

COMMONWEALTH OF AUSTRALIA

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

DECISION TO APPROVE THE TAKING OF AN ACTION

Pursuant to section 133 of the *Environment Protection and Biodiversity Conservation Act 1999*, I, DAVID ALISTAIR KEMP, Minister for the Environment and Heritage, approve the taking of the following action:

to construct and operate the Burnett River Dam with a capacity of 300,000 megalitres, on the lower Burnett River at 131.2km Average Middle Thread Distance, and make controlled discharges of water for agricultural, commercial, domestic and environmental uses (EPBC 2001/422)

by Burnett Water Pty Ltd subject to the conditions set out in annexure 1.

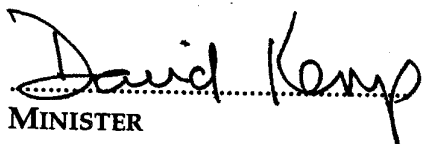
This approval has effect for:

sections 18 and 18A of the *Environment Protection and Conservation Biodiversity Act 1999*

sections 20 and 20A of the *Environment Protection and Conservation Biodiversity Act 1999*

This approval has effect until 1 January 2052.

Dated this 25th day of January 2002


MINISTER

ANNEXURE 1

1. Burnett Water Pty Ltd must prepare and submit for the Minister's approval a plan to mitigate impacts of the action on the Black-breasted Button Quail by securing compensatory habitat at Mount Blandy. The Burnett River Dam may not be operated before the plan is approved. The approved plan must be implemented.

2. Burnett Water Pty Ltd must prepare and submit for the Minister's approval, at least one year prior to commencement of operation of the Burnett River Dam, a plan to manage the impacts of the dam on listed migratory species in the Burnett River estuary. The plan must include:

(a) Surveying listed migratory species;

(b) Sufficient monitoring of water quality and environmental flows to determine whether the operation of the dam is impacting on listed migratory species habitat; and

(c) Measures to be taken if the information derived from (a) and (b) indicates that the action is having an adverse impact on listed migratory species.