

s22

From: Collins, Monica
Sent: Thursday, 30 November 2017 5:29 PM
To: Thomas, Josh
Cc: Pratt, Finn; Knudson, Dean; s22; s22; Office of Compliance; s22
Subject: Background points for Wombinoo [SEC=UNOFFICIAL]
Importance: High

Hi Josh
Background points below as requested.
Regards
Monica

On 17 November 2017, the Department received a letter from the Environment Defenders Office on behalf of The Wilderness Society alleging that additional clearing had occurred on Wombinoo Station.

On 23 November 2017 the ABC reported: "ABC News understands Wombinoo Station, south west of Cairns, is under federal investigation for clearing land without approval".

The Department has made enquiries into the allegation and has determined that no further action is necessary.

On 28 November 2017 it was reported by various outlets that property at Wombinoo Station had been defaced as a result of the ABC's reports. <http://www.queenslandcountrylife.com.au/story/5087232/no-comment-from-abc-over-illegal-clearing-claims/?cs=4698>

In December 2015, Wombinoo Station, along with 53 other properties in Queensland was the subject of enquiries to determine whether the EPBC Act would apply to land clearing associated with a high value agriculture permits issued by the Queensland government. In undertaking the enquiries, the Department conducted two field surveys accompanied by suitably qualified experts to identify nationally listed threatened species and ecological communities. The Department's field surveys found evidence that nationally protected Greater Gliders and suitable Koala habitat are found on the property. The Department has encouraged the land owner to discuss any further proposed land clearing with the Department.

On 15 March 2017, Wombinoo Station submitted a referral under the EPBC Act. On 18 April 2017, the proposal was determined to be a controlled due to the likely impacts to nationally protected threatened species and the Great Barrier Reef. The proposal is now undergoing assessment.

Monica Collins
Chief Compliance Officer
Office of Compliance
Department of the Environment and Energy
P: 02 s22
M: s22

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Queensland land clearing, Qld *GBR

- The Department has received a number of projects involving land clearing for agriculture.

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- Wombinoo Station (EPBC 2017/7903). The project involves clearing 2,742 ha to produce forage and grain crops for livestock feeding. The project site is located approximately 70 km inland of Tully in Northern Queensland, in the Herbert River catchment, approximately 200 km upstream of the Great Barrier Reef World Heritage Area. Vulnerable Greater Gliders have been observed on site and consideration will be given to impacts on the Great Barrier Reef. On 18 April 2017 the project was determined to be a controlled action and would be assessed using preliminary documentation for potential impacts on listed threatened species and the Great Barrier Reef. On 19 April 2017, the proponent was sent a request for further surveys for threatened species and an offset proposal.
Compliance Officers undertook a site inspection on 22-24 August 2017 in relation to possible additional clearing that has occurred on the property that post-dates the current referral. Officers observed new

clearing on the property, however, no enforcement action was taken. The Department provided comments on the draft preliminary documentation on 7 December 2017. The Department has received three freedom of information requests and several media enquiries relating to this project.

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Far North Queensland clearing for high value agriculture, Qld

- In Queensland, between 2014 and 2015, the state government granted 59 permits to property owners to clear about 112,000 ha for agricultural development. Potential impacts to matters of national environmental significance were not part of the assessment undertaken by the Queensland Government before these permits were issued.
- The Department investigated the 59 permits for potential impacts on matters of national environmental significance. The Department has closed 57 of the investigations as follows:
 - no further action was taken for 49 of the permits
 - seven permit holders were advised that the Act may apply to future land use activities. To date, two of those Queensland permit holders have referred their agricultural developments for assessment (Mio College and Wombinoo)
 - one additional proposal for agricultural development (Kingvale) has been deemed referred by the Minister.

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From: s22
Sent: Monday, 11 December 2017 11:03 AM
To: s22
Subject: FW: Wombinoo Stn [SEC=UNCLASSIFIED]
Attachments: RegionalEcosystemsMap-20171128093444877000.pdf

Importance: High

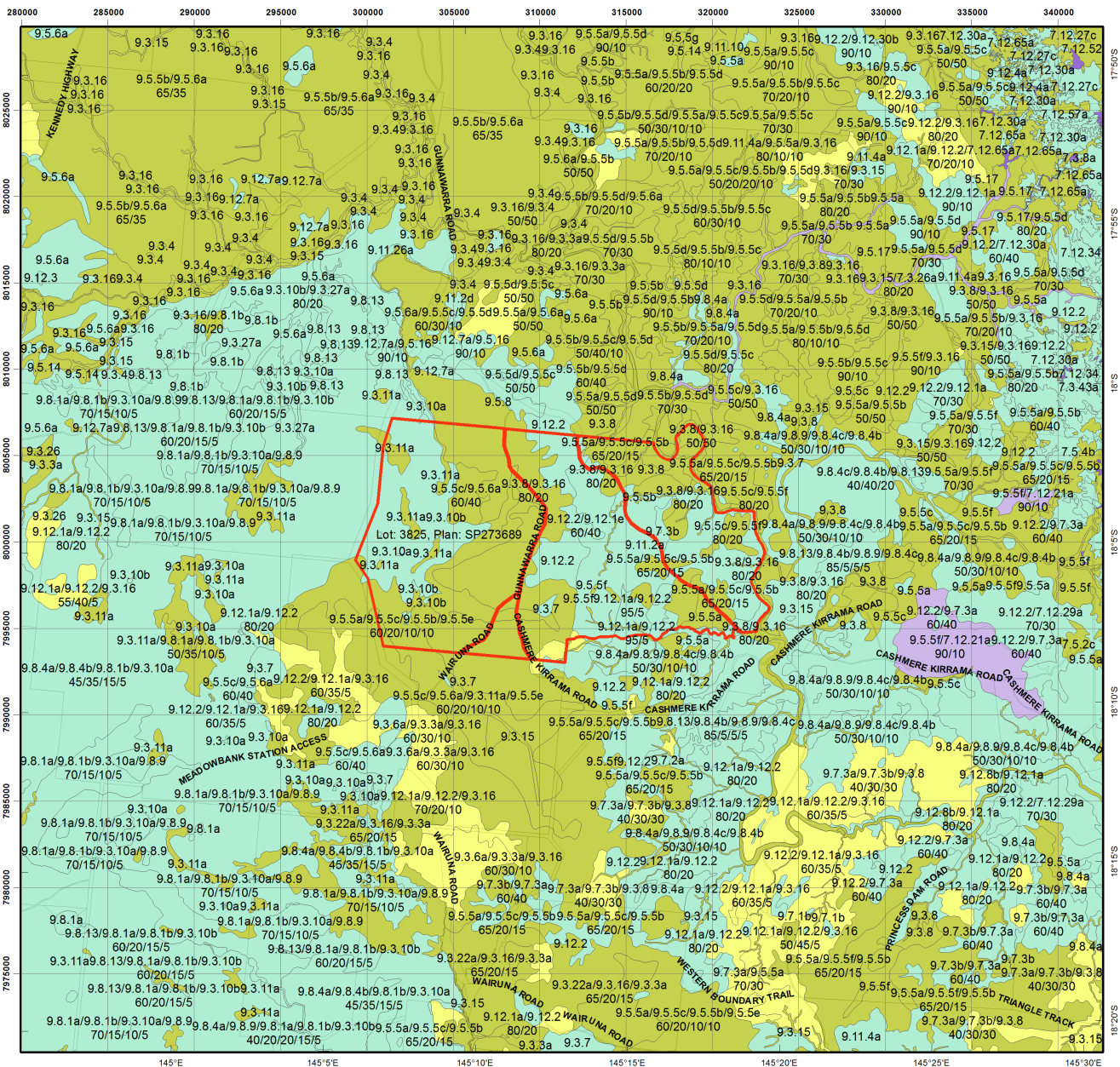
From: Collins, Monica
Sent: Tuesday, 28 November 2017 1:52 PM
To: Thomas, Josh s22 @environment.gov.au>
Cc: s22 @environment.gov.au>; Pratt, Finn s22 @environment.gov.au>; Knudson, Dean s22 @environment.gov.au>; s22 @environment.gov.au>; s22 @environment.gov.au>; Office of Compliance <OoCWorkflow@environment.gov.au>; s22 @environment.gov.au>; s22 @environment.gov.au>
Subject: FW: Wombinoo Stn [SEC=UNCLASSIFIED]
Importance: High

Hi Josh

As per my phone message, I have just become aware of some apparent recent clearing (over the last month) at Wombinoo Station, through aerial imagery. We are looking into it. Will update QTB and contact media regarding recent media responses.

Monica

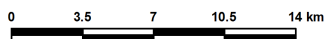
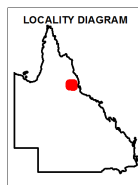
Monica Collins
Chief Compliance Officer
Office of Compliance
Department of the Environment and Energy
P: 02 s22
M: s22



Pre-clearing Regional Ecosystems

Biodiversity Status

- Lot and Plan
- Endangered - Dominant vegetation
- Endangered - Sub-dominant
- Of Concern - Dominant
- Of Concern - Sub-dominant
- No concern at present
- Water
- Cadastral Boundaries

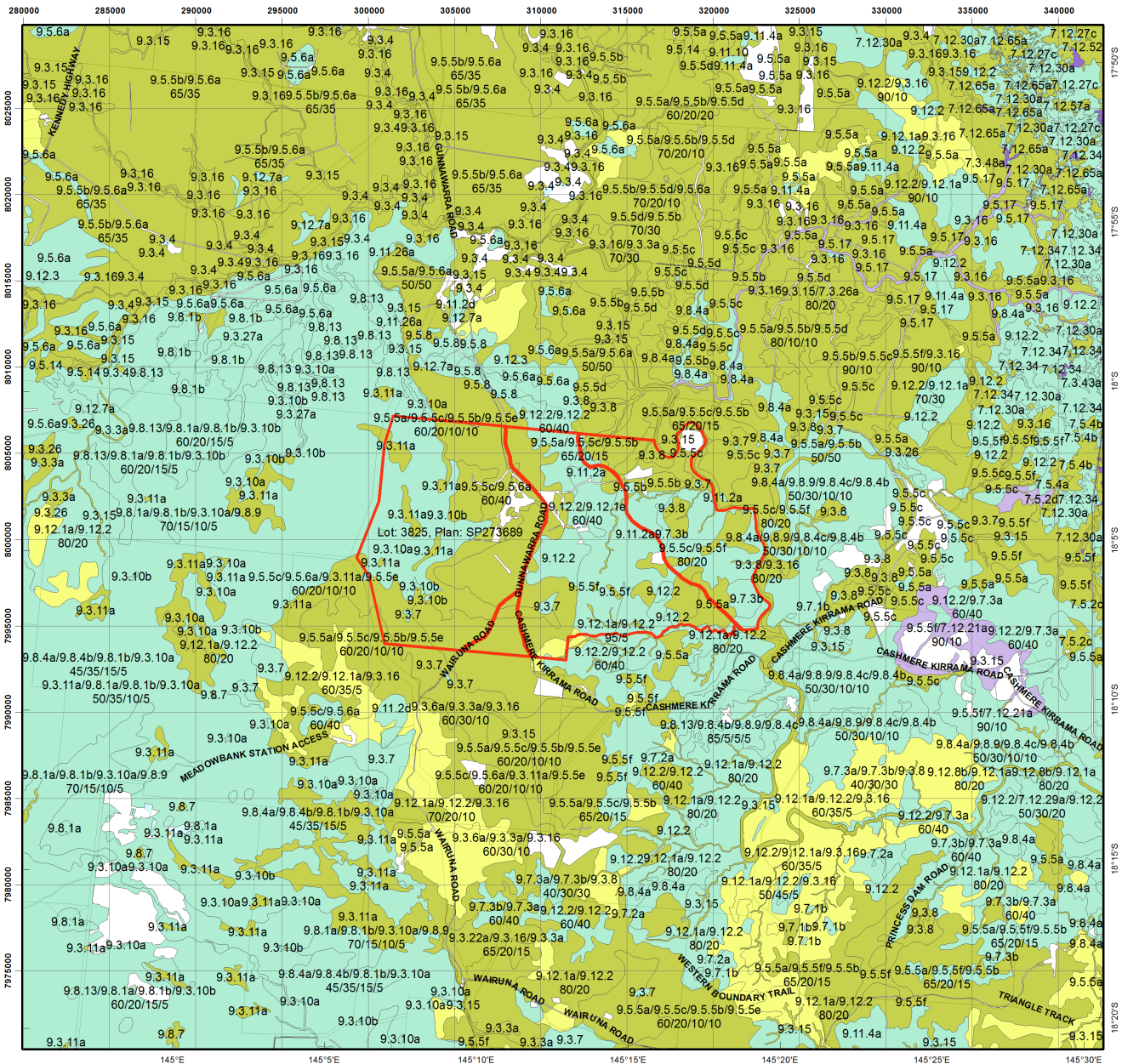


This product is projected into GDA 1994 MGA Zone 55

Regional ecosystem mapping over the majority of Queensland is produced at a scale of 1:100,000. At this scale, the minimum remnant polygon area is 5 hectares or minimum remnant width of 75 metres. Regional ecosystem linework reproduced at a scale greater than 1:100,000, except in designated areas, should be used as a guide only. The precision of polygon boundaries or positional accuracy of linework is 100 metres.

Regional ecosystems are defined as vegetation communities in a bioregion that are consistently associated with a particular combination of geology, landform and soil. The polygons are labelled by regional ecosystem (RE); where more than one RE occurs, the percentage of each is labelled. The label consists of 3 components: bioregion, land zone, and vegetation community – the dominant canopy species, e.g.: RE 12.3.a. Descriptions of REs are found online. Use the search term "Regional Ecosystem Framework".

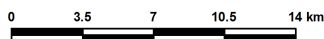
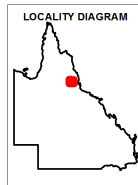
Regional ecosystem mapping at 1:100,000 map scale is derived from the following sources: 1:80,000 B&W 1960's aerial photography, Landsat TM imagery, geology, soils, land systems data, field survey and historical records.



Remnant 2015 Regional Ecosystems

Biodiversity Status

- Lot and Plan
- Endangered - Dominant vegetation
- Endangered - Sub-dominant
- Of Concern - Dominant
- Of Concern - Sub-dominant
- No concern at present
- Non-remnant vegetation, cultivated or built environment
- Plantation
- Water
- Cadastral Boundaries



This product is projected into GDA 1994 MGA Zone 55

Regional ecosystem mapping over the majority of Queensland is produced at a scale of 1:100,000. At this scale, the minimum remnant polygon area is 5 hectares or minimum remnant width of 75 metres. Regional ecosystem linework reproduced at a scale greater than 1:100,000, except in designated areas, should be used as a guide only. The precision of polygon boundaries or positional accuracy of linework is 100 metres.

Regional ecosystems are defined as vegetation communities in a bioregion that are consistently associated with a particular combination of geology, landform and soil. The polygons are labelled by regional ecosystem (RE); where more than one RE occurs, the percentage of each is labelled. The label consists of 3 components: bioregion, land zone, and vegetation community – the dominant canopy species. e.g.: RE 12.3.3. Descriptions of REs are found online. Use the search term "Regional Ecosystem Framework".

Regional ecosystem mapping at 1:100,000 map scale is derived from the following sources: 1:80,000 B&W 1960's aerial photography, Landsat TM imagery, geology, soils, land systems data, field survey and historical records. Remnant woody vegetation is defined as vegetation that has not been cleared or vegetation that has been cleared but where the dominant canopy has >70% of the height and >50% of the cover relative to the undisturbed height and cover of that stratum and is dominated by species characteristic of the vegetation's undisturbed canopy. Non-remnant vegetation includes regrowth and disturbed native vegetation.

s22

From: s22
Sent: Monday, 27 November 2017 4:53 PM
To: Media; s22
Cc: Thomas, Josh
Subject: RE: FOLLOW-UP MEDIA ENQUIRY: Wombinoo [SEC=UNCLASSIFIED]

ok

From: Media
Sent: Monday, 27 November 2017 4:51 PM
To: s22 @environment.gov.au; s22 @environment.gov.au
Cc: Media <Media@environment.gov.au>; s22 @environment.gov.au
Subject: FOLLOW-UP MEDIA ENQUIRY: Wombinoo [SEC=UNCLASSIFIED]

Hi guys,

s47F has come back asking for some clarification. Let me know if you have any concerns with this approach.

Firstly, does that referral and assessment only relate to “Proposed” land clearing at Wombinoo station or work that’s already been done?

- **Also, does the assessment under the Environment Protection and Biodiversity Conservation Act 1999 override the existing state permit? In other words, has clearing ceased or is it allowed to continue?**

The referred action relates to the proposed clearing of 2742.2 hectares of remnant vegetation on Wombinoo Station for the production of forage and grain crops (sorghum, maize) to supplement Wombinoo livestock and to be on sold to other surrounding cattle stations.

A permit for the proposed agricultural development was issued by the Queensland Department of State Development, Infrastructure and Planning in April 2015. The proponent has already undertaken clearing on 560.29 ha of the permitted area and this clearing does not form part of the proposed action referred under the EPBC Act.

The Department has completed an investigation into the clearing that has already occurred on Wombinoo Station and has determined that, in accordance with the Department’s compliance and enforcement policy, and the circumstances surrounding the alleged offence, that no further compliance action is warranted. Furthermore, no work has commenced on the action referred for assessment under the EPBC Act.

Cheers

s22

s22 | **Media and Strategic Communications**

Communications, Innovation and Partnership Branch

Department of the Environment and Energy

GPO Box 787 CANBERRA, ACT 2601

P: 02 s22 | **M:** s22

E: s22 @environment.gov.au

s22

s22

From: Collins, Monica
Sent: Thursday, 23 November 2017 4:32 PM
To: s22; Barker, James
Cc: s22; Media
Subject: RE: MEDIA RESPONSE: Claims of illegal clearing at Wombinoo [SEC=UNCLASSIFIED]

Categories: John

I'm happy with that, thanks s22

Monica Collins
Chief Compliance Officer
Office of Compliance
Department of the Environment and Energy
P: 02 s22
s22

From: s22
Sent: Thursday, 23 November 2017 4:25 PM
To: Collins, Monica <Monica.Collins@environment.gov.au>; Barker, James <James.Barker@environment.gov.au>
Cc: s22 @environment.gov.au>; Media <Media@environment.gov.au>
Subject: FW: MEDIA RESPONSE: Claims of illegal clearing at Wombinoo [SEC=UNCLASSIFIED]

Hello

The response has been edited by the Minister's Office. Could you check that this is OK, and cc media as I may not be here.

Thank you for this

s22

s22 | External Engagement | Communications, Innovation and Partnerships Branch
| s22



From: s22
Sent: Thursday, 23 November 2017 4:05 PM
To: Media <Media@environment.gov.au>
Cc: Thomas, Josh s22 @environment.gov.au>; s22 @environment.gov.au>
Subject: RE: MEDIA RESPONSE: Claims of illegal clearing at Wombinoo [SEC=UNCLASSIFIED]

Hi team,

Use this version which has been edited.

- Proposed land clearing at Wombinoo has been determined to be a 'controlled action' and will therefore undergo a comprehensive environmental assessment under the *Environment Protection and Biodiversity*

Conservation Act 1999. This decision was made because of potential impacts the action could have on listed threatened species and the Great Barrier Reef. The environmental assessment will allow for potential environmental impacts to be considered and addressed before any action commences. There will be further opportunities for public consultation during the assessment process.

- The Department of the Environment and Energy is actively examining certain allegations regarding land clearing in north Queensland. As such, it would not be appropriate to comment any further.

Thanks,

s22

From: Media

Sent: Thursday, 23 November 2017 3:22 PM

To: s22 <[redacted]@environment.gov.au>; s22 <[redacted]@environment.gov.au>

Cc: Thomas, Josh s22 <[redacted]@environment.gov.au>; Media <Media@environment.gov.au>

Subject: MEDIA RESPONSE: Claims of illegal clearing at Wombinoo [SEC=UNCLASSIFIED]

Hi team,

Proposed response for s47F [redacted]'s first three questions.

1. Is the department aware of the new clearing?
2. Has the department approved the application for clearing at Wombinoo?
3. What action is the department taking in relation to the allegations that this clearing has been taken unlawfully, without EPBC approval?

- Proposed land clearing at Wombinoo has been determined to be a 'controlled action' and will therefore undergo a comprehensive environmental assessment under the *Environment Protection and Biodiversity Conservation Act 1999*. This decision was made because of the likely impacts the proposed action may have on listed threatened species and the Great Barrier Reef. The environmental assessment will allow for the likely environmental impacts to be considered before deciding whether or not the proposed action can proceed. There will be further opportunities for public consultation during the assessment process.
- The Department of the Environment and Energy is actively examining certain allegations regarding land clearing in north Queensland. As such, it would not be appropriate to comment any further.

The other responses will be sent through to you tomorrow in line with his deadline request. Let me know if you have any concerns with this lot.

Cheers

s22

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s22

From: s22
Sent: Thursday, 7 December 2017 8:31 AM
To: Media
Cc: s22
Subject: RE: URGENT: Questions re Wombinoo Station [SEC=UNCLASSIFIED]

Categories: For review before filing

- [Point him back to:](#) Allegations of illegal land clearing, made against Wombinoo Station by the Wilderness Society and reported by the ABC on 23 November 2017, were looked at by the Department and dismissed as unfounded. Consequently no investigation or compliance action was needed.

From: Media
Sent: Thursday, 7 December 2017 8:21 AM
To: s22 @environment.gov.au
Cc: Media <Media@environment.gov.au>; s22 @environment.gov.au
Subject: FW: URGENT: Questions re Wombinoo Station [SEC=UNCLASSIFIED]

Hi s22 ,

s47F has come back. How would you like to proceed?

Regards,

s22 | **Media**
Media and Strategic Communications
Communications, Innovation and Partnership Branch
Department of the Environment and Energy
P: 02 s22 **M:** s22
E: s22 @environment.gov.au

Note to media: Unless otherwise agreed, the information contained in this email is for background and is not for attribution.



The Department of the Environment acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.

s22

s22

From: Knudson, Dean
Sent: Wednesday, 29 November 2017 1:20 PM
To: Pratt, Finn; Thomas, Josh
Cc: Collins, Monica
Subject: Wombinoo timeline [SEC=UNCLASSIFIED]

Josh and Finn,

For our call at 2pm.

Cheers.

Begin forwarded message:

From: "Collins, Monica" s22 [redacted]@environment.gov.au>
Date: 29 November 2017 at 12:31:45 pm AEDT
To: "Knudson, Dean" s22 [redacted]@environment.gov.au>
Cc: Office of Compliance <OoCWorkflow@environment.gov.au>, s22 [redacted]@environment.gov.au>, s22 [redacted]@environment.gov.au>
Subject: FW: Wombinoo timeline [SEC=UNCLASSIFIED]

Hi Dean
Chronology is provided below as requested.
Monica

| | |
|------------|---|
| 14/04/2015 | the Queensland Government Department of State Development, Infrastructure and Planning, issued a 'Notice of decision' given under section 334 of the <i>Sustainable Planning Act 2009 (Qld)</i> (SP Act) to a Mr Jonsson, permitting clearance of approximately 3328.67 hectares of remnant vegetation for the purpose of undertaking activities associated with high value agriculture on Wombinoo Station |
|------------|---|

| | |
|------------|---|
| 10/12/2015 | as part of a broader engagement with landholders who had received similar permits, the Department wrote to Mr Jonsson requesting that he provide information that would demonstrate that proposed clearing at Wombinoo Station had been planned to avoid significant impacts to matters of national environmental significance under the EPBC Act. No response was received from Mr Jonsson. |
| 5/2/2016 | The Department again wrote to Mr Jonsson on the 5 February 2016 in a further attempt to engage with Mr Jonsson on this matter. Mr Jonsson made no contact with the Department to address the matters outlined in the letters sent to him. |
| 8/06/2016 | Satellite imagery indicated that substantial vegetation clearing had occurred on Wombinoo Station |
| 29/06/2016 | The Department again wrote to Mr Jonsson, offering to engage expert ecologists to undertake surveys on Wombinoo Station to inform him of any obligations under the Act. No response was received by the department from Mr Jonsson. |
| 17/09/2016 | site inspection of Wombinoo Station (under monitoring warrant) was undertaken with ecologists from Ecology & Heritage Partners (EH Partners) |
| 30/09/2016 | a report entitled 'Ecological Assessment of Vegetation Clearing at Wombinoo Station, Gunnawarra, Queensland', which found that approximately 560 hectares of remnant vegetation had been cleared, and as a result a significant impact had occurred on important populations of the greater glider and koala |
| 15/03/2017 | Warrengail Pastoral Company Pty Ltd submitted a referral to clear 2742.2 ha of remnant vegetation on Wombinoo Station for the production of forage and grain crops. The proposed clearing area is considered, on information provided by EH Partners, to contain a habitat score of 7 for the koala (indicates high habitat value). During a site survey no direct evidence of koalas were found. The referral was deemed a controlled action as the Department considers the action is likely to have a significant impact due to the loss of up to 2742.2 ha of habitat critical to the survival of the koala. |
| 18/04/2017 | Action at Wombinoo determined to be a controlled action |
| 22/08/2017 | Inspection under monitoring warrant to survey for koalas discovered new clearing |
| 5/10/2017 | Dept wrote to land holder advising no action would be taken in relation to initial clearing and bring to their attention the potential for s74AA to apply to further clearing in referred areas |
| 17/11/2017 | EDO wrote to Minister advising that additional clearing had occurred at Wombinoo Station |

28/11/2017

A desktop assessment undertaken by compliance officers during routine monitoring discovered a potential new area of clearing of approximately 60ha. This is currently being reviewed by ERIN

Monica Collins

Chief Compliance Officer

Office of Compliance

Department of the Environment and Energy

P: 02 s22

M: s22