

810/1273  
811/1274



**Senator the Hon Simon Birmingham**

**Parliamentary Secretary to the Minister for the Environment**

MC13-000438

Chair  
House of Representatives Standing Committee on Petitions  
Parliament House  
CANBERRA ACT 2600

17 OCT 2013

Dear Chair

Thank you for your letter of 24 June 2013 (reference numbers 810/1273 and 811/1274) to the former Minister for Sustainability, Environment, Water, Population and Communities, the Hon Tony Burke MP, inviting a response to two petitions submitted to the Standing Committee on Petitions concerning the Macquarie River Pipeline, Orange, New South Wales. As I am Parliamentary Secretary to the Minister for the Environment, your letter has been passed to me for reply.

This activity (the construction of a pipeline from the Macquarie River to the City of Orange) was referred to the Minister for the Environment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 25 November 2011 (EPBC 2011/6202), for consideration of whether or not it was likely to have a significant impact on matters protected under national environmental law. On 22 December 2011, the Minister's delegate decided that the action was a controlled action under Part 3 of the EPBC Act and would need to be assessed before it could proceed.

Since then, an assessment process has taken place that has included an analysis of the likely impacts of the project on matters protected under the EPBC Act. The assessment paid particular attention to potential impacts on EPBC Act listed threatened species, ecological communities, listed migratory species and the Macquarie Marshes Ramsar site. The approval decision for this project was made by the Minister's delegate on 19 August 2013.

With respect to the petitioners' concerns about the impacts of the action on endangered species and ecological communities, I am satisfied the impacts have been assessed and be found to be acceptable insofar as they affect matters protected under the EPBC Act. Further information on the proposal is available on the Department of Environment's EPBC website at:

[http://www.environment.gov.au/cgi-bin/epbc/epbc\\_ap.pl?limit=999999&name=current\\_referrals&text\\_search=2011%2F6202](http://www.environment.gov.au/cgi-bin/epbc/epbc_ap.pl?limit=999999&name=current_referrals&text_search=2011%2F6202)

Thank you for bringing the petitions to my attention.

Yours sincerely

Simon Birmingham