

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

Question No: 96
Hearing: Supplementary Budget Estimates
Outcome: Outcome 1
Programme: Environment Assessment and Compliance Division
Topic: COMMONWEALTH ASSESSMENT POINT PERON
Hansard Page: 90
Question Date: 20 October 2014
Question Type: Spoken

Senator Ludlam asked:

Senator LUDLAM: Why was there not considered to be potential for impact on the marine environment that might have then impacted on that species? That is what I am trying to get us to.

Mr Knudson: Given that the decision that you are referring to would predate Dr Banks's time in this role, I think it is probably best that we take that on notice and come back to you with a more complete answer.

Senator LUDLAM: Thank you. I think you are well aware of what I am after. On what basis of evidence of any kind did you determine that that penguin would not be included in the assessment? That would be greatly appreciated.

Answer:

The Commonwealth marine area stretches from 3 to 200 nautical miles from the coast. At the referral decision stage, based on Departmental advice, the delegate determined that the potential impacts of the Mangles Bay proposal on the Commonwealth marine environment were not considered likely to be significant. This consideration of significance was consistent with the Departmental Significant Impact Guidelines (EPBC Act Policy 1.1).

The little penguin on the list of marine species declared under the EPBC Act. Impacts on species listed as marine are considered only within the Commonwealth marine area, which was not a relevant controlling provision for this project.