>Gallinago hardwickii</u></a> Latham's Snipe, Japanese Snipe [ 863 ]	Migratory
<a href="#"><u>Rostratula benghalensis s. lat.</u></a> Painted Snipe [ 889 ]	Migratory
<a href="#"><u>Apus pacificus</u></a> Fork-tailed Swift [ 678 ]	Migratory
<a href="#"><u>Ardea alba</u></a> Great Egret, White Egret [ 59541 ]	Migratory
<a href="#"><u>Ardea ibis</u></a> Cattle Egret [ 59542 ]	Migratory



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**List 3:**

**EPBC listed threatened species occurring in the Murrumbidgee group of Forest NSW tenure between Wilbriggie and Narrandera**

**Source: EPBC Protected Matters Search Tool, 18/6/2009**

<b>Name</b>	<b>Status</b>
<a href="#">Anthochaera phrygia</a> Regent Honeyeater [ 82338 ]	Endangered
<a href="#">Pedionomus torquatus</a> Plains-wanderer [ 906 ]	Vulnerable
<a href="#">Polytelis swainsonii</a> Superb Parrot [ 738 ]	Vulnerable
<a href="#">Rostratula australis</a> Australian Painted Snipe [ 77037 ]	Vulnerable
<a href="#">Litoria raniformis</a> Growling Grass Frog, Southern Bell Frog, Green and Golden Frog, Warty Swamp Frog [ 1828 ]	Vulnerable
<a href="#">Nyctophilus timoriensis (South-eastern form)</a> Eastern Long-eared Bat [ 66888 ]	Vulnerable
<a href="#">Maccullochella macquariensis</a> Trout Cod [ 26171 ]	Endangered
<a href="#">Maccullochella peelii peelii</a> Murray Cod, Cod, Goodoo [ 68443 ]	Vulnerable
<a href="#">Macquaria australasica</a> Macquarie Perch [ 66632 ]	Endangered
<a href="#">Brachyscome papillosa</a> Mossgiel Daisy [ 6625 ]	Vulnerable
<a href="#">Callitriche cyclocarpa</a> Western Water-starwort [ 7477 ]	Vulnerable
<a href="#">Diuris sheaffiana</a> Tricolour Diuris [ 12177 ]	Vulnerable
<a href="#">Swainsona murrayana</a> Slender Darling-pea, Slender Swainson, Murray Swainson-pea [ 6765 ]	Vulnerable
<b>Migratory Birds</b>	<b>Status</b>
<a href="#">Haliaeetus leucogaster</a> White-bellied Sea-Eagle [ 943 ]	Migratory
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [ 682 ]	Migratory
<a href="#">Merops ornatus</a>	Migratory

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<b>Migratory Birds</b>	<b>Status</b>
Rainbow Bee-eater [ 670 ]	
<a href="#"><u>Xanthomyza phrygia</u></a>	
Regent Honeyeater [ 430 ]	Migratory
<a href="#"><u>Ardea alba</u></a>	
Great Egret, White Egret [ 59541 ]	Migratory
<a href="#"><u>Ardea ibis</u></a>	
Cattle Egret [ 59542 ]	Migratory
<a href="#"><u>Gallinago hardwickii</u></a>	
Latham's Snipe, Japanese Snipe [ 863 ]	Migratory
<a href="#"><u>Rostratula benghalensis s. lat.</u></a>	
Painted Snipe [ 889 ]	Migratory

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**ATTACHMENT 1 to QoN 41- EXTRACT FROM RAMSAR INFORMATION SHEET (RIS)**

The site provides a habitat network for at least eight globally threatened fauna listed by the World Conservation Union (IUCN 2000). The Australasian Bittern (*Botaurus poiciloptilus*), Superb Parrot (*Polytelis swainsonii*), Silver Perch (*Bidyanus bidyanus*) and Flat-headed Galaxias (*Galaxias rostrata*) are listed as 'vulnerable', and the Regent Honeyeater (*Xanthomyza phrygia*), Swift Parrot (*Lathamus discolor*), Murray Hardyhead (*Craterocephalus fluviatilis*) and Trout Cod (*Maccullochella macquariensis*) are listed as 'endangered' on the IUCN Red List (2000). A number of these species have also been afforded protection under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Under the EPBC Act the Superb Parrot and the Murray Hardyhead are listed as vulnerable and the Swift Parrot, Regent Honeyeater and Trout Cod are listed as endangered. The site is also known to contain Swamp Wallaby Grass (*Amphibromus fluitans*), which is threatened nationally and is listed as vulnerable under the EPBC Act.

The Swift Parrot is endangered nationally and the Superb Parrot is vulnerable nationally, as listed under the Environment Protection and Biodiversity Conservation Act, 1999 (EPBC Act). The site provides important breeding habitat for two of these threatened species, Australasian Bittern and Superb Parrot. The Australasian Bittern breeds in the riparian herblands when favourable spring floods occur. During the 2000/01 flood, the site supported internationally significant numbers of this cryptic species (12 adult breeding birds, plus young). The Superb Parrot, which breeds annually within the Millewa Unit, has an estimated breeding population of 55-65 pairs. A further 51 species are of conservation significance at national and State levels or are listed migratory species. The site holds a high proportion of the population of White-bellied Sea-eagles (*Haliaeetus leucogaster*) in the Riverina bioregion, a highly dispersed sedentary species of conservation concern (Clunie 1994). The Sea-eagle is a listed migratory species (EPBC Act) and is endangered in Victoria (Flora and Fauna Guarantee Act 1988).

The Central Murray State Forests are ecologically linked through an unbroken riparian corridor along the Murray and Edward Rivers. They are in high ecological condition and provide arboreal and wetland habitat in landscapes extensively cleared of trees and developed for agriculture. As such, the site contributes significantly to the conservation of globally and nationally threatened species. The site is immediately adjacent to other wetlands included in the Ramsar List of Wetlands of International Importance (Barmah Forest and Gunbower Forest in Victoria) and thus further enhances the viability of threatened flora and fauna species that occur at these Ramsar sites. The site provides refuge for mobile and sedentary fauna during environmentally stressful periods. It also provides sources of migrants capable of dispersing into less productive areas during favourable conditions, as it is an area of comparatively high water availability and habitat productivity in a semi-arid rainfall zone. The site provides a habitat network for 13 species listed in migratory bird agreements between Australia, and Japan (JAMBA) and China (CAMBA). These species are Painted

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Snipe (*Rostratula benghalensis*), Great Egret (*Ardea alba*), Cattle Egret (*Ardea ibis*), Sharp-tailed Sandpiper (*Calidris acuminata*), Greenshank (*Tringa nebularia*), Marsh Sandpiper (*Tringa stagnatilis*), Latham's Snipe (*Gallinago hardwickii*), White-throated Needletail (*Hirundapus caudacutus*), Forked-tailed Swift (*Apus pacificus*), Glossy Ibis (*Plegadis falcinellus*), Caspian Tern (*Hydropogone caspia*), Red-necked Stint (*Calidris ruficollis*) and White-bellied Sea-Eagle (*Haliaeetus leucogaster*) The site, together with the adjacent existing Ramsar sites in Victoria (Barmah Forest and Gunbower Forest), regularly supports more than 20,000 waterbirds (eg. Mattingley 1908, Barrett 1931, Chesterfield et al. 1984, Maher 1993, Leslie and Ward in press). In 2000/01, there were 5508 pairs of 13 species of waterbirds recorded in Millewa Forest and greater than 10,000 pairs of ibis (two species) recorded in Barmah Forest. That is 31,000 adult birds plus at least 62,000 young (93,000 birds in total) for 2000/01.

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<b>Outcome:</b>	1	<b>Question No:</b>	42
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Central Murray forest – superb parrot numbers		
<b>Hansard Page ECA:</b>	64 (28/5/09)		

**Senator BOSWELL asked:**

**Senator BOSWELL**—Is the department aware of any study that shows a decrease in population of the superb parrot in the central Murray red gum forests?

**Mr Burnett**—We will take that on notice.

**Answers:**

While the population of the Superb Parrot is not limited to the central Murray red gum forests the department is nevertheless aware of studies that do show a decrease in the number of Superb Parrots recorded in this area.

In particular, see Birds Australia 2008 – supplement to Wingspan vol.18, no.4 December 2008, and see also the Victorian Department of Sustainability and Environment Action Statement No.33.

([http://www.dse.vic.gov.au/CA256F310024B628/0/C188E13E42F4217ACA257092002230D9/\\$File/033+Superb+Parrot+1992.pdf](http://www.dse.vic.gov.au/CA256F310024B628/0/C188E13E42F4217ACA257092002230D9/$File/033+Superb+Parrot+1992.pdf)).

Recent media reports (May 2009) appear to have selectively presented information from a Birds Australia 2008 article. The Birds Australia information (contained in the supplement to Wingspan 2008:18(4):33) shows that while the 2008 count was slightly higher than the 2006 count, the overall trend for the population (which peaked in 1999) is in decline. This is clearly shown in a graph on page 33 of the Wingspan 2008 article (see Attachment 1).

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Tasman (Green) Parrot

The Tasman Parrot (Green Parrot), restricted to Norfolk Island, is nationally Endangered. At European settlement in 1788, it probably occurred island-wide and on adjacent Phillip Island, both then forested. Clearing by convicts, and later settlers, and damage by feral animals, removed over 80% of the island's forest cover and totally denuded Phillip Island. By the 1970s the parrot was found mainly in the largest area of remnant forest that in 1986 was declared a national park (465 ha; 12% of the island). From 1986 the population fluctuated between three and 10 breeding pairs, with an acute

The Endangered Tasman Parrot of Norfolk Island forests, once down to as few as six breeding females. Photo by Rohan Clarke

scarcity of adult females, estimated to total only six in 1991-1992. This was thought to be due largely to predation of females at the nest, mainly by rats. Rat-proofing and weather-proofing of all known nests was instigated and improved female survival. In 1995 the total wild population was estimated at 44 individuals, which increased to c. 69 and 17 breeding pairs in 1997. No total population census has been conducted since, mainly due to the spread of range outside the National Park into private lands and the non-availability of a durable colour band system. Extended dry conditions since 2001 have seen a fall in the number of breeding attempts and fledglings (Fig. 44). Nonetheless, Green Parrots are now often seen and small flocks are recorded regularly outside the Park. Subject to agreement of the Lord Howe Island Board, consideration is being given to establishing a back-up population on Lord Howe Island, to replace the closely related parrot lost to extinction in the 1800s. Control of weeds, rats, cats and the introduced Crimson Rosella and Common Starling are among the other ongoing management interventions in place on Norfolk Island that help to protect the parrot and a number of other threatened species.  
BY PENNY OLSEN, Birds Australia, and RON WARD, Department of the Environment, Water, Heritage and the Arts, Norfolk Island



Figure 44. The number of Tasman (Green) Parrot fledglings banded each year on Norfolk Island (an attempt is made to find and band all parrots in the National Park, where most of the breeding occurs).

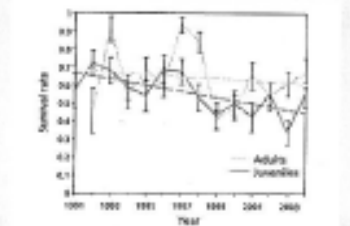
Orange-bellied Parrot

For almost 30 years, a huge effort has gone into securing the survival of the Critically Endangered Orange-bellied Parrot, coordinated by a national recovery team and involving community volunteers, Birds Australia, other conservation organisations, governments and zoos. Key actions include management and monitoring of breeding and non-breeding habitats and their parrot populations, and a captive breeding and release program based in three States.

The parrot once bred in eucalypts and fed on buttongrass plains sprinkled across southern and western Tasmania but, apart from a few scattered pairs, breeding is now confined to the Melaleuca area in south-western Tasmania. Attempts to establish a second breeding population, at Birches Inlet, are showing early signs of success. Over the last decade, at least 100 individuals each year are known to have returned to the Melaleuca breeding grounds. Nonetheless, there has been a decline in survival, especially amongst juveniles (Fig. 45). At the same time, winter counts have shown that there has been a shift from traditional feeding areas where food resources are assumed to have deteriorated (see Wiggspan Vol. 18, no. 3, pp. 18-23). Habitat models, which will allow targeting of prime wintering areas for management, are in development.

BY BARRY BAKER, Latitude 42 Environmental Consultants, Tasmania, GLENN EHMKE, Birds Australia, MARK HOLDSWORTH, Department of Primary Industries and Water, Tasmania, PETER MUNKHORST, Department of Sustainability and Environment, Victoria, and CHRIS TZARDS, Birds Australia

Figure 45. Estimated survival rates of Orange-bellied Parrots, with trendlines (broken lines), assessed from returns of banded individuals to the Tasmanian breeding grounds (bars are a 1 standard error).



Superb Parrot

The nationally Vulnerable Superb Parrot has been the focus of research and conservation management actions since 1995. The Riverina (New South Wales and Victoria) and South-west Slopes of New South Wales bioregions contain the majority of the breeding population. Within the Riverina the species utilises River Red Gum and box woodlands, whereas box-gum woodlands are the species' stronghold in the south-west slopes.

Monitoring of the population has been undertaken annually in northern Victoria since 1992 and in the southern New South Wales since 1997. This work is organised by the Superb Parrot Project (Vic) and Southern Riverina Field Naturalists (NSW) through the Threatened Bird Network. Volunteer counters observe birds on one specific day around Barmah-Millewa forest on the Murray River. Although there is wide variation in the total number of birds observed from year to year there does appear to have

been a slight increase in the population within the region during the survey period (Fig. 45); recruitment of birds to the adult population from the particularly successful 1999 and 2001 breeding seasons may have contributed.

There has been improved management of nesting habitat in both States including re-establishment of an understory in several existing box woodlands and replanting of box woodland to improve habitat linkages (within Victoria 250,000 seedlings have been planted). Although no regular monitoring is done on the south-west slopes, management activities there that are likely to have had a positive impact on the parrot include: protection of known nest trees; establishment of foraging habitat; and the implementation of an awareness program to reduce deaths of birds hit by vehicles while feeding on grain spilt by the side of the road.

BY RICK WAINSTEK, Ecosurveys Pty Ltd, and SUE LOGG, Superb Parrot Project Coordinator

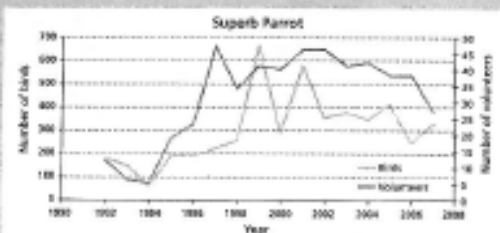


Figure 45. Number of Superb Parrots sighted during the annual one-day count in the Barmah-Millewa forest region.

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<b>Outcome:</b>	1	<b>Question No:</b>	43
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Ramsar Wetlands – logging in Central Murray forest		
<b>Hansard Page ECA:</b>	65 (28/5/09)		

**Senator BOSWELL asked:**

**Senator BOSWELL**—What about the Wilderness Society? Did they also lodge a complaint to you or was it a joint New South Wales Parks and Wilderness Society complaint?

**Mr Burnett**—We do not think so, but we can take that on notice.

**Answer:**

The Wilderness Society was not one of the complainants in this case.

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<b>Outcome:</b>	1	<b>Question No:</b>	44
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals Wildlife Division		
<b>Topic:</b>	Traveston Dam - public consultation		
<b>Hansard Page ECA:</b>	67 (28/5/09)		

**Senator IAN MACDONALD asked:**

**Senator IAN MACDONALD**—Can you advise me or give me any information on what criteria the minister would use to determine whether this 10-day period would be allowed? I would preface your reply by saying that a number of very concerned groups of the community have called upon Minister Garrett to do that, but they indicate to me they are unsure of Minister Garrett's approach to that. I am just asking if you are aware of what the criteria are that might enable Minister Garrett to do that assessment process.

**Mr Burnett**—I would have to look up the legislation. I am not even sure whether any criteria are prescribed.

**Senator IAN MACDONALD**—You said it has been done occasionally.

**Mr Burnett**—It has been done occasionally, yes.

**Senator IAN MACDONALD**—There must be some sort of criteria mentioned by whoever did it in the past on why they have done it?

**Mr Burnett**—I would have to take it on notice.

**Answer:**

Section 131A of the *Environment Protection and Biodiversity Conservation Act 1999* provides that before the Minister decides whether or not to approve a proposed action, he or she may publish on the internet the proposed decision. If the proposed decision is an approval of the action, any proposed conditions to be attached may also be published. The Minister may then invite anyone to give the Minister comments in writing on the proposed decision and any conditions within 10 Canberra business days.

There are no statutory criteria for exercising this discretion. It is a matter of judgement for the Minister in each case as to whether this additional public consultation is appropriate.



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<b>Outcome:</b>	1	<b>Question No:</b>	45
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Gunns Limited – phone call ref Senate Qon 1226 and 1486		
<b>Hansard Page ECA:</b>	71 (28/5/09)		

**Senator ABETZ asked:**

**Senator ABETZ**—I know that you personally are not responsible for these answers; therefore, I ask you, on notice again, to ask the minister to give us his best estimate as to the duration of that telephone call, please.

**Senator Wong**—I will take on notice that question again.

**Answers:**

The Minister has advised that he has nothing to add to the information on this matter that has already been provided to the Parliament, including:

- (1) his personal explanation to the House of Representatives on 25 February 2009;
- (2) his answer to Senate Question No 1226 which was tabled in the Senate on 10 March 2009;
- (3) his answer to Senate Question No 1486 which was tabled in the Senate on 16 June 2009;
- (4) answers by departmental officials to questions at the Senate Additional Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 24 February 2009;
- (5) answers to questions taken on notice at the Senate Additional Estimates hearing on 24 February 2009; and
- (6) answers by departmental officials to questions at the Senate Budget Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 27 May 2009.

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<b>Outcome:</b>	1	<b>Question No:</b>	46
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Gunns Limited – phone call ref Senate Qon 1226		
<b>Hansard Page ECA:</b>	72 (28/5/09)		

**Senator ABETZ asked:**

**Senator ABETZ**—Minister—undoubtedly you will have to take it on notice—why did the minister provide this letter at such a late stage to Mr Burnett for passing on to Gunns? This occurred in circumstances where prior knowledge requiring a statement to the Stock Exchange, which happened later in the day, was a very important element. Giving them, in effect, 15 minutes before the announcement did not give them, I would suggest, sufficient time to make a public statement. I would be interested to know why the minister's office emailed it to Mr Burnett at only 11.50 that morning and why not earlier to allow the proponent of this proposal more time to be able to respond to the share market.

**Senator Wong**—I will take that on notice. That was a very long series of questions, which contained a number of your assertions. But, as I understand it—just so we can be clear—you want me to take on notice why the department received the letter at around midday.

**Senator ABETZ**—At 11.50 am, we have been told.

**Senator Wong**—Yes. What was the second part of the question?

**Senator ABETZ**—Why was there the delay, given that the minister's office must have known or been aware that some prior knowledge, other than 15 minutes, would be needed to get a statement out to the Stock Exchange, which was in fact necessary and done later that day?

**Answers:**

The Minister has advised that he has nothing to add to the information on this matter that has already been provided to the Parliament, including:

- (1) his personal explanation to the House of Representatives on 25 February 2009;
- (2) his answer to Senate Question No 1226 which was tabled in the Senate on 10 March 2009;
- (3) his answer to Senate Question No 1486 which was tabled in the Senate on 16 June 2009;
- (4) answers by departmental officials to questions at the Senate Additional Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 24 February 2009;
- (5) answers to questions taken on notice at the Senate Additional Estimates hearing on 24 February 2009; and
- (6) answers by departmental officials to questions at the Senate Budget Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 27 May 2009.

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<b>Outcome:</b>	1	<b>Question No:</b>	47
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Gunns Limited – phone call ref Senate Qon 1226		
<b>Hansard Page ECA:</b>	72 (28/5/09)		

**Senator ABETZ asked:**

**Senator ABETZ**—In answer (8), you will see ‘discussion’ in the fourth line down.

**Senator Wong**—‘Of the discussion’.

**Senator ABETZ**—Yes, ‘of the discussion’. I assume that ‘discussion’ relates to each separate discussion and that there was not a conference call that included all the ‘persons’—plural. Could that be clarified for me? Please take on notice that there were a range of separate discussions and that they were not all part of a telephone hook-up. Of course, if they were part of a telephone hook-up, I would be interested to know the details of who the participants were.

**Senator Wong**—I will take that on notice.

**Answer/s:**

The Minister has advised that he has nothing to add to the information on this matter that has already been provided to the Parliament, including:

- (1) his personal explanation to the House of Representatives on 25 February 2009;
- (2) his answer to Senate Question No 1226 which was tabled in the Senate on 10 March 2009;
- (3) his answer to Senate Question No 1486 which was tabled in the Senate on 16 June 2009;
- (4) answers by departmental officials to questions at the Senate Additional Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 24 February 2009;
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<b>Outcome:</b>	1	<b>Question No:</b>	48
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Gunns Limited – phone call ref Senate Qon 1226		
<b>Hansard Page ECA:</b>	73 (28/5/09)		

**Senator ABETZ asked:**

**Senator ABETZ**—Perhaps I can put this to you: when I asked specifically about Mr Bob McMahon, because he publicly identified himself as a recipient of the phone call from Mr Garrett, Mr Garrett knew—I was about to say ‘he knew he was fingered’—that the issue was out in the public arena. So, when I asked about Mr Bob McMahon, he was willing to say: The purpose of the Minister’s telephone call was to inform Mr McMahon of his decision in respect of the Gunns pulp mill Environmental Impact Management Plan. He had no problem telling us about that one because he had already been exposed as having rung this man. Given his answer, I now want to know who else he rang in that one-hour period. The minister has identified Mr Bob McMahon; why can’t he identify all the others?

**Senator Wong**—I will take the question on notice.

**Answers:**

The Minister has advised that he has nothing to add to the information on this matter that has already been provided to the Parliament, including:

- (1) his personal explanation to the House of Representatives on 25 February 2009;
- (2) his answer to Senate Question No 1226 which was tabled in the Senate on 10 March 2009;
- (3) his answer to Senate Question No 1486 which was tabled in the Senate on 16 June 2009;
- (4) answers by departmental officials to questions at the Senate Additional Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 24 February 2009;
- (5) answers to questions taken on notice at the Senate Additional Estimates hearing on 24 February 2009; and
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<b>Outcome:</b>	1	<b>Question No:</b>	49
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Gunns Limited – phone call to senators and members		
<b>Hansard Page ECA:</b>	73 (28/5/09)		

**Senator ABETZ asked:**

**Senator Wong**—Why you were not called—do you want that put on notice?

**Senator ABETZ**—I put on notice again a request that the minister identify the senators and members that his office rang. It will be interesting to know which senators and members are deemed to have had a particular interest in the pulp mill.

**Answer/s:**

The Minister has advised that he has nothing to add to the information on this matter that has already been provided to the Parliament, including:

- (1) his personal explanation to the House of Representatives on 25 February 2009;
- (2) his answer to Senate Question No 1226 which was tabled in the Senate on 10 March 2009;
- (3) his answer to Senate Question No 1486 which was tabled in the Senate on 16 June 2009;
- (4) answers by departmental officials to questions at the Senate Additional Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 24 February 2009;
- (5) answers to questions taken on notice at the Senate Additional Estimates hearing on 24 February 2009; and
- (6) answers by departmental officials to questions at the Senate Budget Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 27 May 2009.

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<b>Outcome:</b>	1	<b>Question No:</b>	50
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Senate Qon 1226 – overdue response		
<b>Hansard Page ECA:</b>	74 (28/5/09)		

**Senator ABETZ asked:**

**Senator Wong**—I am just making the point that we get a great many questions and we seek to answer them as promptly as possible. Sometimes they are not answered in the time frame sought by the Senate. I make the point that, when I was on that side of the table in the areas of industrial relations and employment, many questions, in fact, remained unanswered, particularly when you had control of the Senate. We are, I think, making a significant effort to respond. I can take on notice—I think the question is—why the answer was in the office for 11 days. Is that right?

**Senator ABETZ**—Yes; and why was it not brought up during Senate estimates or why wasn't I notified that I might be able to have it during the course of the estimates?

**Answers:**

The Minister has advised that he has nothing to add to his answer to Senate Question on Notice No. 1486 tabled in the Senate on 16 June 2009.

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<b>Outcome:</b>	1	<b>Question No:</b>	51
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Gunns Limited – phone call ref Senate Qon 1486		
<b>Hansard Page ECA:</b>	76 (28/5/09)		

**Senator ABETZ asked:**

**Senator ABETZ**—Do you know what? My staff rang Telstra and they told us to ask, ‘Can you advise what telephone calls were made out of Senator Abetz’s office between the hours of 11.30 am and 12.30 pm on 5 January 2009?’ Within 24 hours, by email, I had the answer. Can the department and the minister’s office go back and actually make an effort to provide the information that is sought? We are not being told the names of the people who were rung and now we are being told it would be—what is the term?—‘an unreasonable use of resources’, when such information was able to be obtained by my office by a single phone call from my office. With the department’s resources, I would have thought that might have been achievable. I invite the department to reconsider and to take on notice the possibility of obtaining the times and telephone numbers. The chances are that most of those calls emanating from the minister’s office would have had the prefix 0363, 0362 or 0364, going into Tasmania.

**Answers:**

The Minister has advised that he has nothing to add to the information on this matter that has already been provided to the Parliament, including:

- (1) his personal explanation to the House of Representatives on 25 February 2009;
- (2) his answer to Senate Question No 1226 which was tabled in the Senate on 10 March 2009;
- (3) his answer to Senate Question No 1486 which was tabled in the Senate on 16 June 2009;
- (4) answers by departmental officials to questions at the Senate Additional Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 24 February 2009;
- (5) answers to questions taken on notice at the Senate Additional Estimates hearing on 24 February 2009; and
- (6) answers by departmental officials to questions at the Senate Budget Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 27 May 2009.

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<b>Outcome:</b>	1	<b>Question No:</b>	52
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Gunns Limited – phone call ref Senate Qon 1486		
<b>Hansard Page ECA:</b>	76 (28/5/09)		
	78 (28/5/09)		

**Senator ABETZ asked:**

**Senator ABETZ**—...Can I ask: did he ring the National Association of Forest Industries, the Forest Industries Association of Tasmania, the Tasmanian Forest Contractors Association and Timber Communities Australia? I happen to know what the answer is, but I am not in a position to give answers. So I would like to know who the key stakeholders are—and I think we all know. Just out of interest, was the state government considered to be a key stakeholder in this proposal, or were the Greens considered to be a greater stakeholder in this proposal than the state government?

...

why did he consider the people that he rang, as he said in the parliament, to be ‘key stakeholders’ while all the people that he did not ring, including Gunns, clearly were considered to be non-key stakeholders? It would be an interesting exercise for him to provide an explanation as to his definition of ‘key stakeholder’.

**Answers:**

The Minister has advised that he has nothing to add to the information on this matter that has already been provided to the Parliament, including:

- (1) his personal explanation to the House of Representatives on 25 February 2009;
- (2) his answer to Senate Question No 1226 which was tabled in the Senate on 10 March 2009;
- (3) his answer to Senate Question No 1486 which was tabled in the Senate on 16 June 2009;
- (4) answers by departmental officials to questions at the Senate Additional Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 24 February 2009;
- (5) answers to questions taken on notice at the Senate Additional Estimates hearing on 24 February 2009; and
- (6) answers by departmental officials to questions at the Senate Budget Estimates hearing into the Environment, Water, Heritage and the Arts Portfolio on 27 May 2009.



**Senate Standing Committee on Environment, Communications and The Arts  
Legislation Committee**

Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	53
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Hertzfeld Report – trigger levels		
<b>Hansard Page ECA:</b>	78 (28/5/09)		

**Senator ABETZ asked:**

**Mr Burnett**—I think he said words to the effect that the draft modules were agreed subject to the outcome of the hydrodynamic modelling.

**Senator ABETZ**—Yes. So we will not be revisiting the trigger levels?

**Mr Burnett**—We will not be revisiting anything that is not affected by the hydrodynamic modelling. Whether that means—

**Senator ABETZ**—Does that include trigger levels? Just say ‘yes’.

**Mr Burnett**—I would have to check.

**Answer/s:**

The Independent Expert Group supported the trigger levels and maximum limits for Commonwealth waters put forward by Gunns in the draft of Module L considered by the Minister prior to his decisions of 5 January 2009. These trigger levels and limits will be utilised within the hydrodynamic modelling study.

Doctor Herzfeld’s December 2007 report utilised levels set by the Tasmanian Government in the Pulp Mill Permit; these limits are still current and will also be utilised within the hydrodynamic modelling study.

Module L will only be reconsidered for approval following the completion and acceptance of the hydrodynamic modelling and associated studies. The Minister has indicated that he is satisfied with the contents of Module L insofar as that material does not relate to, or rely on, the results of the hydrodynamic modelling.

**Senate Standing Committee on Environment, Communications and The Arts  
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Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	54
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Bushfire relief concert – Gunns Pulp Mill		
<b>Hansard Page ECA:</b>	79 (28/5/09)		

**Senator ABETZ asked:**

**Senator ABETZ**—I would be obliged if you would ask whether the minister says that he made any comment about the pulp mill at that concert.

**Answers:**

The Minister has advised that no comment was made.

**Senate Standing Committee on Environment, Communications and The Arts  
Legislation Committee**

Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	55
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Lower Lakes – letter for SA Premier		
<b>Hansard Page ECA:</b>	81 (28/5/09)		

**Senator BIRMINGHAM asked:**

**Senator BIRMINGHAM**—I might throw some questions on notice around that. Very quickly: did the minister ever receive a reply to the letter that he sent to the South Australian government—I think it was to the Premier—inquiring about an integrated or a more integrated approach for these applications?

**Ms Middleton**—Yes.

**Senator BIRMINGHAM**—What did that reply say?

**Senator Wong**—I will take that on notice.

**Senator BIRMINGHAM**—Yes, if it is possible. Obviously all of the EISs and those sorts of documents are public documents when they are transmitted.

**Senator Wong**—I can say to you—not in relation to the letter but more broadly—that obviously there is a range of issues in relation to the Lower Lakes and not just in relation to the EPBC issues. I will take that on notice.

**Answer:**

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

**Senate Standing Committee on Environment, Communications and The Arts  
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Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	56
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Statement of Reasons – <i>Environment Protection and Biodiversity Conservation Act 1999</i> approval Sugarloaf Pipeline – Foodbowl		
<b>Hansard Page ECA:</b>	Written Question on Notice		

**Senator NASH asked:**

From Garrett's Statement of Reasons EPBC Approval Sugarloaf Pipeline

1. What provisions has the Minister made to mitigate the acknowledged environmental impacts (net removal of 25 GL of return flow water) of the Foodbowl project?
2. Does the Department accept the removal of return flow to the Murray River as being a legitimate water saving?
3. Is the Foodbowl going to be referred?

**Answers:**

1. Mitigation of impacts on matters of national environmental significance will be considered by the Minister when the Food Bowl Modernisation Project (now known as NVIRP – the Northern Victoria Irrigation Renewal Project) is referred for consideration under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). The Minister's role is confined to administering this Act.
2. The impacts of removal of return flows to the Murray River on matters of national environmental significance will be considered by the Minister when NVIRP is referred for consideration under the EPBC Act.
3. The Victorian Government has advised that NVIRP (with the exception of the Stage 1 Early Works programme) will be referred for consideration under the EPBC Act.

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Legislation Committee**

Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	57
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Statement of Reasons – <i>Environment Protection and Biodiversity Conservation Act 1999</i> approval Sugarloaf Pipeline – Audit		
<b>Hansard Page ECA:</b>	Written Question on Notice		

**Senator NASH asked:**

1. If Victoria fails to demonstrate the availability of water saving through an independent audit by August, will the Commonwealth call the project in?
2. Who is performing the audit? Is this seen as an independent audit process?
3. How much water is currently available for auditing?

**Answers:**

1. The availability of water to transfer to Melbourne *via* the pipeline is a matter for the consideration of the proponent for the Sugarloaf Pipeline Project (Melbourne Water representing the Sugarloaf Pipeline Alliance). The proponent must meet the conditions on the approval of the project under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act).
2. Melbourne Water has not formally advised who will audit the water available to transfer to Melbourne via the Sugarloaf Pipeline, for the purposes of its annual report on compliance. The Department wrote to Melbourne Water on 25 May 2009 regarding this issue.
3. Under Condition 11 on the approval of the Sugarloaf Pipeline Project, up to 75 gegalitres *per annum* may be transferred to Melbourne *via* the pipeline. The use of all sources of the water must comply with the EPBC Act. Under Condition 14, water savings achieved must be audited.

**Senate Standing Committee on Environment, Communications and The Arts  
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Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	58
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Statement of Reasons – <i>Environment Protection and Biodiversity Conservation Act 1999</i> approval Sugarloaf Pipeline – human critical needs		
<b>Hansard Page ECA:</b>	Written Question on Notice		

**Senator NASH asked:**

Given there is some doubt whether water for human critical needs will be achieved on the Murray River this year and the recent 1000km Murray toxic algal bloom is the use of the Eildon Water quality reserve as a source of water for Melbourne justified?

**Answers:**

The management of the Lake Eildon Water Quality Reserve is a matter for the consideration of Goulburn-Murray Water, as the relevant Resource Manager designated under the Victorian *Water Act 1989*.

With respect to the conditions imposed on the approval of the Sugarloaf Pipeline Project under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act), the use of all sources of water used to supply the pipeline, including the Lake Eildon Water Quality Reserve, must comply with the EPBC Act.

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Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	59
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Statement of Reasons – <i>Environment Protection and Biodiversity Conservation Act 1999</i> approval Sugarloaf Pipeline – Living Murray		
<b>Hansard Page ECA:</b>	Written Question on Notice		

**Senator NASH asked:**

Would the water from the Shepparton Modernisation Project and the CG1234 Project be available for contribution to the Living Murray if the Victoria Government did not need it to supply the Melbourne North South Pipeline?

**Answers:**

The uses to which water savings could potentially be put is a matter for the consideration of the Victorian Government, subject to meeting any legal obligations including under the *Environment Protection and Biodiversity Conservation Act 1999*. The Victorian Government has advised that the transfer of the water to Melbourne *via* the Sugarloaf Pipeline does not interfere with its obligations under the Living Murray Initiative.

**Senate Standing Committee on Environment, Communications and The Arts  
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Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	60
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	EPBC ref 2008/4465 – Mr John Duggin		
<b>Hansard Page ECA:</b>	Written Question on Notice		

**Senator BIRMINGHAM asked:**

1. With reference to EPBC reference No. 2008/4465 (John Duggin), why has clearing of an area of approximately 137 square metres been declared a controlled action?
2. Has the Government previously approved clearing of any of this land?
3. What contact has the Department had with Mr Duggin both before and after Senate Estimates hearings?
4. Is the Department providing any assistance to Mr Duggin to expedite the consideration of his application?
5. How much, if any, land will be cleared as a result of construction of temporary regulators surrounding the Goolwa Channel?

**Answers:**

1. The proposal was determined to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) because it is likely to have a significant impact on matters protected under the EPBC Act, in particular
  - a. the threatened ecological community *the Swamps of the Fleurieu Peninsula*, which is listed as critically endangered under the EPBC Act; and
  - b. habitat for the *Stipiturus malachurus intermedius* (Southern Emu-wren (Fleurieu Peninsula), which is listed endangered under the EPBC Act.Any clearance of the critically endangered ecological community Swamps of the Fleurieu Peninsula is likely to have a significant impact because so little of the original area remains.
2. The Australian Government has not previously approved clearing of any land at 1180 Burma Road, Yundi, South Australia.
3. The Department has had the following written and verbal contact with Mr Duggin:
  - A letter was sent to Mr Duggin on 17 October 2008 to inform him of the referral decision and level of assessment.
  - A letter was sent to Mr Duggin on 22 October 2008 requesting additional information required for the assessment.
  - The Department had a phone conference with Mr Duggin and his solicitor on 5 November 2008 regarding the letter requesting additional information that was sent to Mr Duggin on 22 October 2008.



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Budget Estimates, May 2009

- A letter was received on 5 January 2009 from Mr Duggin responding to the additional information request from the Department of 22 October 2008.
  - A letter was sent to Mr Duggin on 14 January 2009 informing Mr Duggin that the information provided in the letter to the Department received on 5 January 2009 was not sufficient for the Department to make a decision on the referral.
  - Mr Duggin's solicitor rang the Department on 27 February 2009 regarding the letter that was sent to Mr Duggin on 14 January 2009.
  - A letter was sent to Mr Duggin on 1 July 2009 restating his responsibilities under the EPBC Act in relation to this project.
4. During a phone-hook up with Mr Duggin and his solicitor on 5 November 2008, the Department provided Mr Duggin with the name and number of an appropriate South Australian State contact to assist in answering the additional information questions, particularly in relation to information on plant species in the area proposed for clearance.
  5. The referral from the South Australian Department of Environment and Heritage states that minimal to no vegetation clearance will be undertaken during construction of the flow regulators on Finnis River, Currency Creek or in the Goolwa Channel at Clayton. No *Swamps of the Fleurieu Peninsula* will be cleared by the action.

**Senate Standing Committee on Environment, Communications and The Arts  
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Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	61
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Logging in Central Murray forest		
<b>Hansard Page ECA:</b>	Written Question on Notice		

**Senator BIRMINGHAM asked:**

With reference to reports that the Minister planned to block logging activities in southern NSW on the basis of concerns about the Superb Parrot:

1. Given that sustainable logging of this Ramsar site was included and accepted at the time it was listed in 2002, what has changed now to give rise to this request that logging activities cease?
2. What scientific information has the Government received to support its decision to restrict logging in the Central and SW Murray?
3. Did the Government ask a Dr Peter Bacon from Woodlots and Wetlands to write the report on which it based its extraordinary decision to restrict logging in the Central Murray?
4. If so, will the Government release Dr Bacon's report and any other information it used to arrive at the decision to restrict logging in the Central Murray? If not, why not?

**Answers:**

1. The Department has been in discussions with Forests NSW concerning possible contraventions of the *Environment Protection and Biodiversity Conservation Act 1999* in that, through the use of the forestry practice known as Australian Group Selection, logging activities have intensified the use of the land and resulted in a substantial increase in the impacts on the Ramsar site.
2. The Australian Government has not made any decision to restrict logging. A forest ecologist, Dr Peter Bacon, has been engaged by the Department to provide independent expert advice. The Department has also obtained scientific information from Forests NSW and independent parties.
3. The Government does not accept the assertion made in this question. Dr Peter Bacon was engaged by the Department to provide expert advice.
4. The Department is still investigating alleged breaches of the *Environment Protection and Biodiversity Conservation Act 1999* in relation to this matter. In accordance with the Department's Compliance and Enforcement Policy (available on the Departmental Web site at <http://www.environment.gov.au/about/publications/compliancepolicy.html>) it is not appropriate to release the report at this stage as it may compromise the investigation.

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Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	62
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Logging in Central Murray forest		
<b>Hansard Page ECA:</b>	Written Question on Notice		

**Senator BIRMINGHAM asked:**

With reference to the order to cease all logging activities by 31 May, to Minister Garrett's subsequent back down as outlined in his media release of 12 May, to reports in the *Deniliquin Pastoral Times* that, following a meeting of Environment Ministers on 21 May, the ban had been lifted and to an ABC local radio news report that "a spokesman for Mr Garrett says there's no plans to abandon the ban":

1. What exactly is the situation regarding Federal Government involvement in the management of these forests?
2. Has the 31 May deadline merely been extended?
3. What socio-economic studies were done on the effects of a logging ban on the towns and communities in the mid Murray?

**Answers:**

The government does not accept the assertions made in the preamble to these questions:

1. The *Environment Protection and Biodiversity Conservation Act 1999*, which regulates actions which may have significant impacts to matters of national environmental significance such as Ramsar sites and nationally listed threatened species, applies. The Department is investigating alleged contraventions of the Act and has been in negotiations with Forests NSW concerning the appropriate resolution of those matters.
2. The Minister's media release of 11 May 2009 made it clear that the Commonwealth is prepared to agree an appropriate timeline for the resolution of these matters with the NSW Government.
3. The Australian Government has not made any decision to ban logging.

**Senate Standing Committee on Environment, Communications and The Arts  
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Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	63
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Ranger uranium mine- tunnel		
<b>Hansard Page ECA:</b>	Written Question on Notice		

**Senator LUDLUM asked:**

1. The department recently decided that ERA's plan to develop a significant tunnel at the base of the existing Ranger #3 pit did not constitute a controlled action and as such does not require the approval of the federal environment minister. Can you provide a rationale for this decision?
2. In its referral ERA accepts that the proposed tunnel will extend beyond the mines' current operating footprint "to the east, and to the north beneath Magela Creek" (referral p13). Magela Creek is a major part of the World heritage listed Kakadu National Park – how is it reasonable that a 2 to 3 km tunnel under such a feature in Australia's largest national park does not warrant dedicated Commonwealth scrutiny?
3. ERA has stated that workers on the tunnel project will be designated radiation workers and that mineralised ore will be extracted, stockpiled and possibly processed. What conditions has your Department recommended to ensure that ERA's 'exploration' activities remain distinct from the company's current mining operations?
4. Section 74A of the EPBC Act provides the Minister with the ability to reject a referral that is part of a wider action. Was consideration or advice given or sought by any Commonwealth officer or agency in relation to ERA's tunnel application? If not, why was this not considered an appropriate procedural response?

**Answers:**

1. Please refer to the attached Statement of Reasons.
2. The exploration tunnel would remain within the mining lease and will not extend under Kakadu National Park. The rationale for the decision to not require approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is outlined in the attached Statement of Reasons.
3. It is not appropriate to impose conditions because the delegate concluded that the proposed activity would have no significant impacts on matters protected by the EPBC Act.
4. The referral contained sufficient information for the delegate of the Minister to be satisfied that the proposed action is not part of a larger action.



## Australian Government

### Department of the Environment, Water, Heritage and the Arts

#### Statement of Reasons for a Decision on Non-controlled Action Under the *Environment Protection and Biodiversity Conservation Act 1999*

I, Cathy Skippington, provide the following statement of reasons for my decision of 17 May 2009, under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), that the proposed action by Energy Resources of Australia Ltd to construct and operate an exploration decline at the Ranger Uranium Mine, 11km east of Jabiru in the Northern Territory (EPBC 2009/4860), is not a controlled action under the EPBC Act.

#### Legislation

Section 68 of the EPBC Act relevantly provides:

- (1) A person proposing to take an action that the person thinks may be or is a controlled action must refer the proposal to the Minister for the Minister's decision whether or not the action is a controlled action.
- (2) A person proposing to take an action that the person thinks is not a controlled action may refer the proposal to the Minister for the Minister's decision whether or not the action is a controlled action.

Section 74 of the EPBC Act relevantly provides:

#### *Inviting other Commonwealth Ministers to provide information*

- (1) As soon as practicable after receiving a referral of a proposal to take an action, the Minister (the *Environment Minister*) must:
  - (a) inform any other Minister whom the Environment Minister believes has administrative responsibilities relating to the proposal; and
  - (b) invite each other Minister informed to give the Environment Minister within 10 business days information that relates to the proposed action and is relevant to deciding whether or not the proposed action is a controlled action.

#### *Inviting comments from appropriate State or Territory Minister*

- (2) As soon as practicable after receiving, from the person proposing to take an action or from a Commonwealth agency, a referral of a proposal to take an action in a State or self-governing Territory, the Environment Minister must, if he or she thinks the action may have an impact on a matter protected by a provision of Division 1 of Part 3 (about matters of national environmental significance):
  - (a) inform the appropriate Minister of the State or Territory; and



- (b) invite that Minister to give the Environment Minister within 10 business days:
- (i) comments on whether the proposed action is a controlled action; and
  - (ii) information relevant to deciding which approach would be appropriate to assess the relevant impacts of the action (including if the action could be assessed under a bilateral agreement).

*Inviting public comment*

- (3) As soon as practicable after receiving a referral of a proposal to take an action, the Environment Minister must cause to be published on the Internet:
- (a) the referral; and
  - (b) an invitation for anyone to give the Minister comments within 10 business days (measured in Canberra) on whether the action is a controlled action.

Section 75 of the EPBC Act relevantly provides:

*Is the action a controlled action?*

- (1) The Minister must decide:
- (a) whether the action that is the subject of a proposal referred to the Minister is a controlled action; and
  - (b) which provisions of Part 3 (if any) are controlling provisions for the action.

(1AA) To avoid doubt, the Minister is not permitted to make a decision under subsection (1) in relation to an action that was the subject of a referral that was not accepted under subsection 74A(1).

*Minister must consider public comment*

- (1A) In making a decision under subsection (1) about the action, the Minister must consider the comments (if any) received:
- (a) in response to the invitation under subsection 74(3) for anyone to give the Minister comments on whether the action is a controlled action; and
  - (b) within the period specified in the invitation.

*Considerations in decision*

- (2) If, when the Minister makes a decision under subsection (1), it is relevant for the Minister to consider the impacts of an action:
- (a) the Minister must consider all adverse impacts (if any) the action:

- (i) has or will have; or
  - (ii) is likely to have;
- on the matter protected by each provision of Part 3; and
- (b) must not consider any beneficial impacts that the action:
    - (i) has or will have; or
    - (ii) is likely to have;
- on the matter protected by each provision of Part 3.

*Timing of decision and designation*

- (5) The Minister must make the decisions under subsection (1) and, if applicable, the designation under subsection (3), within 20 business days after the Minister receives the referral of the proposal to take the action.

**Background**

1. A referral for the proposal was received on 16 April 2009. The action is proposed to be undertaken by Energy Resources of Australia Ltd (ERA) who stated their belief that the proposal is not a controlled action for the purposes of the EPBC Act.
2. The project involves the construction of an exploration decline from a location in, or immediately adjacent to, the operating pit at the Ranger Uranium Mine to provide access for detailed exploration of the Ranger 3 Deeps mineralised zone.
3. In accordance with subsection 74(1) of the EPBC Act, the Minister for Resources and Energy; the Minister for Families, Housing, Community Services and Indigenous Affairs; the Minister for Climate Change and Water; and the Parliamentary Secretary to the Minister for Health and Ageing were informed of the referral in correspondence dated 20 April 2009 and invited to comment within 10 business days on whether the proposed action is a controlled action.
4. The Department of Climate Change, on behalf of the Minister for Climate Change and Water, and the Department of Families, Housing, Community Services and Indigenous Affairs, on behalf of the Minister for Families, Housing, Community Services and Indigenous Affairs, advised that they had no comments to make on the referral.
5. The Department of Resources, Energy and Tourism, on behalf of the Minister for Resources and Energy, advised that they believed the proposed action is not a controlled action. They also advised that they would expect a new referral to be submitted under the EPBC Act for any proposed underground mining operation.
6. The Parliamentary Secretary to the Minister for Health and Ageing advised that she had sought advice from the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). ARPANSA advised the Parliamentary



Secretary to the Minister for Health and Ageing, who then advised that the proposed development is not, in their view, a nuclear action as defined under section 22 of the EPBC Act and, provided that any water inflow into the exploratory decline is kept within the existing water management system; there will be no adverse environmental impacts.

7. In accordance with subsection 74 (2) of the EPBC Act, the Northern Territory Minister for Natural Resources, Environment and Heritage was informed of the referral in correspondence dated 20 April 2009 and invited to provide comments within 10 business days. Comments were received from the Northern Territory Department of Natural Resources, Environment, the Arts and Sport (NRETAS) on behalf of the Minister for Natural Resources, Environment, and Heritage on 8 May 2009. NRETAS raised concerns about the portal location, water management, closure of the exploration decline and acid mine drainage. They also mentioned that there are a number of species of conservation significance either on or adjacent to the mining lease in Kakadu National Park but considered that the proposed action will not cause significant issues for these species.
8. In accordance with subsection 74(3) of the EPBC Act, the referral, together with an invitation for public comment within 10 business days, was published on the Department of the Environment, Water, Heritage and the Arts (the Department) website on 17 April 2009. Five public comments from indigenous and environmental groups and one individual submission were received. All the submissions raised concern that the construction of an exploration decline would lead to underground mining. All submissions also indicated that the referral should be a controlled action and that the proposed action was part of a larger action along with the previously referred Ranger Heap Leach facility. Other issues raised in the public comments included: concern about ERA extending their mining lease, impacts on Kakadu National Park including Ramsar wetlands, water and tailings management and social and economic impacts.
9. On 17 May 2009 I decided that the proposed action is not a controlled action.

#### **Evidence or other material on which my findings were based**

10. The evidence or other material upon which my findings were based is listed as follows:

A brief from the Department dated 17 May 2009, including the following:

- Referral for the proposed action and associated figures and maps;
- Public submissions;
- A Departmental summary of issues raised in public submissions;
- Comments submitted by the Department of Resources, Energy and Tourism on behalf of the Minister for Resources and Energy; the Northern Territory Department of Natural Resources, Environment, the Arts and Sport on behalf of the Minister for Natural Resources, the Environment and Heritage; and the Parliamentary Secretary to the Minister for Health and Ageing; and



- Advice from the Department relating to the potential impacts of the proposed action on matters protected under the EPBC Act.

### **Findings on material questions of fact**

11. There is no likelihood of the proposed action having a significant adverse impact on a matter protected by any provision of Part 3 of the EPBC Act.

### *World Heritage, National Heritage and Commonwealth Land*

12. The proposed action would be located in the Ranger Project Area which is surrounded by (but separate from) Kakadu National Park. Kakadu National Park is a World and National Heritage listed property and is also Commonwealth land.
13. Impacts on Kakadu National Park could occur if the action had a significant impact on the water quality of deep groundwater and there was a connection between groundwater and surface water. This could then cause a significant impact on the water quality of surface waters including Magela Creek which flows into Kakadu National Park.
14. Permeability testing and water quality data from groundwater investigation holes and monitoring bores, monitoring of inflows into Pit #3, and the results of studies of recharge-discharge processes, all indicate that interception of significant quantities of groundwater by the proposed decline are not likely. A sump and drain across the front of the portal would prevent the ingress of rain water run-off into the portal. Any water that had to be removed would be disposed of through the existing water management system which does not directly release any untreated pond water to the local creek systems.
15. There was no evidence of a connection between deep groundwater and shallow surface aquifers and the proposed action is not expected to have a significant impact on surface water bodies.
16. The potential impacts of the proposed action, including those relating to flora and fauna, radiation management and noise and vibration will be contained within the Ranger Project Area and will not extend to Kakadu National Park.

### Conclusion on World Heritage, National Heritage and Commonwealth Land

17. In light of my findings at paragraphs 11-16 above, I found that the proposed action is not likely to have a significant adverse impact on the World or National Heritage values of Kakadu National Park or on the environment of Commonwealth Land.

### *Listed threatened species and ecological communities*

18. There is the potential for 14 listed species to occur in the vicinity of the proposed action. No ecological communities occur in the vicinity of the proposed action.
19. The Partridge Pigeon (*Geophaps smithii smithii*) is known to occur on the Ranger mine site and in Kakadu National Park. I found that the proposed action will be restricted to the Ranger Project Area and will not cause additional impacts to this species or its habitat.
20. The Yellow Chat (Alligator Rivers) (*Epthianura crocea tunneyi*) and the Freshwater Sawfish (*Pristis microdon*) have the potential to occur in the



waterways and floodplains of Kakadu National Park. The proposed action will not have a significant impact on surface water bodies and will therefore not impact on these species or on habitat for them.

21. The Arnhem Rock-rat (*Zyzyomys maini*), Arnhem Land Egernia (*Egernia obiri*), *Hibiscus brenannii* and *Sauropus filicinus* occur within the Arnhem Land plateau which is in the vicinity of the Ranger mine site. Habitat for these species does not occur on the site of the proposed exploration decline and will not be impacted by the proposed action.
22. The Red Goshawk (*Erythrotriorchus radiatus*), Gouldian Finch (*Erythrura gouldiae*), Masked Owl (*Tyto novaehollandiae kimberli*), Brush-tailed Rabbit-rat (*Conilurus penicillatus*), Northern Quoll (*Dasyurus hallucatus*), Golden-backed Tree-rat (*Mesembriomys macrurus*) and Northern Hopping-mouse (*Notomys aquilo*) have the potential to occur within the vicinity of the Ranger mine site. I found that the impacts of the proposed action will be restricted to the Ranger Project Area and will not impact on habitat for these species.

#### Conclusion on listed threatened species and ecological communities

23. In light of my findings at paragraphs 18-22 above, I found that the proposed action is not likely to have a significant adverse impact on listed threatened species or ecological communities.

#### *Listed migratory species*

24. There is the potential for 20 migratory species to occur in the vicinity of the proposed action including migratory terrestrial, wetland and marine species
25. The impacts of the proposed action will be restricted to the already disturbed footprint of the Ranger mine site and will not impact on habitat for migratory terrestrial species.
26. The proposed action will not impact on surface water bodies that provide habitat for migratory wetland or marine species.

#### Conclusion on migratory species

27. In light of my findings at paragraphs 24-26 above, I found that the proposed action is not likely to have a significant adverse impact on listed migratory species.

#### *Ramsar Wetlands (Wetlands of International Importance)*

28. Kakadu National Park (Stage I) including wetland components of Stage III Ramsar site and the Kakadu National Park Stage II Ramsar site occur in the vicinity of the proposed action.
29. Impacts on Ramsar wetlands could occur if the action had a significant impact on the water quality of deep groundwater and there was a connection between groundwater and surface water. This could then cause a significant impact on the surface water quality of downstream water bodies including the Magela Creek floodplain, which is a Ramsar-listed wetland.
30. Permeability testing and water quality data from groundwater investigation holes and monitoring bores, monitoring of inflows into Pit #3, and the results of studies of recharge-discharge processes, all indicate that interception of significant quantities of groundwater by the proposed decline are not likely. A

sump and drain across the front of the portal would prevent the ingress of rain water run-off into the portal. Any water that had to be removed would be disposed of through the existing water management system which does not directly release any untreated pond water to the local creek systems.

31. There was no evidence of a connection between deep groundwater and shallow surface aquifers and the proposed action will not have a significant impact on surface water bodies.
32. The proposed action will not cause a substantial or measurable change in the hydrological regime or physico-chemical status of downstream Ramsar sites.

#### Conclusion on Ramsar Wetlands

33. In light of my findings at paragraphs 28-32 above, I found that the proposed action is not likely to have a significant adverse impact on wetlands of international importance.

#### *Nuclear Action*

34. The proposed action may be considered a nuclear action as defined by the EPBC Act.
35. While the proposed action may be considered a nuclear action, it will be contained within the Ranger Project Area and is not likely to have a significant impact on the environment, including surface water bodies, flora and fauna and Kakadu National Park.

#### *Commonwealth Marine*

36. Impacts from the action are not expected to occur three nautical miles from shore which constitutes the closest Commonwealth marine area. The proposed action is not expected to significantly impact on the environment of any Commonwealth marine area.


#### *Commonwealth Action*

37. The proposal is not being undertaken by a Commonwealth entity.

#### **Reasons for decision**

38. In making my decision I took account of the precautionary principle and public comments.
39. In light of my findings, I was satisfied that the proposed action is not likely to have a significant impact on any matter protected by Part 3 of the EPBC Act. I therefore decided on 17 May 2009 that the proposed action is not a controlled action.

Signed



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CATHY SKIPPINGTON

25-6-2009



**Senate Standing Committee on Environment, Communications and The Arts  
Legislation Committee**

Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	64
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Ranger uranium mine- Tailings storage facility		
<b>Hansard Page ECA:</b>	Written Question on Notice		

**Senator LUDLUM asked:**

ERA has also applied for federal approval to conduct heap leaching and construct a new tailings storage facility at Ranger mine and that the department has designated this as a controlled action. At its AGM in Darwin on April 22 ERA stated that it would be delighted to extend the timeframe for the current lease of the Ranger mine.

1. In this context would it be fair to say that ERA is seeking to significantly expand its operations at Ranger?
2. Given this why did the department not subject the tunnel referral to the same level of scrutiny as the other components of ERA's expansion agenda?
3. What advice has the department provided to the NT regulator to help inform their approach to this issue to ensure that matters of Territory or local significance are adequately addressed?

**Answers:**

1. ERA's referral states that the proposed Heap Leach facility will expand the mine footprint by approximately 170ha in addition to the current footprint of 2,270ha. There is no proposed increase in production rates at the mine. The Department of the Environment, Water, Heritage and the Arts is unaware of any further proposal to significantly expand operations or to extend the Ranger leasing arrangements beyond the current expiry date.
2. Please refer to the Statement of Reasons in relation to the non-controlled action decision under the *Environment Protection and Biodiversity Conservation Act 1999* on the Ranger exploration tunnel attached to response 63.
3. The heap leach proposal will be assessed at the level of an environmental impact statement under the bilateral agreement with the Northern Territory Government. The assessment will be conducted by the NT Government with involvement and input from the Department of the Environment, Water, Heritage and the Arts at all stages of the assessment. The exploration tunnel will be assessed under the NT Mining Management Act with further input from the Supervising Scientist through the Mine Site Technical Committee.

**Senate Standing Committee on Environment, Communications and The Arts  
Legislation Committee**

Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	65
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Burrup – reports to Minister		
<b>Hansard Page ECA:</b>	65 (27/5/09)		

**Senator SIEWERT asked:** Have you made any reports to the minister about progress? Or is the minister being kept up to date about what the situation is?

**Mr Burnett**—I would have to take that on notice. I just cannot recall whether we have given him a formal briefing. We certainly keep his office apprised of progress in this type of matter, but whether we have actually given him a formal briefing I just cannot recall.

**Answer:**

Yes. The Minister was briefed on 6 May and 25 May 2009.

**Senate Standing Committee on Environment, Communications and The Arts  
Legislation Committee**

Answers to questions on notice

**Environment, Water, Heritage and the Arts portfolio**

Budget Estimates, May 2009

<b>Outcome:</b>	1	<b>Question No:</b>	66
<b>Program:</b>	1.2		
<b>Division/Agency:</b>	Approvals and Wildlife Division		
<b>Topic:</b>	Burrup – other investigations		
<b>Hansard Page ECA:</b>	67 (27/5/09)		

**Senator SIEWERT asked:** Are there any other investigations of anything else on the Burrup? You do not have to tell me what it is. I just want to know if there are any more.

**Mr Burnett**—Not to my knowledge, but I have not checked specifically.

**Senator SIEWERT**—If you could take it on notice and get back to us that would be much appreciated, thank you.

**Answer:**

No