

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

Answers to questions on notice
Environment and Energy portfolio

Question No: 109
Hearing: Budget Estimates
Outcome: Outcome 1
Program: Environment Standards Division (ESD)
Topic: Compliance and monitoring - Macquarie Harbour
Hansard Page: 106 and 107
Question Date: 22 May 2017
Question Type: Spoken

Senator Whish-Wilson asked:

Senator WHISH-WILSON: The EPA, as part of the Tasmanian government, recently announced a new biomass cap for Macquarie Harbour. Did you have any input into that new biomass cap, or any discussions with the EPA about that?

Ms Collins: I understand that the Tasmanian EPA has written to the three marine farming operators in the harbour proposing a new biomass cap. They are still consulting on that, and I believe they are due to make a decision by the end of the month.

Senator WHISH-WILSON: The reason I am asking is I want to know if you have had any input into that at all, as to whether your compliance monitoring or your following up of the allegations is going to be incorporated into the decision of the Tasmanian government. I would hope that they would respect your independent audit of the situation down there.

Ms Collins: The department's role in relation to marine farming activity in the harbour is as far as it could have a significant impact on any matters protected under the Act.

Senator WHISH-WILSON: Correct.

Ms Collins: In this case, this is the Maugean skate and the Tasmanian Wilderness World Heritage Area. The approval that is issued under the EPBC Act is that it was not a controlled action as long as it was undertaken in a particular manner. Our interest in ensuring compliance is that those particular manners have been implemented. As you say, that does involve monitoring activity. I am aware that the Tasmanian government has been taking into consideration the monitoring activity that is being conducted by the companies.

Senator WHISH-WILSON: Specifically, how many wardens, rangers or inspectors have been employed and given monitoring powers under the EPBC Act under the department's guidance? Have there been any? What kinds of resources are you putting into the monitoring?

Mr Cahill: We have legal delegations and certification that we issue to compliance officers. We can take on notice the number of staff that have been involved particularly with this compliance activity.

Senator WHISH-WILSON: Okay, if you could, take that on notice—and whether the project has been subject to any compliance audit, even a desktop review, previous to that or any other resources that you have— CHAIR: Senator Whish-Wilson, can I just get an idea from you of how many more questions you have?

Senator WHISH-WILSON: Two more very short questions. I think we are all out of—

CHAIR: That is fine, thank you.

Mr Cahill: We will take on notice the processes, with the qualification that we have not finalised the investigation yet.

Answer:

Three Departmental officers authorised under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) conducted routine compliance monitoring in Tasmania in February 2017, which included an inspection of marine farming operations in Macquarie Harbour.

Marine farming operations in Macquarie Harbour were also inspected by two Departmental officers in September 2013. The inspection determined that operations were being undertaken in a manner consistent with the EPBC Act decision.

The Department regularly engages with both the marine farming operators and the Tasmanian Government in relation to the operation of the EPBC Act decision.