



APPROVAL DECISION FOR THE TAKING OF ACTIONS IN ACCORDANCE WITH AN ENDORSED PROGRAM UNDER THE ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999 (EPBC ACT)

MIDLANDS WATER SCHEME, TASMANIA – LOWER SOUTH ESK IRRIGATION SCHEME

General	Further explanatory information related to this approval decision is at Annexure 1.
Approved action/class of actions	All actions associated with the taking of water from the South Esk River by the Water Entity and construction of the Lower South Esk River Irrigation Scheme (excluding the Winton Dam supply option) as described in the report <i>Strategic Assessment for the Water Access Program, Midlands Water Scheme, Tasmania - Program Report</i> (DPIPWE, February 2011).
Relevant controlling provisions	The approval has effect for: <ul style="list-style-type: none">• World Heritage properties (sections 12 & 15A)• National Heritage places (sections 15B & 15C)• Wetlands of international importance (sections 16 & 17B)• Listed threatened species and communities (sections 18 & 18A)• Listed migratory species (sections 20 & 20A)
Period for which approval has effect	The approval has effect until 31 December 2111

Person authorised to make decision

Name and Position The Hon Tony Burke MP
Minister for Sustainability, Environment, Water,
Population and Communities

Signature

Date of decision

31.5.11

Explanatory information

This approval decision is made under section 146B of the EPBC Act which provides for the Minister for the Environment (the Minister) to approve actions, or classes of actions, undertaken in accordance with an endorsed policy, plan or program. An approval under section 146B of the EPBC Act has the same effect as an approval given under Part 9 of the EPBC Act; therefore actions approved under this decision will not require separate referral, assessment or approval under the EPBC Act in order to be taken.

On 11 April 2011 the Minister endorsed the Tasmanian Government program for implementation of the Midlands Water Scheme as described in the report *Strategic Assessment for the Water Access Program, Midlands Water Scheme, Tasmania - Program Report*, (Department of Primary Industries, Parks, Water and Environment (DPIPWE) February 2011).

The endorsed program includes component irrigation schemes that can be implemented separately. The endorsed program commits to the preparation of construction environmental management plans for each component. Construction plans must be approved by the Minister, before construction can commence.

This approval only applies to the classes of actions associated with construction and operation (abstraction of water) of the Lower South Esk Irrigation Scheme and does not include any actions associated with the Winton Dam sub-option or Arthurs Lake Irrigation Scheme.

In this approval, Water Entity means the Tasmanian Irrigation Development Board, or successor water entities. Water entities and their roles and responsibilities are outlined in the report *Strategic Assessment for the Water Access Program, Midlands Water Scheme, Tasmania - Program Report*, (DPIPWE, February 2011) and prescribed under the *Tasmanian Water Management Act 1999*.