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14 June 2016

Mr James Barker
Assistant Secretary
Assessments (QLD, Tas, Vic) and Policy Implementation Branch
Department of the Environment
James.Barker@environment.gov.au

Dear Mr Barker,

**REQUEST FOR REASONS -
Administrative Decisions (Judicial Review) Act 1977 (Cth)**

On behalf of the North Queensland Conservation Council, I request written statements of reasons under section 13 of the *Administrative Decisions (Judicial Review) Act 1977* (Cth) for the following two decisions made by you, on or about 27 May 2016, under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), described below:

1. decision that the proposed action to carry out maintenance dredging and renewal works for the Abbot Point Marine Offloading Facility under **EPBC Referral 2016/7691** is not a controlled action; and
2. decision that the proposed action to carry out beach nourishment and maintenance dredging for the Abbot Point Marine Offloading Facility under **EPBC Referral 2016/7692** is not a controlled action.

The North Queensland Conservation Council (NQCC) is a *person aggrieved* by the decision for the following reasons:

- (a) NQCC is incorporated (see attached copy of certificate of incorporation).
- (b) NQCC is a peak local organization, and in the Queensland environmental movement and an umbrella group for smaller environment organisations in North Queensland.
- (c) NQCC at the time of the decision had specific objectives that include the protection or conservation of, or research into, the environment.

Such objects, as listed in the attached Rules of Association, include:

- i. To act as a voice for and promote and protect the values of the natural environment of north Queensland.
- ii. To work towards protection and rehabilitation of the environment through advocacy and education.
- iii. To work to ensure that resource use in the region occurs in an ecologically sustainable manner and respected species, habitats and the integrity of ecosystems.
- iv. To work with governments to ensure that legislation, regulations, policies and plans are designed and implemented to protect the values of the natural environment of north Queensland.

(d) Since its inception in 1974 NQCC has engaged in a series of activities in Australia and in the state of Queensland towards the research, conservation and protection of the environment and particularly with respect to the Great Barrier Reef and the impacts of port infrastructure and activities. Please see our website, linked in this letter's header.

(e) NQCC has engaged in the following activities that are related to the Abbot Point Port:

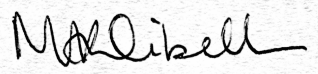
- (i) Made a submission regarding the Abbot Point Marine Offloading Facility Beach Nourishment and Maintenance Dredging (EPBC 2016/7692) and Abbot Point Marine Offloading Facility Maintenance and Renewal Works (EPBC 2016/7691).
- (ii) Made a submission regarding the Abbot Point Growth Gateway Project Environmental Impact Statement referral (EPBC 2015/7467).
- (iii) Made a submission regarding the Sustainable Port Development Bill 2015.
- (iv) Made a submission about the Proposed Abbot Point Port and Wetland Project at the Port of Abbot Point referral (EPBC 2014/7355).
- (v) Made a submission about the Proposed Abbot Point Dredging and Onshore Placement of Dredged Material at the Port of Abbot Point referral (EPBC 2014/7356).
- (vi) Commenced proceedings to challenge the Federal approval of the plan to dump 3.3 million cubic metres of dredge spoil in the Great Barrier Reef Marine Park to allow for the expansion of the Port of Abbot Point in order to export coal from Carmichael mine.

- (i) Facilitated public engagement events relating to the Abbot Point project such as market stalls and petitions.

NQCC is a regional conservation council representing a region that encompasses Abbot Point. Established in 1974, it covers the area from Cardwell to Bowen and from the Reef to the Northern Territory border. As the peak conservation body in the region, we have a particular interest in the planned dredging at Abbot Point and the suite of conservation and environmental issues it involves.

We look forward to receiving the statement in accordance with the provisions of the *Administrative Decisions (Judicial Review) Act*.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Maree Dibella', is written over a light grey rectangular background.

Maree Dibella
Acting Coordinator