

LAKE JASPER, REFERRAL OF MINING PROPOSAL TO FEDERAL MINISTER

97. Hon Jim Scott to the Minister for Housing representing the Minister for the Environment and Heritage

Further to Question on Notice 46 submitted on May 30 2001 and answered on June 19 2001 where the Minister stated that under the *Environmental Protection and Biodiversity Conservation Act 1999* it is the proponent's responsibility to refer a proposal to the Commonwealth Minister for the Environment. I refer the Minister to section 69 (1) of the *Environmental Protection and Biodiversity Conservation Act 1999* which states 'A State, self governing Territory or agency of a State or self governing Territory that is aware of a proposal by a person to take an action may refer the proposal to the Minister for a decision whether or not the action is a controlled action, if the State, territory or agency has administrative responsibilities relating to the action' -

- (1) As section 69 (1) appears to allow a State Minister for the Environment to refer a proposal to the Federal Minister for the Environment, is the Minister still of the opinion that the Minister cannot refer the proposal to mine next to Lake Jasper to the Federal Minister for the Environment under this Act?
- (2) If yes, why?

Hon TOM STEPHENS replied:

- (1) In the response to the Hon Member's question on the 30th May 2001 there was no reference made to the Minister being unable to refer a proposal to the Commonwealth Minister. Rather, the point was made that it is the proponent's responsibility to refer the proposal to the Commonwealth Minister for the Environment. Accordingly, the Minister is not of the opinion that she cannot refer a proposal to the Commonwealth Minister for the Environment.
- (2) I can further advise that the proposal to mine near Lake Jasper has been referred to the Western Australian EPA and is to be assessed at the level of Environmental Review and Management Programme. I understand that the proponent intends to refer this proposal to the Commonwealth Minister in the near future.