

**NATIONAL HERITAGE LISTED
OPEN FOR MINING
UNDER THREAT**



TURN BACK THE TIDE

Australia is facing a tide of unchecked, unregulated activities from mining companies that are putting livelihoods, our communities and significant places under threat.

Mining and industrial projects are already posing a major threat to our water supplies, rural industries, our coastlines and the integrity of our environment.

The national interests of Australia are further threatened by the Federal Government's plans to relinquish their environmental responsibilities to the State Governments.

Communities across Australia face the risk of strategic assessment processes being fast-tracked and rubber-stamped by state officials, without the checks and balances of the Federal Government.

On 7 December, State and Federal leaders will convene at the Council of Australian Governments meeting in Canberra to try and 'streamline' existing environmental laws.

We are asking the Federal Government to maintain and strengthen its current role in assessing projects of national significance.

We believe that the surge of mining and industrial activities across Australia needs to be monitored; assessment of projects need to be conducted in a stringent, objective manner without external pressure or influence from within the mining industry.

We are asking the Federal Government to continue to represent all Australians on matters that will affect the environment of this country and the well-being of its people.

There needs to be significant amendments to our mining laws, local planning laws and environment laws, to ensure the protection of community values, Community investments, and the health of the environment in which we live.

Dear Sir,

Thankyou for the opportunity to comment on the proposed amendments to the EPBC ACT 1999 that would require the federal government to retain its powers to assess and approve major projects in state jurisdiction, and in particular relating to areas and threatened communities of national environmental significance. We are most fortunate to live in the Kimberley region of Western Australia. The Kimberley coast is one of the most biodiverse and iconic landscapes in the World, is one of Australia's National Treasures and deserves the highest level of protection.

We are tourism operators and have been actively working towards the protection from mining of the iconic Horizontal Waterfalls, Talbot Bay, Dugong Bay which are located in the Buccaneer Archipelago on the Kimberley coast. We were pleased when the environment minister Tony Burke announced the National Heritage Listing of the West Kimberley on 31 August 2011. Since that date we have come to realise that this listing allows for a continuation

of mining exploration in the area and that the State Government has no powers to provide long term protection for the area .

The Minister for Mines and Petroleum announced a two year temporary protection for a 75 square Kilometre area around the Horizontal Waterfalls under section 19 of the WA mining act of 1978. At the same time they announced that they were Co Funding the exploration program for Beau Resources PTY LTD within 4 kilometres of the Horizontal falls. This has clearly demonstrated a number of very important issues.

1/ The WA environment laws can provide only limited protection for iconic places in WA. Areas that are not included in the conservation estate have no protection. The only protection that is available is an exemption from mining under section 19 of the mining act of WA for a 2 year period.

2/ Section 120 of the mining act of Wa overrides any of Western Australia,s planning laws.

3/ The Mayala and Dambinmangari native title groups for this area have no power of veto to prevent the mining exploration and development from proceeding.

4/ The WA state government has shown a clear intention to support mining exploration and development in this area and are supporting the following mining companies in the area;

LIVE EXPLORATION TENEMENTS

E04/1407 KOOLAN IRON ORE PTY LTD

E04/1441 KINMINCO PTY LTD (PEGASUS METALS)

E04/1852 BEAU RESOURCES PTY LTD

E04/2056 GLEN GRIFFITH MONEY

E04/1398 CLIFF ASIA PACIFIC PTY LTD

PENDING EXPLORATION TENEMENTS

E04/2267 KINMINCO PTY LTD (PEGASUS METALS)

EO4/1538 FMG RESOURCES

E04/1939 INVESTMET LIMITED (PEGASUS METALS)

E04/2126 HARD ROCK RESOURCES PTY LTD

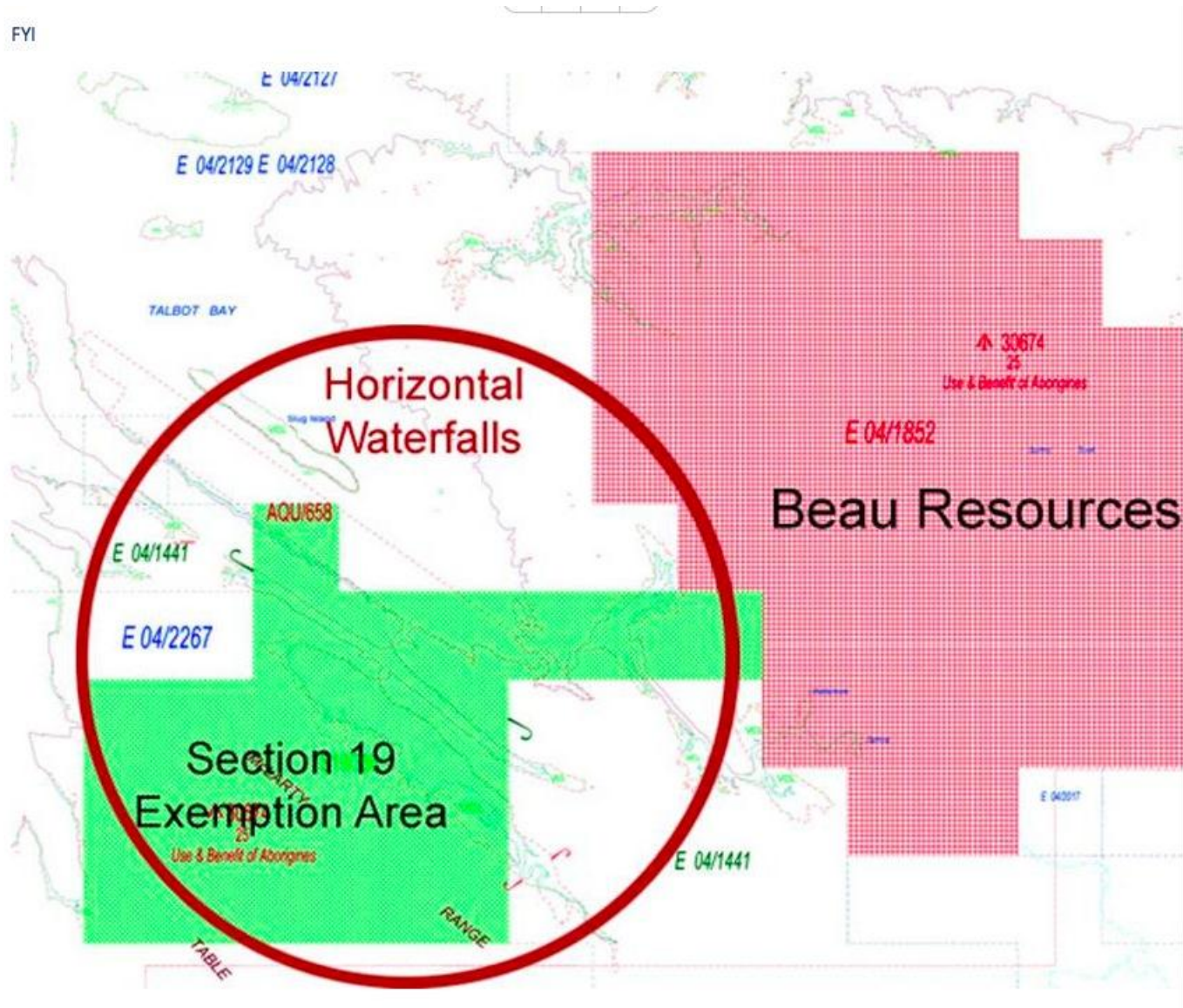
E04/2127 VERTU INVESTMENTS PTY LTD

E04/2128 HILL50 GOLD MINES PTY LTD

E04/2129 FMG RESOURCES

E04/2019 GLEN GRIFFITH MONEY

E04/2057 RIO TINTO EXPLORATION PTY LTD



There is a clear case for the Federal Government to step in to provide protection for this area in the National interest. The Talbot Bay, Dugong Bay and Horizontal falls are a magnet for international tourists that visit the Kimberley and directly contribute between ten and fifteen million dollars to the regions economy. There is also a tremendous opportunity for the Mayala and Dambinmangari native title groups to establish tourism and aquaculture ventures in the area .

We strongly urge you to retain the role of the Federal Government in both the environmental assessment and approvals process in WA and urge you to consider strengthening the EPBC

ACT to allow for federal intervention to protect iconic places around Australia in the National Interest.

Yours Sincerely

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Kimberley wilderness & wildlife photography, and high definition video imagery.