

LEGISLATIVE COUNCIL

Question On Notice

Wednesday, 6 April 2016

4067. Hon Robin Chappie to the Minister for Planning representing the Minister for Environment

I refer to question without notice No. 151, regarding marine turtles in the Ningaloo Coast World Heritage Area, asked on 25 February 2016, and I ask:

- (a) given that the nearest point of the development footprint (compacted footpath) is 15 metres to the vegetation line, and that the nearest structure is 23 metres to the vegetation line, can the Minister please clarify the reference points used in question without notice No. 151 when stating that this distance is 50 metres;
- (b) what is the distance from the nearest point of the development footprint/leased premises (whichever is shorter) to the highest tide mark;
- (c) what percentage of turtles in the Ningaloo Region nest landward of the highest tide mark;
- (d) what is the distance between the highest tide mark and the 50 metres boundary of allowable light impacts of the leased premises boundary;
- (e) given that the project's environmental performance conditions allows light to encroach over a significant amount of the turtle rookery contradicting Environmental Protection Authority (EPA) Environmental Assessment Guidelines No. 5, *Environmental Assessment Guideline for protecting Marine Turtles from Lighting Impacts*, can the Minister please explain why this project was not referred to the EPA;
- (f) were the Conservation Council informed of the use of the adjoining beach by protected marine turtles for nesting prior to their assessment;
- (g) were the Conservation Council informed of the distance of the development footprint to the vegetation line (15 metres) prior to their assessment of the Sal Salis extension;
- (h) has there been contact from the Commonwealth Department of Environment to the Western Australian Department of Parks and Wildlife regarding the *Environment Protection and Biodiversity Conservation Act 1999* assessment process of Sal Salis extension;
- (i) if yes to (h), when was this contact made;
- (j) has there been any correspondence from the Ningaloo Coast World Heritage Committee regarding an interest in environmental assessment or impacts of the Sal Salis expansion;
- (k) if yes to (j), when was this contact made; and
- (l) does the Ningaloo Coastal Strategy support an Eco lodge of this size at this site

Answer:

The Minister for Environment has provided the following response.

- (a)-(i) The Hon Robin Chappie asked a Question without Notice on Thursday, 25 February 2016 (Q151) regarding the environmental assessment and approvals process for the extension of Sal Salis eco-retreat in Cape Range National Park.

In part of the answer to that question, the Hon member was advised that the shortest distance between the development and the area used for marine turtle nesting (the vast

majority of turtles nest above the high water mark) was 50 metres, as depicted in the site plan, which was endorsed by the Conservation Commission of Western Australia.

Subsequent site inspections and review by officers of the Department of Parks and Wildlife have revealed that the northern most tent site, site 1, was not located in accordance with the site plan, and is situated approximately 25 metres from the nearest turtle nesting site. Additionally, path and access ramps to the tent are within 15 metres of the turtle nesting site.

Parks and Wildlife discussed the matter with the Commonwealth Department of the Environment and was advised on 14 April 2016 the Department considers that the expansion of Sal Salis has not resulted in a contravention of the *Environment Protection and Biodiversity Conservation Act 1999*.

Sal Salis has agreed to relocate tent site 1, approximately 200 metres south south east of its current location, well away from the turtle nesting area.

Additionally a review of the light spill from the tent sites, eco-lodge and pathways will be conducted with the view to obtain natural ambient light conditions beyond 50 metres from artificial light sources during the turtle breeding season of November to April.

- (j) Yes.
- (k) 3 February 2016. The Director for Parks and Visitor Services provided a written explanation to all members of the Ningaloo Coast World Heritage Area Advisory Committee on 8 April 2016 subsequent to meeting with the Chair.
- (l) The *Ningaloo Coast Regional Strategy – Carnarvon to Exmouth* states that the final location of any eco-lodge site within the national park will be determined in the Cape Range National Park management planning process. The Sal Salis eco-lodge at South Mandu is consistent with the *Cape Range National Park Management Plan No. 65 2010*.