

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

Answers to questions on notice
Environment and Energy portfolio

Question No: 138
Hearing: Additional Estimates
Outcome: Outcome 4
Program: Environment Standards Division (ESD)
Topic: Gippsland Lakes
Hansard Page: -
Question Date: 14 March 2017
Question Type: Written

Senator Rice asked:

I understand that the Victorian EDO and the Victorian Auditor General's office have raised serious concerns about the declining ecological character of the Gippsland Lakes, while the Federal government has been reporting "no change" to the Ramsar Convention Secretariat since the 1980s. Is there any provision under the EPBC for a "particular manner" decision like this one (in 2011) to be revisited if the ecological impacts of the action turn out to be more severe than expected?

Answer:

A formal assessment of a potential change in the ecological character of the Gippsland Lakes Ramsar site was undertaken in 2012 by the Department, in consultation with the Victorian Department of Environment, Land, Water and Planning (DELWP). That assessment concluded there was no change in ecological character and therefore there was no requirement to report a change in ecological character to the Ramsar Secretariat. In January 2017 DELWP informed the Department of potential change in the ecological character of the Gippsland Lakes Ramsar site. The Department will work with DELWP to assess whether there is any new evidence of a change in the ecological character in accordance with the [National Guidance on Notifying Change in Ecological Charter of Australian Ramsar Wetlands](#).

Decisions made under section 75 and 'particular manner decisions' under s.77A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) may be reconsidered in the circumstances set out in section 78 of the Act. The Department has published a policy statement describing the process and grounds for the reconsideration of referred decisions made under the EPBC Act. The policy statement is available at: <http://www.environment.gov.au/resource/epbc-act-policy-statement-reconsideration-implementing-requirements-sections-78-78a-78b-and>