



Hon Kate Jones MP
Member for Ashgrove



**Queensland
Government**

**Minister for Climate Change
and Sustainability**

Ref CTS 13841/10

03 SEP 2010

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to your letter of 4 August 2010 enclosing a copy of e-Petition No. 1448-10 lodged in the Queensland Legislative Assembly on 3 August 2010.

The Petition draws the attention of the House to the grounding of the *Shen Neng 1* earlier this year, and asks the House to decide that Queensland will participate in a strategic assessment, under section 146 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), of likely impacts from coal and gas export shipping incidents along the Queensland coast.

The State has not declined to participate in a strategic assessment as the Petition states. Strategic assessments are a matter for the Commonwealth under the EPBC Act. It is also for the Commonwealth to determine if a strategic assessment is warranted. If the Commonwealth were to require a strategic assessment then the State would assist in that process wherever possible.

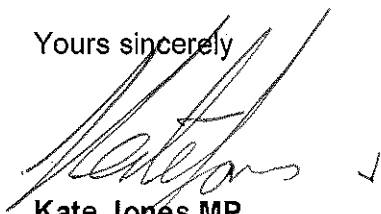
It is always undesirable to move a ship within a World Heritage Area however it is rarely possible to deal effectively with a damaged ship (known as a maritime casualty) in open sea conditions. Indeed, the longer a damaged ship is forced to remain at the mercy of the elements in the open sea, the greater the risk of the ship deteriorating, or the sea, weather or environmental situation changing, leading to an increase in environmental risk. AMSA used its Powers of Intervention to direct the *Shen Neng 1* into Hervey Bay to allow lightering of the ship so that it could be safely towed out of Australian waters.

If the use of the strategic assessment process was restricted to coal and gas vessels, as proposed in the Petition, it would only consider a portion of the shipping using the Great Barrier Reef World Heritage Area (GBRWHA) and Queensland waters. Regulations and systems to reduce shipping incidents need to apply to the entire shipping industry if they are to have maximum effect. With reference to the "Place of Refuge", the legislation is very clear on the need to consider protection of the overall Australian environment and does provide the formal opportunity for all interested parties to have input to the process.

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The House will be informed of the outcomes of the reviews into the *Shen Neng 1* incident. Should you have any further enquiries, please do not hesitate to contact Mr Michael Short, Chief Advisor - Incident Management of the Department of Environment and Resource Management on telephone 3330 6712.

Yours sincerely



A handwritten signature in black ink, appearing to read 'Kate Jones', with a small checkmark to its right.

Kate Jones MP
Minister for Climate Change and Sustainability