

FEDERAL - EPBC Act

1. Referrals open for Public Comment
The Lower Fitzroy River Infrastructure Project located in the Fitzroy Basin
– comments due Friday 13th November
7 km sugar cane tramway from Hamlin Road to Bilyana Road at Bilyana, north of Cardwell covering 9.25 hectares – comments due Wednesday 18th November
Cape Tribulation development of accommodation cabins and associated facilities near Rykers Road – comments due Wednesday 18th November
2. Decisions and Preliminary Documentation on referrals
Tully-Mission Beach Rd, Wongaling Beach, six allotment subdivision and associated infrastructure – approval required
Wandoan Coal Project Coal Seam Methane Water Supply West – proposal withdrawn
Stanwell Energy Park construction and operation of a coal gasification plant and carbon dioxide capture and storage – proposal withdrawn
3. Wildlife trade and conservation invitations for comment
The Convention on International Trade in Endangered Species, 15th Conference of the Parties – public comments due Friday 8th January 2010
4. Nominations to the Threatened Species Scientific Committee
Centrophorus moluccensis (Endeavour Dogfish)
- comment on conservation status due Tuesday 17th November
Centrophorus harrissoni (Harrisson's Dogfish)
- comment on conservation status due Tuesday 17th November

Reminders

1. Wildlife Imports
Environment assessment report for the live import of the pea aphid *Acyrtosiphon pisum*
– comments due Wednesday 18th October
2. Threatened Status review - comments due Friday 27th November
3. Draft Recovery Plans – comments due 4th January 2010

STATE

Notices:

Kevin's Corner, coal mine near Alpha
– draft TOR open for comment to Monday 30th November 2009
Great Keppel Island Resort Project – Minister for the Environment,
Peter Garrett announced project would have unacceptable impacts.

Projects open for submissions:

Fisherman's Landing Port Expansion – submissions on the EIS by Monday 9th November

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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, the inclusion of this information in this newsletter should not be taken to indicate that EDO-NQ supports or has otherwise taken a position about the proposals which are the subject of review.

1. Referrals open for Public Comment

Reference No.	Title of referral	Invitation	Date of Notice	Deadline Date
2009/5173	Gladstone Area Water Board & SunWater Limited/Water management and use/Lower Fitzroy-Mackenzie Catchment/QLD/The Lower Fitzroy River Infrastructure Project	Invitation for Public Comment on Referral	29 Oct 2009	13 Nov 2009

Located in the Fitzroy Basin incorporating over 380 km of river landscape. The project comprises the raising of Eden Bann Weir and /or construction of a new weir near Rockwood Crossing and is likely to be a controlled action. Matters likely to be impacted are Great Barrier Reef World Heritage Areas, listed threatened species of potentially 49 species and listed threatened ecological communities and a further 42 species of listed migratory species.

2009/5177	Tully Sugar Limited/Transport - land/Hamlin Road to Bilyana Road, Bilyana/QLD/7km Sugar Cane Tramway	Invitation for Public Comment on Referral	04 Nov 2009	18 Nov 2009
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Proposal to construct 7 km sugar cane tramway from Hamlin Road to Bilyana Road at Bilyana, north of Cardwell covering 9.25 hectares. Impacts may affect 15 listed threatened species including the Southern Cassowary and the Mahogany Glider. Listed migratory species are also likely to occur within the project area.

The referral concludes that it would not be a controlled action as they felt it is not likely to have a significant impact on matters of national environmental concern.

2009/5176	Amsal Pty Ltd/Tourism and recreation/Rykers Road, Cape Tribulation/QLD/Development of Accommodation Cabins and Associated Facilities on Lot 9 on RP727756	Invitation for Public Comment on Referral	04 Nov 2009	18 Nov 2009
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Development of existing cleared areas on land described as Lot 9 on RP727756 (Rykers Road, Cape Tribulation) for the purposes of 11 raised accommodation cabins, Manager's Residence and ancillary uses including reception, common laundry, water storage infrastructure, generator shed and wastewater treatment facilities. The site is adjacent to the Wet Tropics World Heritage Area and contains a number of ecological communities of significance.

The referral concludes that it would not be a controlled action as they felt it is not likely to have a significant impact on matters of national environmental concern.

2. Decisions and Preliminary Documentation on referrals

2009/5109	Peter Lloyd Heywood/Residential development/Lot 4, RP747499, Tully-Mission Beach Rd, Wongaling Beach/QLD/Six allotment subdivision and associated infrastructure	Decision whether action needs approval/Approval Required	28 Oct 2009
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The project is a controlled action as it is likely to have a significant impact on World Heritage properties, places of National Heritage and Listed threatened species and communities. Assessment and approval under the EPBC Act will be required.

2008/4283	Xstrata Coal Queensland, ICRA Wandoan & Sumisho Coal Australia/Mining/Wandoan/QLD/Wandoan Coal Project Coal Seam Methane Water Supply West	Proposal Withdrawn	29 Oct 2009
2006/3040	ZeroGen Pty Ltd/Energy generation and supply/Stanwell Energy Park/QLD/Construct and operate a coal gasification plant and carbon dioxide capture and storage	Proposal Withdrawn	30 Oct 2009

3. Wildlife trade and conservation invitations for comment

CITES - 15th Conference of the Parties (CoP 15)

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement between governments. Its aim is to ensure that the international trade in animals and plants does not threaten their survival. Australia is one of 175 current signatories to CITES.

Comments are invited from interested individuals and organisations on Conference of Parties (CoP 15) proposals and agenda items. Comments must be received by **Friday 8th January 2010** and be clearly referenced to the specified agenda items.

4. Nominations to the Threatened Species Scientific Committee

[Centrophorus moluccensis \(Endeavour Dogfish\) - comment on conservation status](#) *and*
[Centrophorus harrissoni \(Harrisson's Dogfish\) - comment on conservation status](#)

EPBC Act nomination to list as a threatened species. Members of the public are invited to comment on this nomination to further inform the committee in its nomination assessment process. Public comment period closes on **17th November 2009**.

Reminders

1. Wildlife Import

[Environment assessment report for the live import of the pea aphid *Acyrtosiphon pisum*](#)

CSIRO Entomology has prepared a draft environment assessment report under the *Environment Protection and Biodiversity Conservation Act 1999* to include *A. pisum* (pea aphid) on the live import list for research purposes, as part of an international pea aphid genome project. Invitation for public comment closes **Wednesday, 18th November 2009**.

2. Threatened species status review

The Threatened Species Scientific Committee is reviewing the status of a number of species. Listed below are the species found in Queensland currently undergoing status review. For further information view the [Biodiversity Threatened species](#) page (scroll down) of the website. Comments due by **Friday, 27th November**.

Species Name	Nominated Category	State	Comment period closes
<i>Acacia chinchillensis</i>	De-list	Queensland	27 November 2009
<i>Calamus warburgii</i>	De-list	Queensland	27 November 2009
Callistemon sp. Boulia (L.Pedley 5297) = <i>Callistemon viminalis</i>	De-list	Queensland	27 November 2009
<i>Callistemon viminalis</i>	De-list	Queensland	27 November 2009
<i>Digitaria porrecta</i>	Downgrade to Vulnerable	New South Wales, Queensland	27 November 2009
<i>Diuris sheaffiana</i> - <i>Diuris tricolour</i>	De-list	Qld, NSW, Vic	27 November 2009
<i>Diuris tricolour</i>	De-list	Qld, NSW, Vic	27 November 2009
<i>Hicksbeachia pinnatifolia</i>	De-list	New South Wales, Queensland	27 November 2009
<i>Leucopogon cuspidatus</i>	De-list	Queensland	27 November 2009
<i>Pultenaea stuartiana</i> - <i>Pultenaea foliolosa</i>	De-list	New South Wales, Queensland	27 November 2009
<i>Pultenaea foliolosa</i>	De-list	New South Wales, Queensland	27 November 2009
<i>Ristantia gouldii</i>	De-list	Queensland	27 November 2009
<i>Tinospora tinosporoides</i>	De-list	New South Wales, Queensland	27 November 2009
<i>Xanthostemon youngie</i>	De-list	Queensland	27 November 2009

3. Draft national recovery plans open for public comment

There are a number of recovery plans that are open for comment until **4th January 2010**. Click on the link below to view the full details on the DEWHA website.

Draft recovery plans that apply to the Northern Queensland area:

1. [Draft national recovery plan for the northern bettong *Bettongia tropica*](#)

Currently occur in three locations: Mt Carbine Tableland, Lamb Range and Coane Range (Paluma) and listed as endangered.

2. Draft national recovery plan for the Proserpine rock-wallaby *Petrogale persephone*
Listed as endangered the Proserpine rock-wallaby essential habitat is found around Proserpine.
3. Draft national recovery plan for the spectacled flying fox *Pteropus conspicillatus*
Listed as vulnerable the spectacled flying fox occurs in north-eastern Queensland, with the largest population known from the Wet Tropics of Queensland World Heritage Area between Townsville and Cooktown.
4. Draft national recovery plan for the buff-breasted button-quail *Turnix olivii*
Critical habitat can be broadly defined as stoney or grassy woodlands and forests on plains and slopes found throughout inland Queensland. Due to lack of detailed information population locations and numbers are not know.
5. Draft national recovery plan for the water mouse (false water rat) *Xeromys myoides*
The water mouse is listed as vulnerable in Queensland and a threatened species in the Northern Territory. They are found in coastal saltmarsh, mangrove and wetland habitats and in Queensland from Proserpine south to the Queensland/New South Wales Border.

A proposed action that has been referred under the EPBC Act may be declared by Queensland's Coordinator-General to be a "state significant project" under the State Development and Public Works Organisation Act 1971 (Qld) and an Environmental Impact Statement may be required by the Queensland Government under that Act.

The Commonwealth and Queensland Governments have entered into a Bilateral Agreement which allows Queensland to carry out the Commonwealth's environmental assessments in certain circumstances.

The community are entitled to make submissions in relation to the environmental assessments, whether at Commonwealth or Queensland level.

All of the information below is drawn directly from the Queensland Government's website (www.dip.qld.gov.au/projects) and is provided for information and summary purposes only; EDO-NQ does not warrant or guarantee its accuracy or correctness. In addition, the inclusion of this information in this newsletter should not be taken to indicate that EDO-NQ supports or has otherwise taken a position about the proposals which are the subject of review.

STATE PROJECTS

1. Significant Projects in Northern Queensland

Kevin's Corner – draft TOR

Hancock Galilee Pty Ltd proposes a 30 million tonne per annum coal mine in the Galilee Basin to service international export markets for thermal coal. Located approximately 56 kilometres north of the township of Alpha and 360 kilometres south-west of Mackay. The Alpha Coal project is on adjoining land.

The draft terms of reference are now available for public consultation via the [website](#). A fact sheet and submission form to assist you when completing submissions are available on the [website](#). Copies of the draft TOR are available for public review in Alpha, Barcaldine, Emerald council offices and the State Library in Brisbane.

Comments can be made until **5pm Monday 30th November**.

Great Keppel Island Resort Project – project not approved

In a media statement released on 30 October 2009, Federal Environment, Heritage and the Arts Minister, Peter Garrett announced that, after considering advice from the federal Department of Environment, Water, Heritage and the Arts, he believed the Great Keppel Island Resort project would have "... unacceptable impacts on the World Heritage and National Heritage values of the area including the Great Barrier Reef".

Mr Garrett said in the release: "The impacts on inshore coral communities, coastal wetlands, marine species, island flora and geological formations of a development of this huge scale would be simply too great.... I believe these impacts could not be lessened or managed to an acceptable level and would permanently damage and degrade these values". Mr Garrett said the decision does not prevent an alternative proposal being lodged.

Reminders

Fisherman's Landing Port Expansion – EIS

Written submissions are due by **5pm Monday 9th November**. Click on link to [Fisherman's Landing Port Expansion webpage](#) for details on how to access a copy of the EIS. A fact sheet and submission template are also available.

Regards,

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The EDO-NQ is a Community Legal Centre that specialises in public interest environmental law. For more information see www.edo.org.au/edonq.

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