

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1.2	Question No:	18
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Wellington Weir – Extension of Time		
Hansard Page ECA:	101 (20/10)		

Senator BIRMINGHAM asked:

Under the act does Minister Garrett have the capacity, with regard to the Wellington Weir decision, to further extend his consideration period?

Mr Burnett—The minister can decide, once the assessment report is submitted, whether he needs further time...

Senator BIRMINGHAM—Yes. How long can he extend it beyond 27 January?

Mr Burnett—I cannot answer that off the top of my head.

Senator BIRMINGHAM—Take that on notice. Thank you.

Answer:

Under Section 130(1A) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the Minister can extend the timeframe for a decision about whether or not to approve an action for any specified length of time. The Act does not prescribe a maximum period of extension.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	19
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Red Gum Forests – Deniliquin - growth		
Hansard Page ECA:	101 (20/10)		

Senators COLBECK and ABETZ asked:

Senator COLBECK—(1) Are you aware of the growth of the footprint of the forest?

Ms Webb—We have had some information provided to us by New South Wales Forests that would contain some information about all of that.

Senator ABETZ—(2) But does it indicate growth?

Ms Webb—I would have to take that on notice about the exact detail of what time frames and what growth in what areas.

Senator COLBECK—(3) My understanding is that officers of the department have visited the site—I think we discussed that last time—so they would not have been made aware of that as part of their visit?

Ms Webb—They may have; I would have to take that on notice.

Answers:

- (1) River red gum forests are dynamic ecosystems whose extent is closely tied to the frequency and extent of riverine flooding. Under natural conditions, the footprint of the forest is in a continual state of expansion and contraction. Expansions of forest generally follow major flooding; however, the Murray forests have not received natural floods for the past decade. Compared to the pre-European extent of these forests there has not been any overall increase in the ‘footprint’ of river red gum forest in the Riverina bioregion. Considering the vegetation in the Riverina where river red gum is the main component there has been a reduction in extent of this vegetation type in the order of more than 60 percent.
- (2) This indicates that there has not been any overall increase in the river red gum forest footprint, however there may be changes in the shape and location of the footprint depending on flooding.
- (3) Officers from the department visited a range of forest locations in the Riverina and were aware of the dynamic nature of the River red gum forest ecosystem as explained above.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	20
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Sugarloaf pipeline – water allocation		
Hansard Page ECA:	90 (20/10)		

Senator BIRMINGHAM asked:

Senator BIRMINGHAM—I would suggest that independent audited reports of water savings achieved is very definitely a retrospective action and statement. It then goes on to say ‘and the amount of water allocated for extraction’. That does not suggest the amount of water that has been extracted. That suggests the amount of water allocated for extraction. Would you agree?

Mr Burnett—Yes. As I understand it, nothing has yet been allocated for extraction during the reporting period.

Senator BIRMINGHAM—Mr Holding has already said:

In 2010 Melbourne will receive 75 billion litres of water down the pipeline. That is a direct quote. I am not sure whether he is meaning before August 2010 or after August 2010. Would it be a breach of the conditions if it were before August 2010?

Mr Burnett—If an allocation were made before August 2010?

Senator BIRMINGHAM—If an extraction were made.

Mr Burnett—I am not sure I can answer this on the fly.

Senator BIRMINGHAM—The Victorian government has been debating how and where it is sourcing the water for the pipeline quite publicly over time.

Mr Burnett—Yes. As we understand it, it intends to allocate water to go down the pipe.

Senator BIRMINGHAM—Yes, it does. You are saying that it has not quite allocated that water.

Mr Burnett—That is how we understand it.

Ms Kruk—We are prepared to get more information just to follow your question. My advice says, and it is worth my reading it:

We have now received the first annual report on compliances required by the conditions of Minister Garrett’s approval of the project. The report is available on the Sugarloaf Pipeline project website. That is probably what you are sourcing. It continues:

At the time the report was prepared no water had been formally allocated to supply the pipeline and as such, no audits had been conducted.

Our advice is that the Victorian minister has now appointed an independent audit panel to review the water savings from irrigation modernisation projects in northern Victoria. Mr Burnett is also indicating that we expect to be formally advised of the outcomes of the audit, including the availability of water savings to supply the Sugarloaf Pipeline. Mr Burnett can take that on notice to see if there is any further information to the briefing I have before me.

Answers:

It would not be a breach of the conditions if water were extracted before August 2010, provided the extraction complied with all other requirements of the conditions in addition to reporting requirements.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1.2	Question No:	21
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division/ Environment Assessment Branch		
Topic:	Wellington Weir		
Hansard Page ECA:	92 (20/10)		

Senator BIRMINGHAM asked:

What brief has this panel of four experts been given? Is it to assess the full scope of the application by the South Australian government of the EIS prepared by the South Australian government or even broader factors?

Ms Middleton—They have provided an initial review of elements of the environmental impact statement and are responding to some specific questions that the minister has tasked them with.

Senator BIRMINGHAM—They are responding to specific questions from the minister in relation to the EIS completed by the SA government?

Ms Middleton—In relation to the EIS and some of the impacts that have been indicated in that EIS.

Senator BIRMINGHAM—Is it possible to receive those questions or terms of reference? Are they public?

Ms Middleton—At this stage they are not, because they are still forming part of the minister's consideration. He may still have further questions once he receives their advice, so I would need to take that on notice.

Answer:

The questions and terms of reference have not been made public as they currently form advice to the Minister in his consideration of the Wellington Weir EPBC Act assessment.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	22
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Mary River – Ramsar Wetlands		
Hansard Page ECA:	Written Question on Notice		

Senator IAN MACDONALD asked:

Senator IAN MACDONALD—Finally, as to the Ramsar wetlands at the end of the Mary River—just before you go, could you just give me some written notice of what you were about to tell us?

Mr Burnett—I can tell you now.

Senator IAN MACDONALD—We have 20 minutes left so, no, please take it on notice.

Mr Burnett—How are they taken into account?

Senator IAN MACDONALD—I am not expecting you to accept this, but if they [Great Sandy Strait Ramsar wetlands] are badly affected by the Traveston Crossing Dam how does that fit in? What powers and responsibilities do the Commonwealth have?

Mr Burnett—It is all taken into account. It is all part of the assessment—

Senator IAN MACDONALD—Of the dam and how it impacts on—

Mr Burnett—of the dam because it is a potential impact of the dam and that is why it is taken into account.

Answer:

The proposal was determined to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) due to the potential significant impacts on matters of national environmental significance, including the controlling provision - ‘Wetlands of International Importance’. Under the EPBC Act, the Minister must consider the impacts of the proposal on each of the controlling provisions.

In making his proposed decision on the Traveston Crossing Dam, the Minister considered the impacts of the proposal on the Great Sandy Strait Ramsar site, in accordance with the requirements of the EPBC Act.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	23
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	EPBC – review of Bushfire treatments		
Hansard Page ECA:	96 (20/10)		

Senator ABETZ asked:

Where is the EPBC review of bushfire treatments? Just take that on notice if I can be provided with an update.

Answers:

The independent Threatened Species Scientific Committee (the Committee) is currently considering a nomination to list *Contemporary fire regimes resulting in the loss of vegetation heterogeneity and biodiversity in Australia* as a Key Threatening Process under the *Environment Protection and Biodiversity Conservation Act 1999*. The Committee is expected to undertake a public consultation process on fire regimes as a threatening process in mid 2010. The Minister for the Environment, Heritage and the Arts has extended the timeframe for this assessment from 30 September 2010 to 30 March 2011.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	24
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	EPBC review – Timber Communities Australia		
Hansard Page ECA:	97 (20/10)		

Senator ABETZ asked:

All right. Can you tell us why the names of people such as Dr Possingham that were in the Timber Communities Australia submissions needed to be removed yet, when the same suggestions were made in individual submissions that did not carry Timber Communities Australia letterhead, they slipped through and were published on the website? I would invite you to have a look at Mr Alan Ashbury's submission on your website, come back to us on notice and tell us why it was only the TCA ones that were subjected to this sort of censorship—or adjustments; let us not use a term such as 'censorship'. In relation to the people that were appointed to the review—

Answers:

All submitters to the Independent Review of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (the Review) were required to indicate whether their submission contained personal information concerning individual third parties. If submissions did contain such information, the submitter was required to indicate whether the third party consented to the publication of their information.

Every submission made to the Review was also read by the Review Secretariat to check for potentially defamatory content prior to publishing the submission on the Review's website. Where there were concerns regarding potentially defamatory statements in submissions, the Review's policy was to contact the authors of the submission and to seek agreement to remove the potentially defamatory content prior to publication of the submission on the Review's website. The parties who were potentially defamed in the submission were also contacted to respond to the claims made against them.

The Review received 11 comments on the Interim Report of the Review from branches of Timber Communities Australia (TCA). Of these, comments from the East Coast Tasmania Branch and Southern Tasmania Branch comments included potentially defamatory statements about Dr Possingham and other academics. Timber Communities Australia was contacted by the Secretariat, and were asked to consider removing these comments from their submission prior to publication on the Review's website, on the condition that the unedited versions of the comments would be provided to Dr Hawke. The persons named in these comments were also contacted to give them an opportunity to reply to the statements made by TCA.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Following discussions with the Review Secretariat, TCA willingly agreed to remove the relevant text prior to publication and to remove third party references made in comments submitted to the Review by other TCA branches.

The statements made in the amended TCA submissions were of a different content and tone to those made by Mr Alan Ashbarry in his comments on the Interim Report. Where information included in a submission was of a factual nature, it was the practice of the Review that such information was *not* omitted from the web version of the submission.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	25
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Website – removal of photo		
Hansard Page ECA:	97 (20/10)		

Senator ABETZ asked:

I think he has a higher duty than just what he sees fit, but can I ask you about this photograph which shows something like a shanty in the middle of the Tasmanian forest. That was required to be removed from the website, was it not?

Mr Flanigan—We asked the people who made that submission to remove that photograph, yes.

...

Senator ABETZ—What legal advice was sought?

Mr Flanigan—I will have to take that on notice, but as I understand it we sought advice from our in-house AGS solicitors.

Answers:

No specific legal advice was sought on the photo. However, the Timber Communities Australia Tasmanian State Office agreed to remove the photo from the web version of the submission.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	26
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Species listing		
Hansard Page ECA:	99 (20/10)		

Senator SIEWERT asked:

Senator SIEWERT—This is a generic question. Did you nominate any species for the next round? I am particularly keen on sharks.

Mr Burnett—I do not think so. We will take it on notice; I am not entirely sure.

Answers:

No, Australia did not nominate any species for inclusion in the relevant Convention appendices for the forthcoming 15th Conference of Parties to the Convention on the International Trade in Endangered Species of Wild Flora and Fauna in 2010.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	27
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Great Sandy Strait – Environmental Flows		
Hansard Page ECA:	Written Question on Notice		

Senator IAN MACDONALD asked:

Is the DEWHA doing an independent study to determine the environmental flow requirements for the Great Sandy Strait? What are these flow requirements to provide sufficient environmental flow to this Ramsar site?

Answer:

The Department of the Environment, Water, Heritage and the Arts commissioned independent expert reviews focussing on the potential hydrological and faunal impacts of the Traveston Crossing Dam, including on the Great Sandy Strait. These reports are publicly available via the Department's website at

<http://www.environment.gov.au/epbc/notices/assessments/2006/3150/traveston-dam-the-federal-process.html>

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	28
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Possible EPBC Breach – Golden Sun Moth (Sugarloaf)		
Hansard Page ECA:	Written Question on Notice		

Senator HEFFERNAN asked:

IN a report forwarded to DEWHA **in relation to the Golden Sun Moth (GSM)**, there appears **there has been a Breach** in February 2009:

Condition 5 relating to the GS Mother has been breached. ALLIANCE RESPONSE Golden Sun Moth (GSM) monitoring was not undertaken during topsoil removal at the Goulburn Pump Station Site on 10 February 2009. Pupae investigations were carried out immediately outside the Goulburn Pump Station site to identify any likelihood of GSM in the soil. Investigations did not find any traces of GSM pupae. In addition topsoil that is stockpiled onsite was sifted through in an attempt to look for any potential traces of GSM larvae in the material. No evidence of GSM was located. Monitoring was undertaken for the adjacent Access Track in accordance with the Fauna Management Plan Mitigation Measures and Maps. No evidence of GSM was located

1. When did the Department/ Minister first become aware of this breach?
2. When did the Department/ Minister find out where this occurred?
3. How did the Department/Minister find out the exact property on which it occurred
4. What action has the Department/Minister taken?
5. What penalties will the Minister impose for this breach of his conditional approval?

Answers:

1. The Department became aware on 12 October 2009.
2. Please see the response to Part 1.
3. The matter was self reported through the Sugarloaf Alliance Annual Report 2009
4. This matter is part of a more comprehensive enquiry by the department into Golden Sun Moth management along the Sugarloaf Right of Way.
5. There is a range of enforcement responses available to the department including prosecution. The maximum penalty for breaching of conditions of an approval is \$1.1M for a body corporate. Any decision to seek a penalty will be consistent with the Department's Compliance and Enforcement Policy, which is available at:
<http://www.environment.gov.au/about/publications/compliancepolicy.html>.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	29
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Sugarloaf pipeline		
Hansard Page ECA:	Written Question on Notice		

Senator HEFFERNAN asked:

The Sugarloaf pipeline was approved with 17 conditions

1. What are the consequences for breaching a conditional approval given under the EPBC Act?
2. What monitoring regime has the Federal Department put in place in relation to any future breaches?

Answers:

1. There is a range of enforcement responses available to the department under criminal, civil and administrative law. The maximum criminal penalty for breaching of conditions of an approval is \$66,000 plus up to 2 years imprisonment for a body corporate. The maximum civil penalty is \$1.1M. In terms of administrative law, the Act allows for conditions to be varied to require repair or mitigation of damage to a matter protected under the approval. Under certain circumstances an approval may be suspended and/or revoked in response to a significant breach of approval conditions. Decisions to pursue alleged breaches of approval conditions are made under the Departments' compliance policy, which is available on the internet at:

<http://www.environment.gov.au/about/publications/compliancepolicy.html>

2. The department has a monitoring and audit regime for all projects post approval. In regards to this project, Melbourne Water must implement a number of environmental plans and undertake associated monitoring and reporting to the department. Melbourne Water must also provide each August a detailed annual report on compliance with the approval conditions. Melbourne Water must also maintain accurate records of associated activities and make them available to the department for audit or compliance purposes.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	30
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Mary River Estuary		
Hansard Page ECA:	Written Question on Notice		

Senator NASH asked:

Has the Government committed any funds to undertake an independent assessment of environmental flow needs to the Mary River Estuary and Great Sandy Strait, as requested in a petition signed by 5393 Australians and tabled in the House of Representatives on 16 September 2009? If not why not?

Answer:

The Department of the Environment, Water, Heritage and the Arts commissioned independent expert reviews focussing on the potential hydrological and faunal impacts of the Traveston Crossing Dam proposal, including on the Great Sandy Strait. These reports are publicly available via the Department's website.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	31.
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Traveston Dam – EPBC Decision		
Hansard Page ECA:	Written Question on Notice		

Senator NASH asked:

Queensland Premier Anna Bligh has implied that she can influence the decision on the proposed Traveston Crossing dam by urging the Prime Minister to agree to the proposal. If this the case, is this not contrary to the EPBC Act, under which the responsibility for the decision lies with Minister Garrett? Will you allow your environment Minister to make this decision on the science?

Answer:

Under the EPBC Act, decisions on whether to approve referred proposals are the responsibility of the Minister for the Environment. On 11 November 2009, the Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM MP, announced his proposed decision to refuse the Traveston Crossing Dam proposal.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	32
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Paradise Dam - Sunwater		
Hansard Page ECA:	Written Question on Notice		

Senator NASH asked:

Is the Minister intending to allow the request from Sunwater to water down the conditions of approval of Paradise Dam and in doing so jeopardise the Paradise Dam Court case, which the Federal Government has partially funded?

Answer:

On 20 October 2009 the Minister for the Environment Heritage and the Arts, the Hon Peter Garrett AM MP, decided that he would not vary the conditions of approval relating to Paradise Dam.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	33
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Fish Lift – Paradise Dam		
Hansard Page ECA:	Written Question on Notice		

Senator NASH asked:

The Coordinator General has said that if the fish lift does not work, that the fall back position is to collect the lungfish / turtles / Mary River Cod etc by hand and carry them around the dam. Does the Minister consider this to be a credible alternative?

Answer:

In making his proposed decision on the Traveston Crossing Dam, the Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM MP, considered the proposed strategies intended to facilitate aquatic fauna passage.

The Minister announced his proposed decision to refuse the Dam on 11 November 2009.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	34
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Traveston Dam - wildlife		
Hansard Page ECA:	Written Question on Notice		

Senator NASH asked:

Given the significance of the lungfish and that the Paradise Case has shown that there is no workable design for a fishway for lungfish in existence in the world, would the minister not be rather cavalier to grant approval to the Traveston Crossing dam in the hope the proponents will be able to come up with devices for successful fish and turtle transfer, not to mention methods that will enable successful breeding in situations where they would not normally breed. Is the minister not being asked to take this proposal a little too much on trust?

Answers:

The Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM MP, announced his proposed decision to refuse the Traveston Crossing Dam on 11 November 2009.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	35
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Traveston Dam		
Hansard Page ECA:	Written Question on Notice		

Senator NASH asked:

Should politics overrule science and the proposed Traveston Crossing dam be approved, species with very long life cycles such the Lungfish, Mary River Turtles and Mary River cod, which live in excess of 50 Years, will be put at grave risk of extinction. What assurances can you give the Senate that the QUANGO \$2 company Queensland Water Infrastructure has the ability and intention to ensure the necessary long term management and compliance with all conditions that the Minister may impose under the EPBC Act?

Answer:

The Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM MP, announced his proposed decision to refuse the Traveston Crossing Dam on 11 November 2009.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	36
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Traveston Dam – public submission		
Hansard Page ECA:	Written Question on Notice		

Senator NASH asked:

Will the Minister allow a (10 day) public submission on the 1200 conditions suggested by the Queensland Coordinator General's Report on the proposed Traveston Crossing dam?

Answer:

The Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM MP, announced his proposed decision to refuse the Traveston Crossing Dam on 11 November 2009. The Minister decided not to seek public comments on his proposed decision.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	37
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Traveston Dam – downstream impact		
Hansard Page ECA:	Written Question on Notice		

Senator NASH asked:

The Coordinator General's Report says there will be no downstream impact on the lower Mary Valley as a result of the Traveston Crossing dam. It seems incredible that a new dam would have no downstream impact. Can the department explain this bizarre assertion?

Answer:

The Department of the Environment, Water, Heritage and the Arts commissioned independent expert reviews, focussing on the potential hydrological and faunal impacts of the proposal. These reviews were considered by the Minister when making his proposed decision.

On 11 November 2009 the Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM MP, announced his proposed decision to refuse the dam on the basis that the proposal would have unacceptable impacts on listed threatened species and communities.

Questions relating to the Queensland Coordinator-General's Report should be directed to the relevant Queensland Government Department.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	38
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Fish Lift – Paradise Dam		
Hansard Page ECA:	Written Question on Notice		

Senator NASH asked:

In view of the fact that the \$27m fish lift on the Paradise Dam has attracted only three lungfish since its construction (and they were juveniles) does the Minister believe this same fish lift will work on the Traveston Crossing dam?

Answer:

In making his proposed decision on the Traveston Crossing Dam, the Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM MP, considered fish lift design and effectiveness, including under climate change scenarios.

The Minister announced his proposed decision to refuse the dam on 11 November 2009.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	39
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Traveston Crossing Dam - assessment		
Hansard Page ECA:	Written Question on Notice		

Senator SIEWERT asked:

In the Government's assessment of the proposed Traveston Crossing dam, will the fact that, in direct contravention of the 1994 COAG Strategic Framework Agreement, the Water Resource (Mary Basin) Plan 2006 does not currently have scientifically validated environmental flow requirements and in the case of the estuary and internationally listed wetland, the Great Sandy Strait, no environmental flow requirements at all be addressed?

Answer:

On 29 November 2006, the proposal was determined to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) due to the potential significant impacts on matters of national environmental significance, including for the controlling provision 'Wetlands of international importance'.

In proposing to refuse the Traveston Crossing Dam, the Minister for the Environment, Water, Heritage and the Arts, the Hon Peter Garrett AM MP, considered the potential impacts of the proposal on the Great Sandy Strait Ramsar site, including hydrological impacts.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	40
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Traveston Crossing Dam - conditions		
Hansard Page ECA:	Written Question on Notice		

Senator SIEWERT asked:

The Queensland Coordinator General has recommended 1200 conditions on the proposed Traveston Crossing dam. However the Queensland Government has demonstrated that they can't comply with the six conditions on the Paradise Dam. If the proposed dam is approved:

1. How can you ensure that the Queensland Government has the capacity in both the short and long term, as well as the intention to follow up on all of these conditions?
2. What measures would be taken to ensure the Queensland Government complied with the conditions in any approval?
3. How much would it cost the Commonwealth to administer, audit and enforce these measures?
4. Who would be accountable for the policing and enforcing compliance with the conditions?

Answer:

The Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM MP, announced his proposed decision to refuse the Traveston Crossing Dam on 11 November 2009.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	41
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Traveston Crossing Dam – Survival Strategy for the Australian Lungfish		
Hansard Page ECA:	Written Question on Notice		

Senator SIEWERT asked:

The Queensland Government has just released a final document “Survival Strategy for the Australian Lungfish” which differs from the draft state “Lungfish recovery plan” recently provided to the Minister after it was tabled in the Paradise dam federal court case. The recovery plan acknowledges the major threat to lungfish posed by dams, but the survival strategy does not, omitting any references to lungfish deaths from overtopping spillways.

1. Can the Department ask the Queensland government to release the reports about the deaths of these 90 lungfish and the draft recovery plan so that they may inform the discussions around the approval process for Traveston Crossing Dam?

Answer:

The draft ‘Lungfish recovery plan’ is currently under development. Once the final draft of the plan has been completed, it will be placed on public exhibition for a period of three months and it is anticipated that this will occur by early 2010.

In making his proposed decision to refuse the Traveston Crossing Dam, the Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM MP considered relevant information on the potential impacts of the proposal on matters of national environmental significance, including the Australian Lungfish.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	42
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	WA proposed changes		
Hansard Page ECA:	Written Question on Notice		

Senator SIEWERT asked:

The Western Australian Government has announced proposed changes to environmental assessment and approvals.

1. Is the Department aware of these proposals?
2. Has the Department reviewed the proposed changes?
3. Would any such changes require a renegotiation of the bilateral?

Answers:

1. Yes.
2. Yes.
3. Once the proposed amendments are finalised by WA, the Department will consider their final form in order to determine what effect they may have on the bilateral agreement.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	43
Program:	1.2		
Division/Agency:	Approvals and Wildlife Division		
Topic:	Traveston Crossing Dam – Lungfish		
Hansard Page ECA:	Written Question on Notice		

Senator SIEWERT asked:

This year two dams in southeast Queensland have caused the deaths of ninety lungfish according to Sunwater figures. Three independent expert reports have recommend that spillway related mortality at Paradise dam, must not be ignored (Tait , J , 2009 , Winders , M 2009 , Stuart I 2009).

1. Will these reports be used to assess the Traveston Proposal?

Answer:

The department understands that the recent reports by Tait, J. 2009, Winders, M. 2009 and Stuart, I. 2009 do not specifically relate to the Traveston Crossing Dam proposal. However, relevant information on the potential impacts of the proposal on the Australian Lungfish, including the risk posed by spillway mortality, was considered by the Minister in making his proposed decision to refuse the Traveston Crossing Dam, as announced on 11 November 2009.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	47
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	IWC – Number of new countries		
Hansard Page ECA:	71 (20/10)		

Senator BIRMINGHAM asked:

Senator BIRMINGHAM—I am not going to spend as long on this issue as we did in the last estimates, because we spent a long time on it then and I am eager to get through other issues. Ms Petrachenko, how many other countries have signed up to the IWC in the course of the last year or so?

Ms Petrachenko—I will have to take on notice how many it has been in the last year. A total of 88 countries are now part of the IWC.

Answer:

Six countries have signed up to the International Whaling Commission since October 2008.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	48
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Whaling – changing of the convention		
Hansard Page ECA:	72 (20/10)		

Senator BIRMINGHAM asked:

Ms Petrachenko—... The convention that governs the regulation of whaling was developed in 1946; it has what a number of countries, Australia included, feel are exceedingly outdated provisions. So it was written in 1946. There are provisions in it that give certain allowances to member countries; and it is very difficult to try to change interpretations or actions under a convention, as it is a legal document.

Senator BIRMINGHAM—How many countries does it take to change the convention?

Answer:

A treaty may be amended by two thirds of the parties present and voting at an international conference held to amend it. However, a Party to the Convention would not be bound by the amendment until it accepted it. An amendment to the Schedule of the Convention would require a three-fourths majority of those members voting.

<http://www.iwcoffice.org/commission/convention.htm> - convention

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	49
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Oil Spill – Montara		
Hansard Page ECA:	75 (20/10)		

Senator SIEWERT asked:

Senator SIEWERT—Monitoring was undertaken with the boat that I think set off from Darwin—and, I am sorry, I cannot remember the date. Who was on that boat, what results were found and what was the cost of that operation?

...

I am sorry; it is the expertise that I am asking about.

Mr Oxley—I will let Ms Rishniw deal with that. However, in relation to what the findings are, we received,

I think at the beginning of last week, a draft report that had been prepared hurriedly.

...

Senator SIEWERT—Was the cost of that monitoring part of the \$30,000?

Mr Oxley—I do not know whether we have been invoiced yet or not. I think what you need to hear from us is that the cost of doing that report will be recovered fully from the company.

Ms Rishniw—That is right. Perhaps I could add that the experts commissioned were from the University of Queensland; in particular, they are megafauna and seabird specialists. I can provide the names to you on notice.

Answers:

The experts who undertook the wildlife survey were Dr James E. M. Watson, Dr Liana N. Joseph and Dr Alexander W. T. Watson. The report from the survey is available at <http://www.environment.gov.au/coasts/oilspill.html>.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	50
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Oil Spill – Montara – fish samples		
Hansard Page ECA:	76 (20/10)		

Senator SIEWERT asked:

Senator SIEWERT—I am not sure whether you are the appropriate people to ask this question of. Some initial sampling work has been done. As I understand it, to get an accurate reading on hydrocarbon absorption by fish, samples need to be collected and, basically, dealt with through liquid nitrogen. Apparently, just freezing them can lead to the breakdown of samples and you do not get an accurate reading. Do you know whether, in fact, that monitoring technique is the one being used?

Mr Oxley—With the level of technical detail here, I suggest that it is beyond our capacity to answer that question; but we are happy to take that on notice.

Answers:

Expert toxicology analysis of four fish samples, collected in the region of the Montara oil spill by a commercial fisherman, indicated no oil contamination. The fish were frozen, during transport, prior to autopsy. This process allowed accurate chemical analysis of the stomach content and white muscle to determine whether the fish had been exposed to oil. Chemical analysis of other tissues or fluids, such as bile, is only possible if biopsies are collected immediately after death. The expert, who conducted the toxicology tests, advised that hydrocarbons will be detectable in muscle tissue for a number of days following exposure to oil.

Further monitoring and testing on fish will be conducted under the environmental monitoring program agreed between the Australian Government and PTTEP Australasia. This monitoring program includes triggered studies, some of which are currently underway, that test the bile from a variety of fish species collected in the region for hydrocarbon traces in accordance with expert advice. Scientific experts from the Australian Institute of Marine Science and CSIRO and relevant fisheries authorities were consulted during the development of the program and will continue to provide input during the implementation of the various scientific studies to ensure robust monitoring is in place.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	51
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Bioregional planning process - Extension of time		
Hansard Page ECA:	81 (20/10)		

Senator COLBECK asked:

Senator COLBECK—Have you had any further requests for extensions of time? The one on the east is in response to a request for an extension of time; I acknowledge that. There is also the extension in the southwest for that initial area of further assessment process. To date, have you had any other requests for extensions of time to the process in any of the other regions?

Mr Oxley—I am inclined to take that one on notice unless either Ms Rishniw or Mr Clark know specifically. I would like to give you an answer that encompassed all regions rather than a snapshot for one, if that is what it was.

Answers:

The Western Australia Fishing Industry Council, has requested an extension to the timeframes for engagement in development of the draft North-west Marine Bioregional Plan.

The Queensland Seafood Industry Association has requested an extension to the process in the North. The Northern Territory Seafood Council has requested a 3-month extension for the North.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	52
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Bioregional planning process – Financial assistance		
Hansard Page ECA:	81 (20/10)		

Senator COLBECK asked:

Senator COLBECK—Are there any other groups that you provided financial assistance to as part of this process?

Mr Oxley—Historically we have provided support, and continue to do so, for the continuing operation of the south-east fisheries group, which was involved in the development of the south-east marine protected area network and then has gone on to effectively fulfil a stewardship and management advisory role for that marine park network in the south-east.

Senator COLBECK—Is the information on the membership of that group available through any of your public documentation?

Mr Oxley—I can provide that on notice. ...

Senator COLBECK—Could you give me a list of all of those that have received financial assistance, whether they are fishing industry or environmental or other groups that have accessed financial assistance? If you are giving me all of that can you give me a total as well as part of the process?

Mr Oxley—The answer is beyond what I have already identified. I do not believe there are any other costs, other than the cost of participation in workshops and so on, where we have met those costs. I will take it on notice, but I am foreshadowing not to expect too much back in the answer.

Answers:

The membership of the South-east Working Group is provided at Table 1 below. Assistance provided to members during 2008/09 was \$42,700.

- In the East region, financial assistance has been provided to non-government participants in three Regional Assessment Workshops conducted in June-July 2009 (Table 2 below lists the organisations that received travel assistance). Assistance amounted to: \$32,214 (Cairns Workshop); \$29,707 (Sydney workshop); \$23,114 (Brisbane workshop).

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

- In the North-west, assistance was provided to approximately twelve representatives from the fishing industry to participate in a workshop to assist the Department develop a more detailed understanding of the potential socio-economic impacts of marine reserve establishment. The workshop was coordinated by the Western Australia Fishing Industry Council and held on 20 October. We are currently reimbursing participants for travel and accommodation and have not yet acquitted all costs. We anticipate the total cost being approximately \$6,000.
- In the South-west, financial assistance for airfares and accommodation was provided to those non-government stakeholders that required travel to attend the information sessions held in Perth and Adelaide and subsequent sectoral meetings (these included two meetings with the fishing industry; two meetings with the recreational fishing sector; two meetings with the conservation sector; one meeting with representatives from the oil and gas industry). Travel assistance amounted to \$16,921. Additionally, contractual arrangements have been entered into during 2009-10 with the Western Australian Fishing Industry Council (\$25,000) to coordinate input from fishers operating in West Australian managed fisheries about fishing activities within and adjacent to Areas for Further Assessment (note that similar work has also been undertaken for South Australia and Commonwealth managed fisheries, but this was done through contracting individuals rather than representative organisations).
- No financial assistance has been provided to date to stakeholders for the process in the North.

Table 1. PARTICIPATING FISHING INDUSTRY SECTORS AND THEIR NOMINATED REPRESENTATIVE FOR THE SOUTH-EAST REGION

Fisheries within SERMP area	Representative Organisation	Representative
<i>Commonwealth-managed</i>		
South-East Trawl	South-east Trawl Fishing Industry Assoc	Gail Richey/ Ian Knuckey/Angus Nicholls
Gillnet, Hook & Trap	South-east Fishery Assoc	Charles Farquhar
Eastern Tuna and Billfish	N/A	Tony Forster
Southern Bluefin Tuna	Tuna Boat Owners Assoc of SA	Brian Jeffriess
Bass Strait Central Zone Scallop	N/A – See TFIC, SIV & AFMA	Stuart Richey
Southern Squid Jig	N/A	Stuart Richey
Small Pelagics Fishery	N/A	Stuart Richey/Denis Brown
Great Australian Bight Trawl	Great Australian Bight Fishing Industry Assoc	Jeff Moore/Angus Nicholls
South Tasman Rise	N/A	See SETFIA
Auto Longline	N/A	Will Mure/Les Scott
All	Commonwealth Fisheries Association	Gail Richey
<i>State-managed (South Australia)</i>		
Rock Lobster	SA Rock Lobster Advisory Council	Roger Edwards
Giant crab	N/A	Andrew Levings/Steven Clarke
Marine Scalefish	N/A	
Pilchard		
<i>State-managed (Tasmania)</i>		
Rock Lobster /Giant Crab	Tasmanian Rock Lobster Fishermen’s Assoc	Rodney Treloggen
Scallop	Tasmanian Scallop Fishermen’s Assoc	Stuart Richey
All	Tasmanian Fishing Industry Council (TFIC)	Neil Stump
<i>State-managed (Victoria)</i>		
Rock Lobster / Giant Crab	Victorian Rock Lobster Association	David Lucas
Scallop	N/A – See SIV	
All	Seafood Industry Victoria (SIV)	Ross McGowan

Note: other fishing industry representatives attend on an as-needs/availability basis.

Table 2

Regional Assessment Workshop - 15-16 June 2009	Cairns
Queensland Seafood Industry Association	
Cairns Marine Aquarium	
CapReef	
Recfish Australia	
Cairns Professional Game Fishing Association	
Queensland Game Fishing Association	
Game Fishing Association of Australia	
Queensland Charter Vessels Association	
Australian Fishing Trade Association	
Mitchell's Marine	
World Wildlife Fund for Nature	
The Pew Charitable Trusts	
Cairns and Far North Environment Centre	
Queensland Ports Association	
Association of Marine Park Tourism Operators	
Whale and Dolphin Watch Australia	
James Cook University	
Pepperell Research	
Australian Institute for Marine Science	
Regional Assessment Workshop - 18-19 June 2009	Cronulla
Clarence River Fisherman's Coop	
Seafood Industry Advisory Council	
Fishing representative – Coffs Harbour	
Game Fishing Association of Australia	
Advisory Council on Recreational Fishing (NSW)	
Australian Fishing Trade Association	
World Wildlife Fund for Nature	
Australian Marine Conservation Society	
Australian Conservation Foundation	
Whale and Dolphin Watch Australia	
Norfolk Island Administration	
Southern Cross University	
University of Newcastle	
Nature Conservation Council of NSW	
Calypto Fishing Adventures	
Humane Society International	
Regional Assessment Workshop - 28-29 July 2009	Brisbane
Queensland Seafood Industry Association – (6 representatives)	
Seafood Industry Advisory Council of New South Wales	
Clarence River Fisherman's Coop	
Sunfish	
Recfish Australia – (2 representatives)	
Queensland Game Fishing Association	
Queensland Charter Vessels Association	
Marine Queensland	
Whale and Dolphin Watch Australia	
Game Fishing Association of Australia	
Incredible Charters	
Queensland Ports Association	
Australian Marine Conservation Society	
Gold Coast Whale Watching Association	

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	53
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Bioregional planning process – assistance for meetings		
Hansard Page ECA:	81 (20/10)		

Senator COLBECK asked:

Senator COLBECK—What sort of assistance is provided for attendance at meetings? Is that for individual fishers or groups to come to meetings? How does that work?

Mr Clark—I can give you an example for the east marine region where we have recently conducted three regional assessment workshops in Cairns, Brisbane and Sydney. The costs of attendance at those workshops of between 25 and 35 people were borne by the department. It is also usual for the department to reimburse the costs of attendance at either stakeholder advisory group meetings or other meetings that are similar to that. I do not have the exact cost of attendance at those with me at the moment.

Senator COLBECK—It is effectively to make the attendance of those things cost neutral for the participants. Does that go across all the meetings that are being conducted around the coastline?

Mr Clark—No, not for all meetings. It is where there are specific departmental meetings in regard to the consultation process.

Senator COLBECK—Can you give us an indication, on notice, of which meetings would draw assistance?

Mr Oxley—I am happy to give you an indication of the types of meetings where we would offset the costs—to the extent that we can, because we would only be talking about travel, accommodation, meals and so forth, not the out of pocket cost of a day on which you do not go fishing and so on. We can come back with a general indication which would be helpful.

Answers:

Meetings organised by the Department to obtain input into the planning process would draw financial assistance for those non-government participants who must travel to attend the meeting. Examples include:

- Regional Assessment Workshops conducted in the East region to obtain views about key pressures on the region's conservation values.
- Information Sessions on Areas for Further Assessment, conducted during the non-statutory consultation phase, to present the Areas to a broad range of stakeholders with the view to obtain information about their interests in those Areas.
- Sectoral meetings on Areas for Further Assessment, organised with those sectors for which the Department requires more information to ensure the design of Marine Protected Areas is informed by accurate data on current uses and their values.
- Stakeholder meetings during the statutory consultation phase, to obtain input on the draft Marine Bioregional Plan including the proposed network of marine protected areas.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	54
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Coral Sea – fishing licences		
Hansard Page ECA:	85 (20/10)		

Senator MACDONALD asked:

Senator IAN MACDONALD—Yes, and you do not disagree with my summation of what you said because what I am saying is very fair. There is no immediate threat apart from a political threat. Mr Oxley, you mentioned that permits would be granted, but you concede, of course, that GBRMPA already license or permit charter boats into the area?

Mr Oxley—GBRMPA issue permits for fishing in the Great Barrier Reef Marine Park. They do not issue permits as far as I am aware for fishing in the Coral Sea.

Senator IAN MACDONALD—For charter boat operators operating out of Cairns into the Coral Sea.

Mr Oxley—I do not think that GBRMPA has any jurisdiction over the Coral Sea. They may license charter boat operators that operate both within the Great Barrier Reef Marine Park and in the Coral Sea, but my understanding—and if I am wrong I will come back and correct the record for the Senate—would be that GBRMPA’s licensing of a charter boat operation applies only to its operations within the bounds of the Great Barrier Reef Marine Park.

Answers:

The Great Barrier Reef Marine Park Authority does not issue permits, licences or approvals for the Coral Sea outside the Great Barrier Reef Marine Park (GBRMP).

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	55
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Coral Sea - government powers		
Hansard Page ECA:	87 (20/10)		

Senator MACDONALD asked:

Senator IAN MACDONALD- Does the government have any other powers that it could use if there were suddenly an unexpected threat to the ecology or the general environment of the Coral Sea?

Mr Oxley- I cannot answer that question immediately. I would need to take that on notice.

Answers:

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides mechanisms to prevent actions that could cause significant environmental impacts in the Coral Sea or impact significantly on certain species and communities within the area.

Under the Act a proposed action that would result in a significant impact on the environment in the Coral Sea, or that would have a significant impact on a listed threatened species or ecological community or listed migratory species in the area, must undergo assessment and be approved by the Minister. The Federal Court can grant an injunction to prevent a person proceeding with an action that would contravene these requirements.

In some circumstances the Minister may make an order under the EPBC Act (a conservation order) to protect a listed threatened species or ecological community in a Commonwealth area such as the Coral Sea. The order must reasonably be necessary and before deciding whether to make an order the Minister must have regard also to economic and social considerations.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	56
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Coral Sea Conservation Zone – meetings with Ms Zethoven		
Hansard Page ECA:	87 (20/10)		

Senator IAN MACDONALD asked:

Senator IAN MACDONALD—Perhaps I should ask the minister. Do you know—and it is really something you may have to pass on to Mr Garrett—how many meetings Mr Garrett had with Ms Imogen Zethoven regarding this conservation zone?

Senator Wong—I will take that on notice.

Answers:

The Minister for the Environment, Heritage and the Arts has met with Ms Imogen Zethoven once to discuss the Coral Sea Conservation Zone.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	57
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Coral Sea Conservation Zone – consultation		
Hansard Page ECA:	88 (20/10)		

Senator BOSWELL asked:

Senator BOSWELL—I am saying: who did he consult with? Did he just get up one morning and think, ‘That is a good idea’?

Mr Oxley—I cannot answer for the minister as to who he consulted with. All I can do is take that question on notice.

Answers:

The Minister has advised that it is not his usual practice to reveal who he consults in the course of exercising his responsibilities. However, the Minister indicated in response to a question from Senator Ian Macdonald that he had met Ms Imogen Zethoven in relation to this matter.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	58
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Coral Sea Conservation Zone – protected area		
Hansard Page ECA:	89 (20/10)		

Senator BOSWELL asked:

Senator BOSWELL—What percentage of the Coral Sea is protected at the moment?

Mr Oxley—I would have to take that question on notice. We have two Commonwealth marine reserves in the Coral Sea, at Coringa-Herald Islands and Lihou Reef. I am going to assume that parts of the Great Barrier Reef Marine Park would also be considered to be within the Coral Sea. In terms of percentages, I will take that on notice.

Answers:

Nineteen percent (373,566km²) of the Coral Sea within Australian waters (State & Commonwealth) is currently protected.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	59
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Marine Bioregions		
Hansard Page ECA:	Written Question on Notice		

Senator COLBECK asked:

1. Can the Department please give a status update on the 5 separate marine bioregions?
2. Have there been any changes to the timelines for these?
3. What is the cost, broken down by bioregion, in 2008-2009 (actual) and 2009-2010 (projected) for the bioregion planning?
4. Can the Department please give a breakdown of all organisations consulted in each of the bioregions?

Answers:

1. Update on the marine bioregional planning process in the four regions:
 - In the South-west marine region the non-statutory consultation on the Areas for Further Assessment was concluded at the end of September. A Draft Plan is scheduled for release in early 2010.
 - The North and North-west Areas for Further Assessment were released by the Minister on 21 September 2009. Stakeholder Forums, meetings and workshops were held in October. Draft Plans are scheduled for release in March-April 2010.
 - In the East marine region, the Bioregional Profile was released in May 2009. Areas for Further Assessment will be released in early 2010. The Draft Plan is scheduled for release in June 2010.
2. Following a request from stakeholders, the planning process in the East has been extended by 6 months.
3. Breakdown by bioregion of actual planning expenditure for 2008/09:
 - o South-west: 2,203,000
 - o North-west: 2,064,000
 - o North: 2,300,000
 - o East: 2,034,000Breakdown by bioregion of the projected planning costs for 2009/10
 - o South-west: 2,031,000
 - o North-west: 1,754,000
 - o North: 1,820,000
 - o East: 1,809,000
 - o South-east: 1,130,000

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

4. Breakdown of organisations (external to Commonwealth Government) consulted is included in the Tables below.

Organisations consulted in the South-west

State Government
<p><u>Western Australia:</u> Department of Fisheries Department of Environment & Conservation Department of Mines and Petroleum Department of Planning and Infrastructure Department of State Development WA Marine Parks and Reserves Authority</p> <p><u>South Australia:</u> Primary Industries and Resources South Australia Department of Transport, Energy and Infrastructure Department of Environment & Heritage</p>
Commercial fishing
<p>Austral Fisheries Australian Southern Bluefin Tuna Industry Association Commonwealth Fisheries Association Corvel Esperance Goldfields Recreational Fishing Advisory Council Fish Factory Geraldton Fisheries Great Australian Bight Industry Association Klinkkem Pty Ltd Marine Scalefish Fishing Association Mid West Wetline Northern Demersal Scalefish Fishery Northern Rock Lobster Fisheries Association Oceanwatch SA Rock Lobster Shark Bay Prawn Shark Bay Snapper Fisherman's Association South Coast Shark, Esperance Lobster South Coast trawl and abalone (Esperance) Southern Rock Lobster Industry Association Southseas Abalone Spot on Fishing WA Abalone Industry Association WA Fishing Industry Council West Coast Shark and Wetline West MAC Western Demersal Trawl Fishery Western Rock Lobster Council Western Rock Lobster Fishing Federation Windy Harbour Lobster, Deep Sea Crab, Southwestern Shark Fishery Wildcatch Fisheries SA</p>
Aquaculture
<p>Pearl Producers Association Western Australia Aquaculture Council</p>

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Recreational Fishing and Boating
Australian Fishing Tackle Association Australian Marine Industries Federation Boating Industry Association Charter Boat Industry Association Recfishwest SA Recreational Fishing Advisory Council
Conservation/ eNGO
Australian Conservation Foundation Conservation Council of South Australia Conservation Council of Western Australia PEW Charitable Trust The Nature Conservancy The Wilderness Society Whale and Dolphin Conservation Society World Wide Fund for Nature
Ports and shipping
Albany Port Authority Esperance Port Authority Flinders Ports Fremantle Port Authority Shipping Australia SA Western Australian Ports Authorities Association
Oil & Gas/ Mining
Australian Petroleum Production and Exploration Association
Science & Research
Murdoch University/ UWA/ Curtin Western Australian Museum CSIRO Greenward Consulting University of WA Geoscience Australia
Indigenous
Goldfields Land and Sea Aboriginal Council SA Native Title Services

Organisations consulted in the North-west

State Government (Western Australia)
Department of Fisheries (DoF) Department of Environment & Conservation (DEC) Department of Minerals & Petroleum (previously DoIR) Department of Transport (previously DPI) Department of State Development Marine Park Reserve Authority (MPRA) Environmental Protection Authority (EPA)
Commercial Fisherman
Commonwealth Fisheries Association Australian Tuna Boat Owners Association

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

WA Fishing Industry Council (WAFIC) Western Rock Lobster Council WA Abalone Industry Assoc. Aquaculture Council of Western Australia Australian Seafood Industry Council WA Finfish Farmers Association Kimberley Professional Fishers Association Kailis Group Corvel Austral Fisheries Blue Seas Pearling Company Western Tuna and Billfish Fishery MAC North Demersal Scalefish Fisherman Cygnet Bay Pearls Westuna Nickol Bay Professional Fishers' Assoc. Inc. Jamaclan Marine Mackerel, mid west wetline, Shark Bay snapper Mackerel Gascoyne Shark Bay snapper Shark Bay crab (Carnarvon) Pilbara mackerel Pilbara wetline Pilbara Trap/NDSF Pilbara Trawl & Exmouth Gulf Trawl Kimberley mackerel Northern Shark Coral Bay wetline SB Prawn, SB Scallop, Nickol Bay Onslow and Kimberley Prawn

Recreational Fisherman

RecFishwest Recreational Fishing Advisory Committee (RFAC) Boating Industry Australia (BIAWA) WA Gamefishing Association Diversity Charter Company North Sea Cruises Reel Teaser Charters Pearl Sea Cruises Kimberley Oceans True North Charters Odyssey Cruises
--

Conservation/ eNGO

Australian Marine Conservation Society WA PEW Environment Group WWF The Wilderness Society WA Conservation Council Environs Kimberley Australian Conservation Foundation The Nature Conservancy Whale and Dolphin Conservation Society Dampier Archipelago Preservation Association (DAPA)

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Roebuck Bay Working Group Broome Bird Observatory
Ports
Australian Marine Industries Federation Association of Australian Ports & Marine Authorities (AAPMA) WA Port Authorities: Broome/ Dampier/ Port Hedland
Tourism & Recreation
Australian Marine Industries Federation (AMIF) WA Tourism
Oil & Gas/ Mining
Australian Petroleum Production & Exploration Association Limited (APPEA) Chamber of Minerals & Energy (CMEWA) Woodside BHP Billiton Exxon Mobil Murex Pecten Consultancy
Science & Research
Australian Marine Science Association (AMSA) Murdoch University/ UWA/ Curtin Western Australian Museum CSIRO AIMS WA Marine Science Initiative (WAMSI) Geoscience Australia Kimberley Tafe (Aquaculture)
Indigenous
Yamatji Barna Baaba Marlpa Land and Sea Council Kimberley Land Council

Organisations consulted in the North region.

Queensland Government	<ul style="list-style-type: none"> • Queensland Department of Environment and Resource Management (DERM), Fisheries • DEEDI, • Treasury • Premier and Cabinet
Northern Territory Government	<ul style="list-style-type: none"> • NT Department of Natural Resources, Environment, the Arts and Science (NRETA) • NT Department of Primary Industries, Fisheries and Mines • Darwin Port Corporation • Department of Business, Economic and Regional Development • Department of the Chief Minister
Recreational Fishing	<ul style="list-style-type: none"> • Sunfish • Amateur Fishermen's Association of the NT (AFANT) • Recfish Australia
Commercial Fishing	<ul style="list-style-type: none"> • Commonwealth Fisheries Association (CFA) • Queensland Seafood Industry Association (QSIA) • Northern Territory Seafood Council (NTSC) • Gulf of Carpentaria Commercial Fishermen Association • Pearl Producers Association
Indigenous	<ul style="list-style-type: none"> • Northern Land Council

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

	<ul style="list-style-type: none">• Cape York Land Council• Tiwi Land Council• Anindilyakwa Land Council• North Australian Indigenous Land and Sea Management Alliance• Carpentaria Land Council Aboriginal Corporation
Industry	<ul style="list-style-type: none">• Australian Petroleum Producers and Exploration Association (APPEA)• NT Resources Council
Environment NGOs	<ul style="list-style-type: none">• Environment Centre of the NT• Australian Marine Conservation Society• Cairns and Far North Environmental Centre• WWF Australia
Research agencies	<ul style="list-style-type: none">• Reef and Rainforest Research Centre (RRRC)• Australian Institute of Marine Science (AIMS)• James Cook University• Charles Darwin University• University of Queensland• Museum and Art Gallery of the Northern Territory
Other	<ul style="list-style-type: none">• Western Cape Chamber of Commerce• GHD Cairns• Greenwood Consulting/University of Western Australia• Tourism NT• Northern Gulf Resource Management Group

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Organisations consulted in the East region.

State Government (New South Wales / Queensland)
<u>Queensland</u> Queensland Department of Environment and Resource Management (DERM) Department of Treasury Department Premier and Cabinet Maritime Safety Queensland Queensland EPA Department of Employment, Economic Development and Innovation Department of Transport Department of Tourism, Regional Development and Industry Department of Primary Industry and Fisheries <u>New South Wales</u> Department of Primary Industries Department of Industry and Investment Department of Environment and Climate Change NSW Maritime
Norfolk Island
Norfolk Island Administration Norfolk Island Government
Commercial Fishing
Commonwealth Fisheries Association Queensland Seafood Industry Association Seafood Industry Advisory Council of NSW Clarence River Fisherman's Coop Sydney Fish Market Cairns Marine Seafresh Seafoods LobMAC NSW Ocean Trap and Line MAC NSW Marine and Estuary Charter MAC NSW Numerous individual commercial fishing operators (Queensland and New South Wales)
Recreational Fishing
Recfish Australia Sunfish Queensland CapReef Advisory Council on Recreational Fishing (NSW)
Charter Fishing
Queensland Charter Vessels Association Calypso Fishing Adventures Incredible Charters Numerous individual charter vessel operators (Queensland and New South Wales)
Game Fishing
Game Fishing Association of Australia Queensland Game Fishing Association Cairns Professional Game Fishing Association
Conservation/ eNGO

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

PEW Charitable Trust World Wildlife Fund for Nature Australian Marine Conservation Society Australian Conservation Foundation Nature Conservation Council of NSW Humane Society International Cairns and Far Northern Environment Centre
Ports
Queensland Ports Association Marine Queensland
Tourism & Recreation
Association of Marine Park Tourism Operators Whale and Dolphin Watch Australia Gold Coast Whale Watching Association Seaworld Gold Coast Sydney Aquarium
Science & Research
CSIRO Australian Institute for Marine Science Southern Cross University University of Newcastle James Cook University Pepperell Research
Indigenous
Indigenous Advisory Committee Queensland South Native Title Services Cape York Land Council
Other
Australian Fishing Trade Association Australian Marine Science Association Great Barrier Reef Marine Park Authority Mitchell's Marine

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome: 1 **Question No:** 60
Program: 1.2
Division/Agency: Marine Division
Topic: Whaling – Whales killed by other countries
Hansard Page ECA: Written Question on Notice

Senator BIRMINGHAM asked:

1. How many whales does the Department understand to have been killed by Japan, Norway, Iceland and any other countries in each of the last five financial years?
2. What does the Department estimate to be the population of each species of hunted whale and how has this changed over the last twenty years?

Answers:

1. The total number of whales reported killed for each of the last five financial years, through commercial and so-called scientific whaling, Aboriginal Subsistence Whaling (ASW), or infractions, is:

Year	Total
2008/09	1940
2007/08	1946
2006/07	1854
2005/06	2316
2004/05	1691

The total number of whales killed in commercial and so-called 'scientific' whaling operations reported by International Whaling Commission (IWC) member countries in the last five financial years is distributed as follows:

Year	Japan	Iceland		Norway
	Scientific	Commercial	Scientific	Commercial
2008/09	1001	37	0	533
2007/08	912	6	39	597
2006/07	866	8	60	545
2005/06	1243	0	39	639
2004/05	755	0	25	544

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

The number of whales reported killed in ASW operations or reported as infractions in the last five financial years is distributed as follows:

Year	Denmark		St Vincent and the Grenadines		USA		Russia	Republic of Korea
	ASW	Infractions	ASW	Infractions	ASW	Infractions	ASW	Infractions
2008/09	168	2	2	0	50	1	132	14
2007/08	181	0	1	0	64	1	131	14
2006/07	194	4	1	0	39	1	134	2
2005/06	193	2	2	1	68	0	126	3
2004/05	203	1	0	0	43	0	112	8

2. The most recent agreed population estimates for those species hunted by IWC member states, as provided by the International Whaling Commission at: <http://www.iwcoffice.org/conservation/estimate.htm>, are provided below. A comparison of these population estimates with those of 20 years ago is not possible because there may not be agreed population estimates or there may not be any estimates at all for a particular species for that period. As the IWC states on its website:

“Because of the considerable scientific uncertainty over the numbers of whales of different species and in different geographical stocks, the International Whaling Commission decided in 1989 that it would be better not to give whale population figures except for those species/stocks which have been assessed in some detail”.

Region	Species	Stock	Population Estimate	Year
North Atlantic				
	minke	West Greenland	3,600-32,400	2005
	minke	Eastern Atlantic	No reliable assessment	
	minke	NorthEast Atlantic	} 125,000-245,000	2001
	minke	Central Atlantic		
	fin	West Greenland	1,400-7,200	2005
	fin	East Greenland- Iceland- Faroes	23,000-39,000	2001
	humpback	West Greenland feeding aggregation	} 10,100-13,200	1993
	humpback	taken by St Vincent and the Grenadines		
	bowhead	Eastern Canada/ West Greenland	3,119-12,906	2009
North Pacific				
	bowhead	Bering-Chuchki-Beaufort Seas	8,200-13,500	2001
	Bryde's	Western	~20,500	2002
	gray	Eastern	21,900-32,400	1998
	minke	NW Pacific and Okhotsk Sea	12,800-48,600	1990
	sei	Western	No reliable assessment	
	sperm		No reliable assessment	
Antarctic				
	minke	Either area A or B	No reliable assessment	
	fin	Area C	No reliable assessment	
	humpback	Southern Hemisphere (partial estimate)	34,000-52,000	1998

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	61
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Whaling- Research Programs		
Hansard Page ECA:	Written Question on Notice		

Senator BIRMINGHAM asked:

Please detail the status of the Government's research programs on whaling – what contracts have been let, for what amounts, to do what, over what timeframes, etc.

Answer:

The Government currently does not have research programs on whaling.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	62
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	IWC – Cost of attendance		
Hansard Page ECA:	Written Question on Notice		

Senator BIRMINGHAM asked:

Please outline the total costs for attendance and participation of the Australian delegation at the 2009 IWC – in addition to the Minister please detail the number of ministerial staff and departmental officials attending.

Answers:

The total cost of attendance of Australian Government departmental officials at the June 2009 annual meeting of the International Whaling Commission (IWC) was \$96,902.91.

Travel costs for the Minister and his advisers have not yet been tabled. All costs of official overseas travel by Ministers, Parliamentary Secretaries, accompanying spouses (where relevant) and accompanying staff employed under the *Members of Parliament (Staff) Act 1984* are met by the Department of Finance and Deregulation. As at 5 November 2009, expenditure for this overseas visit had not yet been reconciled. Dates, destinations, the purpose and costs of all official overseas travel are tabled in the Parliament every six months in a report titled *Parliamentarians' Travel Paid By The Department of Finance and Deregulation*. Reports detailing this visit will be available at <http://www.finance.gov.au/publications/>.

In addition to the Minister, six departmental officials attended the meeting and two Ministerial staff.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	63
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Whaling Envoy - Costs		
Hansard Page ECA:	Written Question on Notice		

Senator BIRMINGHAM asked:

Please summarise all costs related to the appointment of the Whaling Envoy, including:

1. Daily and total fees paid; days for which fees were paid; and extent of staff support costs.
2. Total costs of travel, itemised by trip and countries visited, inclusive of any accompanying officers.
3. Any other costs.

Answers:

1. Fees are paid to the Special Envoy for Whale Conservation (Special Envoy) at a rate of \$1,800 per day (excluding GST).

The total cost of fees paid for the Special Envoy's services up to 5 September 2009, including superannuation and GST, is \$117,495. An invoice for the period 6 September 2009 to 29 October 2009 has been received and is currently being processed, but has not yet been paid. A break down of this figure is presented in the table below.

As at 12 November the Special Envoy has been paid for 57.5 days of work since his contract began on 5 October 2008.

The contract with the Special Envoy does not cover staff support.

2. The total costs of travel, itemised by trip and countries visited, inclusive of any accompanying officers is presented in the table below. However, costs for the Special Envoy's travel in October 2009 have not yet been acquitted and may change.
3. Other costs include \$1,045.43 for administrative costs, \$290.91 for interpreting services while overseas and \$295.63 for domestic parking expenses. These figures are also incorporated in the table below.

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

As of 1 July 2009, costs incurred by the Government relating to the Special Envoy are being shared equally between DEWHA and DFAT. Prior to that, DFAT was allocated \$0.275 million in November 2008 for funding costs associated with the Special Envoy's activities in 2008-09.

Invoice	Trip	Country/s Visited	Envoy Travel (\$)	Accompanying officers (\$)	Envoy Fees (\$)	Other (\$)	TOTAL (\$)
DEWHA 1	5-12 Oct 2008	Japan, USA	20670.99	36549.73	17820		
	14-15 Oct 2008	Canberra	325.81				75366.53
DEWHA 2	14-15 Oct 2008	Canberra	73.73				
	21-23 Oct 2008	Canberra	1319.35				
	28-30 Oct 2008	Japan	7408.76	15099.73	9900		34486.38
	31-Oct-08	Canberra	684.81				
DEWHA 3	7-Nov-08	Canberra	162.72		5445		5683.73
	14-Nov-08	Sydney				26.99	
	25-Nov-08	Canberra	49.02				
DEWHA 4	9-10 Dec 2008	Melbourne	1012.26	1507.36			
	14-15 Jan 2009	New Zealand	3028.43	5810.74	5445		16803.79
DEWHA 5	13 Feb-3 Mar 2009	Africa/Europe/Japan	30657.54	66133.41	30690	290.91	127771.86
DFAT 1	31 Mar – 6 Apr 2009	USA	14530.81	31731.98	10082.25		56345.04
DFAT 2	6 May 2009	Sydney			3465	43.00	3508
DFAT 3	2 June 2009	Sydney			2475	58.00	2533
DFAT 4	30 June 2009	Sydney			3255.75	58.00	3313.75
DFAT 5	2 July 2009	Sydney				43.00	
	10 July 2009	Canberra	513.91				
	30-31 Jul 2009	New Zealand	2533.21	7755.71	6930		17775.83
DFAT 6	5 August 2009	Sydney				39.00	
	12 August 2009	Canberra	524.64				
	26 August 2009	Sydney				27.64	
	26 Aug – 4 Sep 2009	Germany, Iceland, USA, Mexico	28641.78	54551.53	19800		103584.59
DFAT 7	4-16 Oct 2009	Chile	11149.94		2187		13336.94
	Administrative Costs					1045.43	1045.43
		TOTALS	123583.34	219140.19	117495	1631.97	461554.87

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

Answers to questions on notice

Environment, Water, Heritage and the Arts portfolio

Supplementary Budget Estimates, October 2009

Outcome:	1	Question No:	64
Program:	1.2		
Division/Agency:	Marine Division		
Topic:	Phytophthora cinnamomi threat abatement plan		
Hansard Page ECA:	Written Question on Notice		

Senator SIEWERT asked:

1. It appears that the Phytophthora Dieback Threat Abatement Plan did not go out for public comment. Is this correct? If so, why?
2. If not, could you detail the consultation process?
3. How will the Department help facilitate and coordinate the implementation of this threat abatement Plan?

Answers:

1. The Threat abatement plan for disease in natural ecosystems caused by Phytophthora cinnamomi (2009) (the Plan) was prepared in accordance with the requirements of the *Environment Protection and Biodiversity Conservation (EPBC), Act 1999* including the requirement for the draft Plan to go through a public consultation period.
2. The Plan was available for public consultation from March to June 2007. As required under Section 275 of the Act notice of the draft Plan was published in the Commonwealth Gazette and a national daily newspaper (The Australian). Copies of the draft Plan were available on the Department's website and from the Department's Community Information Unit in hard copy. In addition, letters were sent to relevant state and territory ministers advising them of the consultation period and requesting their comments. An email was sent to stakeholders advising them of the public consultation period and requesting comment.

A total of eighteen submissions were received on the draft Plan. The submissions were reviewed by the Department with assistance from a technical advisory panel. Following revision based on comments received the draft Plan was submitted to the Threatened Species Scientific Committee, a committee of scientists convened under the EPBC Act 1999 to provide independent advice to the Minister.

3. As the 2009 Plan was disallowed by the Senate on 17 November 2009, the Department will not be implementing it at this stage.