

*ENVIRONMENT COUNCIL OF CENTRAL QUEENSLAND INC.*

v

*MINISTER FOR THE ENVIRONMENT AND WATER & ANOR*

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v

*MINISTER FOR THE ENVIRONMENT AND WATER & ANOR*

[2024] HCASL 201

M50/2024

M51/2024

- 1       The applicant seeks special leave to appeal from a decision of the Full Court of the Federal Court of Australia (Mortimer CJ, Colvin and Horan JJ), dismissing an appeal from the Federal Court (McElwaine J).
- 2       An appeal in either case would not be an appropriate vehicle to determine the issue of principle concerning the interpretation of s 527E(1)(b) of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), which was not decided by the Full Court. The applications otherwise have insufficient prospects of success to warrant the grant of special leave to appeal.
- 3       Special leave to appeal is refused with costs.

Gageler CJ  
Gordon J  
Edelman J  
Steward J  
Gleeson J  
Jagot J  
Beech-Jones J

8 August 2024