

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

**Question No:** 55  
**Hearing:** Additional Estimates  
**Outcome:** Outcome 5  
**Programme:** 5.2  
**Topic:** Maules Creek EPBC compliance  
**Hansard Page:** N/A  
**Question Date:** 7 March 2014  
**Question Type:** Written

**Senator Waters asked:**

1. In the ordinary course of events, would a company that supplied false or misleading information to the Department in order to obtain an EPBC approval be entitled to retain that approval?
2. Has the Department considered what kind of signal it would send to proponents if a company was allowed to keep its approval gained on the basis of false information?

**Answer:**

1. The *Environment Protection and Biodiversity Conservation Act 1999* contains a number of responses in the circumstances where a company was found, to a satisfactory evidentiary standard, to have supplied false and misleading information in order to obtain an approval.

The Minister may revoke an approval if it satisfied that the information available at the time of the approval was the subject of negligence, or a deliberate act or omission on the part of the person proposing to take the action.

2. The Department would take very seriously any case where false and misleading information was found to have been provided as part of an approval process and would respond in accordance with its compliance and enforcement policies.