

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment and Energy portfolio

Question No: 59
Hearing: Additional Estimates
Outcome: Outcome 1
Program: Environment Standards Division (ESD)
Topic: Cockatoo Surveys
Hansard Page: 97
Question Date: 27 February 2017
Question Type: Spoken

Senator Ludlam asked:

Senator LUDLAM: In that case, I will go to your obligations. Unless you can identify a public interest immunity ground for tabling that material now, I request that you table it now. The minister has said he might table it safely the other side of state election, but that is not relevant to your reason for being here. So on what public interest immunity ground are you refusing to make that material available to us now?

Mr Thompson: We will take that on notice. We have to take that on notice so that we understand our legal obligations and can come back with an argument.

Answer:

On 3 March 2017, the Minister for the Environment and Energy wrote to Senator Ludlam to respond to the allegations he had raised concerning breaches of the *Environment Protection and Biodiversity Conservation Act 1999* approval for the Roe Highway Extension project. A response was able to be provided only once Departmental compliance processes had been finalised. None of the allegations raised were substantiated as a breach of the EPBC Act approval.

Section 9 of the Department of the Environment and Energy's *Compliance and Enforcement Policy Environment Protection and Biodiversity Conservation Act 1999 (2013)* outlines that the Department does not provide information on compliance and enforcement activities when they are underway, as to do so may jeopardise these processes.

The response to Senator Ludlam was tabled in the Senate 21 March 2017.