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COMMONWEALTH OF AUSTRALIA

ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

DECISION TO REFUSE APPROVAL FOR 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, refuse approval for the taking of the following action:

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 (Reference: EPBC 2002/571). The action was proposed to be undertaken by Mr Rohan Bosworth.

This refusal for approval is for the purpose of:

- sections 12 and 15A (World Heritage) of the *Environment Protection and Biodiversity Conservation Act 1999*

Dated this

21st

day of

March

2003


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DAVID KEMP