



The Hon Tony Burke MP

Minister for Sustainability, Environment, Water, Population and Communities

The Hon. John Murphy MP
Parliament House
CANBERA ACT 2600



C12/1880

10 APR 2012

Dear Mr Murphy

I refer to your letter of 8 February 2012 concerning the petition on the protection of the Grassy Woodland CSIRO site in Highett Victoria.

As you may be aware, the Australian Government only has a role in regulating proposals that impact on matters protected by the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This includes matters of national environmental significance, actions involving the Commonwealth and actions taken on, or impacting on, Commonwealth land. Matters of national environmental significance include World and National Heritage places, wetlands of international importance, nationally listed species and ecological communities, listed migratory species, nuclear actions, the Great Barrier Reef Marine Park and Commonwealth marine areas.

Under the EPBC Act, any person proposing to take an action that is likely to have a significant impact on a matter of national environmental significance must refer their proposal for environmental assessment and approval before it can proceed. This occurs via submission of a formal referral of the proposed action to me or my delegates for consideration. This is in addition to the normal assessment and approval processes administered by state and local governments.

The department of Sustainability, Environment, Water, Population and Communities (the department) is aware of the proposed sale of the Highett CSIRO site and has initiated discussions with the CSIRO with regard to their obligations under the EPBC Act. In this case, the proposed action falls within Division 2 of Part 3 of the EPBC Act relating to protection of the environment from proposals involving the Commonwealth. Further discussions between the CSIRO and the department will determine the need or otherwise for a referral. The department will ensure that all requirements under the EPBC Act in relation to the proposed sale of the Highett property are appropriately addressed.

Thank you for writing on this matter.

Yours sincerely

Tony Burke