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FORESHORES - BOAT RAMP



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Mr Steve Kozlowski
 Chief Executive Officer
 East Gippsland Shire Council
 PO Box 1618
 BAIRNSDALE VIC 3875

Dear Mr Kozlowski

**East Gippsland Shire Council/Tourism, recreation and conservation
 management/Mallacoota/VIC/Construction of ocean access boat ramp at Bastion Point
 (EPBC Reference: 2004/1407)**

The above action was referred by Mr Brian Martin on behalf of the East Gippsland Shire Council, and received on 4 March 2004, for decision whether or not approval is needed under Chapter 4 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The referral documentation nominated the East Gippsland Shire Council as the person proposing to undertake the action.

The referral has now been considered under the EPBC Act and I have decided that the action is not a controlled action. Approval is therefore not needed under Part 9 of the Act before the action can proceed.

Please note that this decision only relates to the potential for significant impact on the specific matters of *national* environmental significance protected by the Australian Government under the EPBC Act. There may be a need for separate State or Local Government environmental assessment and approval to address potential impacts on State, regional or local environmental values.

A copy of the document recording my decision is attached for your information. I have written separately to Mr Brian Martin to advise of my decision.

Yours sincerely

Mark Flanigan
 Assistant Secretary
 Policy and Compliance Branch

26 March 2004



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COMMONWEALTH OF AUSTRALIA

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

DECISION THAT ACTION IS NOT A CONTROLLED ACTION

Pursuant to section 75 of the *Environment Protection and Biodiversity Conservation Act 1999*, I, MARK FLANIGAN, Assistant Secretary, Policy and Compliance Branch, Department of the Environment and Heritage, decide that the proposed action, set out in the Schedule, is not a controlled action.

SCHEDULE

The proposed action by the East Gippsland Shire Council to construct a new ocean access boat ramp, at Bastion Point, Mallacoota, VIC, and as described in the referral received under the Act on 4 March 2004 (EPBC 2004/1407).

Dated this, 26 day of March 2004


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**ASSISTANT SECRETARY
POLICY AND COMPLIANCE BRANCH
DEPARTMENT OF THE ENVIRONMENT AND HERITAGE**