

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

Answers to questions on notice
Environment and Energy portfolio

Question No: 60
Hearing: Additional Estimates
Outcome: Outcome 1
Program: Environment Standards Division (ESD)
Topic: Tarkine Tracks
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Question Type: Spoken

Senator Whish-Wilson asked:

Senator WHISH-WILSON: Yes, follow-up questions to you, Mr Barker. With the Tarkine tracks, you mentioned that since October the Tasmanian government are free to open those tracks again. But then you said they have not provided a third referral. I just wanted to check: do they need to provide a third referral to the federal government before they open those tracks or can they open those tracks without a referral?

Mr Barker: My recollection of the Tasmanian government's media release, essentially, from October was that they were committed to providing access to the area. Exactly where they will put the tracks is obviously a matter that we will be expecting the Tasmanian government may be consulting on. The Tasmanian government have not yet made a formal referral under the EPBC Act.

Senator WHISH-WILSON: They do not need to do that to reopen the tracks?

Mr Barker: It depends on the character of the activity that they are proposing to undertake. We are not privy to exactly how they might be shaping that up at this point in time.

Senator WHISH-WILSON: If you have any advice you could table, if you could do so? Or if you could take on notice what they have to look at in that respect, that would be greatly appreciated.

Answer:

A person who proposes to take an action that is likely to have a significant impact on a matter of national environmental significance must refer that action to the Minister for a decision on whether assessment and approval is required under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Matters of national environmental significance relevant to the proposed Tarkine 4WD tracks may include matters such as:

- national heritage places (in particular, the Western Tasmania Aboriginal Cultural Landscape national heritage place);
- listed threatened species and ecological communities;
- listed migratory species.

The Department has published guidelines on its website (EPBC Act Policy Statement 1.1, Significant Impact Guidelines) to assist any person who proposes to take an action to decide whether or not they should submit a referral under the EPBC Act.