

WILDLIFE PRESERVATION SOCIETY OF
QUEENSLAND PROSERPINE/WHITSUNDAY
BRANCH INC

Applicant

MINISTER FOR THE ENVIRONMENT AND HERITAGE

Respondent

FEDERAL COURT OF AUSTRALIA
QLD DISTRICT REGISTRY
FILED
05 AUG 2005

NOTICE DISPUTING FACTS
(Order 18 Rule 2)

The respondent disputes the following facts specified in the applicant's notice dated 19 July 2005:

1. Global warming is a complex biophysical process involving a rise over time in the temperature of the earth's atmosphere due to human activities.
2. The burning of coal to generate electricity generally results in the emission of greenhouse gases contributing to global warming.
3. A principal purpose of the mining of coal from the Isaac Plains Coal Project (EPBC 2005/2070) and Sonoma Coal Project (EPBC 2005/2080) is to sell the coal for burning in coal-fired power stations to generate electricity.
4. The amount of coal mined from the Isaac Plains Coal Project is likely to result in a large amount of greenhouse gas emissions contributing to global warming.
5. The amount of coal mined from the Sonoma Coal Project is likely to result in a large amount of greenhouse gas emissions contributing to global warming.
6. Global warming is likely to have a severe impact on matters protected by Part 3 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Date: 5 August 2005



Barry Cosgrove
A solicitor employed by
Australian Government Solicitor
Solicitor for the Respondent

Filed on behalf of the Respondent by:

Australian Government Solicitor
Level 12, 340 Adelaide Street
Brisbane QLD 4000
DX119 Brisbane
B125713 - v1.0

Contact: Barry Cosgrove

File ref: 05103094
Telephone: 07 3360 5647
Facsimile: 07 3360 5798
E-mail: barry.cosgrove@ags.gov.au