

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

**Question No:** 40

**Hearing:** Supplementary Budget Estimates

**Outcome:** Outcome 5

**Programme:** Wildlife Heritage and Marine Division

**Topic:** EPBC Critical, Dangerous Listing for the River Murray

**Hansard Page:** 100

**Question Date:** 18 November 2013

**Question Type:** Spoken

**Senator Ruston asked:**

Senator RUSTON: Can I take you back to the start of this process: when was the concept or the idea that this particular listing should even be considered?

Mr Knudson: As I was mentioning earlier, unfortunately, I am not the person who is actually responsible for the listing decision. That sits within the group that I am acting in a position for. I do not have those details to hand, so we could take that on notice.

Senator RUSTON: Maybe I will put a few questions on notice in that respect: when was it first raised; who was the person who put it on the agenda in the first place; and what was the process of consultation that was undertaken and, in particular, who was consulted? Basically, I am trying to get an idea of what the time frame was, particularly between the decision that we were going to proceed with this listing and the five o'clock signing of this listing on the Monday afternoon of the afternoon that the parliament was prorogued. I would be very interested in whether there was any political involvement in the process of the decision making to get to that point.

Senator Birmingham: I am sure, Senator Ruston, officials will happily on notice be able provide a detailed breakdown. For general information, my understanding is that the initial application was made quite a number of years ago by the Humane Society International. There were a number of extensions and delays to the process as a result, in part, because of its overlapping with the development of the Basin Plan. There was a belief, I understand, that there could be some degree of confusion created if the two were running too much in tandem. Then, ultimately, the listing process hit a legislative deadline, where decisions had to be made in quite a tight time frame as a result of a number of those delays. But I am sure the department can do all of that sequencing for you and correct the record if I have got any of those general facts wrong.

**Answer:**

In 2007, a public nomination was received for the ecological community within the area of the Coorong and Lower Lakes (Lakes Alexandrina and Albert). After considering the nomination, the Threatened Species Scientific Committee revised the definition of the nominated ecological community to include all lakes, wetlands and floodplains of the River Murray from the junction with the Darling River to the sea.

In 2008, the then Minister for the Environment placed the ecological community on the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) Finalised Priority Assessment List (FPAL) as Lower Murray River and associated wetlands, floodplains and groundwater systems from the junction of the Darling River to the sea. Prior to the former Government's decision to list the community the name was further amended to: River Murray and associated wetlands, floodplains and groundwater systems, from the junction with the Darling River to the sea ecological community (River Murray–Darling to Sea).

Public consultation on the River Murray–Darling to Sea assessment was undertaken in accordance with the requirements of the EPBC Act, including a 30 business day consultation period between March and May 2013. Since being placed on the FPAL in 2008, targeted consultation on the potential listing was undertaken with experts and other stakeholders, including state governments, all local governments and regional natural resource management groups within the region, research bodies and Indigenous representatives. The South Australian Farmers Federation was informed and an article published in their newsletter.

More than 60 experts and land managers participated in two workshops on the proposed listing. Reports from each of the two workshops, including workshop attendees, were published on the Threatened Species Scientific Committee's webpage at <http://www.environment.gov.au/biodiversity/threatened/committee.html>.

Five formal submissions were received during the public consultation period, together with input from national, state and local experts throughout the assessment.

An ecological community included in the FPAL is given a timeframe that specifies when the Threatened Species Scientific Committee must provide advice to the Minister on whether it meets the criteria for inclusion in the list of threatened ecological communities.

The advice from the Committee on the assessment of the River Murray-Darling to Sea ecological community listing was originally due by 30 September 2011. The period of assessment was extended twice, to 30 September 2012 and then to 30 June 2013, to accommodate alignment with Murray Darling Basin Plan processes.

Once the Minister for the Environment receives listing advice from the Committee, he or she has 90 days within which to make a decision about whether to list the ecological community as threatened. The Committee provided its advice on 30 June 2013 and the former Minister's decision was made on 5 August 2013.