COMMONWEALTH OF AUSTRALIA

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

DECISION ON CONTROLLED ACTION, CONTROLLING PROVISIONS AND DESIGNATION OF PROPOUNENT

Pursuant to section 75 of the Environment Protection and Biodiversity Conservation Act 1999, I, GERARD PATRICK EARLY, First Assistant Secretary, Approvals and Legislation Division, decide that the proposed action, set out in the Schedule, is a controlled action; that the controlling provisions for the action are those set out in the Schedule; and designate Mr Rohan Bosworth as proponent of the action.

SCHEDULE

The proposed action to use an electrical grid system to take or destroy approximately 5,500 Spectacled Flying-foxes (Pteropus conspicillatus), in the period November to December 2002, to protect a lychee orchard at Dallachy Creek, Kennedy, Queensland, and as described in the referral received under the Act on 14 February 2002 (EPBC 2001/571).

The Part 3. Division 1. controlling provisions are:
• sections 12 and 15A (World Heritage).

Dated this 27th day of February 2002

[Signature]

FIRST ASSISTANT SECRETARY
APPROVALS AND LEGISLATION DIVISION
ENVIRONMENT AUSTRALIA