



Two recent decisions made by the Minister for the Environment, Heritage and the Arts under the EPBC Act that further the protection of the environment:

- ? Wongaling Beach (Mission Beach) subdivision into 40 residential lots was withdrawn due to the Minister for the Environment, Heritage and the Arts, **recent decision that this referred action is clearly unacceptable.** [Decision details ...](#)
- ? The Minister has decided to amend the Live Import List to **prohibit the Savannah Cat hybrid** from importation into Australia due to the risks posed to the Australian environment. [Full report available on the EPBC site...](#)

Regular information includes:

1. Commonwealth Government's Green Paper - due 10th September
2. Inquiry into the operation of the EPBC Act - due 5th September
3. Invitation on public comment on a referral
4. Previous Ecological Communities Plans and Notifications.

All of the information below is drawn directly from the Commonwealth Government's website (www.environment.gov.au/epbc/index.html) and is provided for information and summary purposes only; EDO-NQ does not warrant or guarantee its accuracy or correctness. In addition, EDO-NQ does not support the various proposals which are the subject of the EPBC Act referrals below.

1. Invitation to comment - Carbon Pollution Reduction Scheme – Green Paper

Submissions and comments are being sought on the design of the Carbon Pollution Reduction Scheme on the Commonwealth Government's Green Paper in response to the Garnaut Climate Change review. Submissions are due **10th September**.

For further information and details of where to forward your written submission refer to the [Department of Climate Change website](#).

2. Inquiry into the operation of the Environment Protection and Biodiversity Conservation Act 1999

Thanks to Senator Siewert, the terms of reference for an inquiry into the operation of the EPBC are now up on the Australian Government website. Submissions are due **5th September**.

For further information and details of where to forward your written submission refer to http://www.aph.gov.au/Senate/committee/eca_ctte/epbc_act/tor.htm

3. Invitation on public comment on referral

2008/4365	Metricon Old Pty Ltd/Residential development/Cnr Coquette Point Rd & River Rd, Innisfail/QLD/179 lot Residential development and construction of artificial lake	Invitation for Public Comment on Referral	Deadline 14 Aug 2008
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The proposed development is a lake-based residential development of 179 residential lots which will all have direct lake frontage. The proposed artificial lake is proposed to be navigable and to incorporate a marina. The lake is proposed to be connected to Ninds Creek via a lock. Potential affect on environments such as listed threatened species and ecological communities, listed migratory species and water flows and said to not have detrimental effects.

2008/4366	Waratah Coal/Mining/Mine in Galilee Basin; Port south of Port Clinton; pipeline to Lake Dalrymple/QLD/Galilee Coal Project including development of coal mine, 495km railway, port and 285km pipeline	Invitation for Public Comment on Referral	Deadline 14 Aug 2008
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Waratah Coal Inc intends to establish a new coal mine, railway and port to export high volatile, low sulphur, steaming coal to international markets. The coal will be sourced from Waratah Coal's mining tenements near Alpha, west of Emerald, in the Galilee Basin, Central Queensland. The project also includes the possible establishment of a water supply pipeline between the coal mine and Lake Dalrymple, and the provision of a high voltage electricity transmission line between the closest high voltage distributor and the port.

Affected environments include: World Heritage properties; National Heritage places; Ramsar wetlands; Listed threatened species or communities and/or known habitat for these species or communities; Listed migratory species and/or known habitat for these species; Commonwealth Heritage Places and Places on the Register of the National Estate or other environmental features (eg conservation reserves/parks and areas of remnant native vegetation).

For further information on how to comment refer to the [Help](#) document provided by the Department of the Environment and Water Resources.

4. Decision on Previous Referral

2008/4257	Wilmatt Holdings Pty Ltd/Residential development/Lot 66 on SP164474, Rockingham Close, Wongaling Beach (Mission Beach)/QLD/Subdivide 1 Lot into 40 lots	Proposal Withdrawn	30 Jul 2008
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Due to the Minister's recent decision that this referred action is clearly unacceptable the parties involved have withdrawn the referral.

In the Minister's speech to the Queensland Media Club, he drew attention to the factors considered when making the decision. One of these factors was that the location was considered 'essential habitat' of the endangered cassowary and provided 'an important cassowary movement corridor between the habitat of the Wet Tropics of Queensland World Heritage Area and the coast.' The Minister concluded that 'even strict conditions wouldn't be enough to protect this vital corridor.'

This was only the second time a proposal has been rejected outright under the EPBC Act, and is therefore a significant decision. Under the Minister's reasoning, it may be that for future development proposals, where the 'potential impacts on matters of environmental significance [cannot] be offset or minimised in some way,' the project will be dismissed. The Minister also expressed a strong commitment to upholding and applying the principles laid down in the Act.

5. Species and Ecological Communities Plans and Notifications

Previous notices:

Threat Abatement Plan – The impacts of marine debris on vertebrate marine life – comment by Thursday, 14th August 2008

[Further details and background paper](#)

Comment on Nomination – Damage to marine ecosystems by trawling in the area of the Southern and Eastern Scalefish and Shark Fishery – comment by Tuesday 30th September
Key factors that contribute to the process of overfishing are discussed in [two documents](#) and are available for review.

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Regards,

EDO-NQ

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