

**To: The Honourable Tanya Plibersek
Minister for the Environment
Parliament House
CANBERRA
ACT 2600**

Re: EPBC Act Referral concerning the Critically Endangered Mitchell's Rainforest Snail (*Thersites mitchellae*) on Lot 73 DP 851902, Bayside Way, Brunswick Heads, New South Wales.

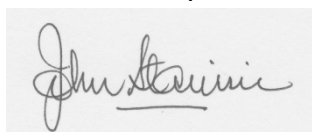
Dear Minister

As the officially recognised BAM expert for the Critically Endangered Mitchell's Rainforest Snail (*Thersites mitchellae*) [hereafter MRS] in north-eastern New South Wales, I have been made aware of a significant issue regarding a proposed housing development in the Brunswick Heads area (Lot 73 DP 851902, Bayside Way). The proposal has been granted approval by the State environment department on the basis of an Environmental Impact Assessment [EIA] completed in December 2012. In the EIA a number of Matters of National Environmental Significance (MNES) were raised in relation to the presence or likely presence of a number of EPBC Act listed threatened vertebrate species on the subject site. However, MRS which is also listed (Critically Endangered) under the EPBC Act, was never considered during the environmental assessment process even though the habitat to be cleared (swamp forest) on the site is mapped as likely MRS habitat.

MRS records from adjacent Paperbark Forest areas to the south, made subsequent to the EIS, indicate that there is a significant likelihood that MRS occurs in parts of subject site. MRS core habitat (lowland subtropical rainforest) has been greatly affected by past land clearing and the species now is restricted to living in small pockets of marginal swamp forest throughout its original range. The maintenance of these small pockets of habitat may seem insignificant at a vertebrate perspective, but is critical to the recovery and survival of an invertebrate such as MRS.

I would therefore respectfully ask the Minister to consider calling in the proposal for referral under the EPBC Act so that the exclusion of MRS from the environmental assessment process can be fully redressed.

Yours faithfully



**Dr John Stanisic OAM
Research Fellow, Queensland Museum
Research Associate, Australian Museum**