

17 September 2005

Hon Ms Desley Boyle

Minister for Environment, Local Government, Planning and Women
PO Box 31,
BRISBANE ALBERT STREET
QLD 4002

Dear Minister,

Re: Cassowary Conservation Plan

As you are aware, the Community for Coastal and Cassowary Conservation (C4), the Cairns and Far North Environment Centre (CAFNEC), and the Environmental Defender's Office of Northern Queensland (EDO-NQ) are groups that are seeking to conserve the natural environment of the Far North Queensland region. Our groups are all greatly concerned about the plight of the southern Cassowary (*Casuarius casuarius johnsonii*), and in particular about the significant rate of development in the Mission Beach area. Currently there are around 1000 lots that are to be developed in the next year and over 500 units that will result in the doubling of size of the developed land in the Mission Beach area.

Cassowaries are endangered species under both the *Nature Conservation Act* and the *Environment Protection and Biodiversity Conservation Act*. In North Queensland it is estimated that there are approximately only 1200 cassowaries left (some biologists have suggested the figure may be as low as 900). Approximately 200 000 ha of cassowary habitat falls outside the protected area estate (about 20% of available habitat). These areas are becoming increasingly fragmented and cleared to make way for both rural and urban development. Already endangered, cassowaries cannot afford to continue to lose habitat, and as a keystone species in the wet tropics rainforest ecology, loss of the cassowary from parts of their range has enormous implications for the health and integrity of the rainforest itself. The decline in available habitat places this species, and the broader rainforest ecosystem, at increased risk from other threatening processes such as disease, predation and the impact of cyclones on food and habitat availability.

In the Mission Beach area cassowary numbers have declined significantly in the past 10 years. In Les Moore's 2000 census, the most recent study conducted in

this area, there were only 60 adult birds. **Adult bird numbers are now thought to be down to 40 birds.** The south Mission area is also an important nursery area for the species, and as such is of particular significance to the well being of the southern coastal populations.

The way planning schemes are created, there is very little protection in place to prevent development on cassowary habitat in areas that are zoned urban/residential in both the Johnstone Shire and Cardwell Shire Councils. These areas are also not protected under the *Vegetation Management Act 1999*. Essential Cassowary Habitat is not always listed as endangered vegetation and also receives varying levels of protection under the *Vegetation Management Act*. Applications are being dealt with on an individual basis and not all matters are being considered under the EPBC Act. The usefulness of the EPBC Act in this situation is limited due to the Acts inability to deal with the cumulative impacts of development.

Continued urban expansion in the Mission Beach area is resulting in significant fragmentation of Essential Cassowary Habitat. The continued spread of the urban area is preventing cassowaries accessing the required food sources and leaving small populations of birds isolated from other birds, contributing to the decline of the species in the lowland coastal areas under Mission Beach. These small isolated populations are especially vulnerable to the impacts of feral pigs, domestic dogs and motor vehicles, which continue to take their toll on the species.

The current loss of important habitat due to development pressure needs to be immediately addressed. We therefore request that you urgently consider measures to protect the habitat of the Southern Cassowary. In particular, we request:

1. Cassowary Conservation Plan:

While the EPA introduced a Southern Cassowary Recovery Plan in 2001-2005, this has not assisted in arresting the significant decline in habitat of the Southern Cassowary. This is partially because the Recovery Plan did not focus on how the Planning Schemes were impacting on Essential Cassowary Habitat, particularly in the Mission Beach area.

A Conservation Plan under the Nature Conservation Act would prevail in the event of a conflict with the provisions of a Planning Scheme. A local government cannot issue or give any approval for the use of land that is inconsistent with a Conservation Plan. Conservation Plans may also implement protection and regulation measures into the development approval process under a Planning Scheme.

The State Government has introduced a Koala Conservation Plan, together with a State Planning Policy. The Koala Conservation Plan imposes significant control on developments in important koala habitats. It also encourages koala sensitive design in areas on the fringe of koala habitat.

Similar principles should be applied to the Southern Cassowary, a species in a far more precarious situation. A Cassowary Conservation Plan could introduce a scheme classifying remnant vegetation according to its significance as cassowary habitat or corridors. Controls could be accordingly introduced ensuring no further development or loss or fragmentation of habitat in areas of most significance. In areas of less significance, that is supplementary habitats or areas of occasional use, the Conservation Plan could require cassowary sensitive design, and prohibit changes to Planning Schemes or further development which would adversely impact on cassowaries.

Besides habitat loss, the main threats in the Mission Beach area are dogs and motor vehicles. Urgent road calming devices are needed in the area and a concerted approach needs to be taken to ensure the threat posed by dogs is reduced. In all areas of key cassowary habitat and areas neighbouring cassowary corridors, new developments should have restrictions on the ability to have dogs to remove this additional pressure on this threatened species.

The other significant issue is the rehabilitation of areas suitable for increasing Cassowary habitat. Many areas adjoining Essential Cassowary Habitat are cleared but could be rehabilitated for use as habitat or corridors. At present most of these areas are being developed which is causing significant further fragmentation of cassowary habitat.

A Conservation Plan could provide the EPA with a concurrence agency role where it is able to influence the outcome of Planning applications that affect Cassowary habitat. It would also ensure that Conservation of endangered species overrides the economic development objectives which tend to be most influential on planning decisions.

2. State Planning Policy that incorporates the Cassowary Conservation Plan

In conjunction with a Cassowary Conservation Plan under the Nature Conservation Act, this needs to be made part of the Integrated Planning Act framework through a State Planning Policy similarly to the Koala Conservation Plan. There also needs to be a strict Cassowary Code under IDAS. There should be only very limited exceptions to the State Planning policy otherwise it will undermine the effectiveness of the policy. **This needs to be done on a temporary basis as soon as possible to ensure that adequate protections are in place, with a longer term plan to be developed.**

3. Provide resources to encourage the Local Councils to rezone significant areas:

At present, the Cardwell and Johnstone Shire Councils are under significant financial pressures. This is placing increasing pressure on these Councils to

approve developments in order to obtain headworks fees and increase their ratepayer base.

While both Councils have bonus development rights for Rural Conservation areas, these rights seem to be used frequently to encourage development on cleared areas rather than rehabilitation of those areas. Many of the areas protected are Essential Cassowary Habitat that should in theory not be cleared in any event. Developers are using these rights to obtain greater development rights on the basis of what is seen as goodwill to conservation.

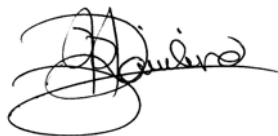
Local Councils are also faced with compensation payments if they rezone areas through their Planning Schemes. This has significantly contributed to the unwillingness of Local Councils to impose significant conservation restrictions on development in the area, as this will trigger compensation payments.

4. Cultural significance of cassowaries in the Mission Beach area

The Goondoye (Cassowary) is very significant to the Djiru people, the Traditional Owners of the Mission Beach area. Aboriginal people have lived with cassowaries for thousands of years and thus are an important part of their stories, songs, dance, culture and identity. Based on concerns for the future of the Goondoye, the Djiru Traditional Owners have been working with other rainforest Aboriginal tribes represented by Giringun Aboriginal Corporation, to produce a short film to educate and create awareness of the cultural and environmental significance of the cassowaries to rainforest Aboriginal people and culture. The film also highlights threats facing the Goondoye from habitat loss, traffic and dogs. Aboriginal people have grave concerns about the effects of development in the Mission Beach area on cassowary habitat, rainforest ecology and their rainforest Aboriginal culture.



Kirsty Ruddock
Principal Solicitor
EDONQ



John Rainbird
Coordinator
CAFNEC

Brenda Harvey
President
C4

The following organisations have provided their support for the recommendations made in this letter. **We request that you and your department act urgently to address this most serious issue in order to ensure the long-term viability of this important and iconic species.**

Australian Conservation Foundation
Dr. Rosemary Hill
Northern Australia Program Director

Cassowary Advisory Group
Steve Russell
Chair

Capricorn Conservation Council
Jason Countryman
Co-ordinator

Conservation Volunteers
David Hudson
Programs Manager

Daintree Rainforest Foundation Ltd.
Christopher J. Bennett
Chairperson

Earthwatch Institute
Dr Suzanne Jenkins
Conservation Director

FDR Project, Inc.
Deborah Pergolotti
Founding President

Friends of the Earth Kuranda
Sid Walker
President

Gold Coast & Hinterland Environment Council
Sheila Davis
Campaign Coordinator

Johnstone Ecological Society Inc.
Dr. John Ridd
Secretary

Mackay Conservation Group
Dr. Michael Williams
President

Queensland Conservation Council
Toby Hutcheon
Coordinator

**Trees for the Evelyn & Atherton
Tableland Inc**
Doug C Burchill
Secretary

The Wilderness Society
Kerryn O'Connor
North Queensland Campaigner

**Wildlife Preservation Society
Queensland**
Alan Barton
President.

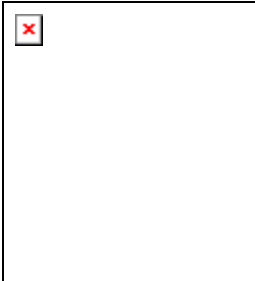
National Parks Assoc. Queensland
Martin Taylor
Executive Coordinator

World Learning Australia Pty Ltd
Tony Cummings
Academic Director

Lowe Isles Preservation Society
Kathryn Anich
Chair – Conservation Sub-Committee



Daintree
RAINFOREST



You make a difference

