

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

Question No: 139
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 in June 2013 the GEG contacted the former Minister for Environment seeking a reconsideration of that decision, claiming the action was having a significant impact on the ecological character of a Ramsar wetland, but that that the Department could not consider the request as valid. Why is that?

Answer:

A reconsideration request for the referral decision on the Gippsland Lakes Ocean Access Project, Victoria (EPBC 2011/5932) was submitted by the Environmental Defender's Office on behalf of the Gippsland Environmental Group in 2013. The basis of the reconsideration request was the potential impacts on the hydrology of the Gippsland Lakes as a result of dredge maintenance depths.

Referral decisions, made under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), are open to being reconsidered in limited circumstances, including if the request contains information that establishes that the action is not being, or will not be, taken in the manner identified in the original decision. The reconsideration request was not considered to be valid as the information provided did not demonstrate that the action had not been or would not be taken in the manner identified.