



ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.

30 Hardgrave Rd,
West End
Brisbane 4101

Telephone: (07) 3211 4466
Facsimile: (07) 3211 4655
Email: edoqld@edo.org.au
www.edo.org.au/edoqld
ABN 14 911 812 589

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Hon Paul Lucas, MP
Deputy Premier and Minister for Infrastructure and Planning
Level 12, Executive Building, BRISBANE QLD 4000
PO Box 15009, CITY EAST QLD 4002
Tel: 322 44600
Fax: 322 44781
E-mail: deputypremier@ministerial.qld.gov.au

Dear Paul,

Let's avoid extinction of koalas in South-East Queensland.

Please support habitat protection from unsustainable development

Meeting request

We were delighted to hear the Premier Anna Bligh's commitment (5 August 2008) that the Queensland Government will act on the koala crisis to avoid extinction of koalas in this region.

Studies by the Redland Shire Council conclude unless further action is taken the population of Koalas in the Koala Coast area will be extinct by 2020 and the rural population effectively extinct by 2043. The SEQ Koala population has declined from common to vulnerable, with a decrease of 26% of the population of Koalas in Koala Coast in just 7 years. As the Premier stated this is a crisis. The crisis threatens an animal loved by Queenslanders and visitors to Queensland alike.

The heart of the solution is protecting koala habitat from destruction for urban purposes and associated infrastructure. We desperately need bans and tight restrictions on development and infrastructure in koala habitat. The other measures that needs to be adopted about dog restrictions and koala friendly fences are important too, but not the heart of the solution

Our office, the Environmental Defenders Office has a particular interest in Koala conservation. The Environmental Defenders Office is a public interest legal office with a substantial amount of experience in the area of Koala conservation. We have advised clients on laws concerning koalas for 15 years, made submission on the Draft Koala Plans in 2006 and prepared legal papers for seminars. We have been involved in a number of Court cases where our client's object was protection of koala habitat. Due to weak laws at the time crucial koala habitat was lost. This must not continue.

Minister, we seek your active support for tougher laws to protect koalas, especially their habitat.

Please advise a time when you are free to meet with us to discuss this further with you.

The following are just a few suggestions, drawn from our earlier submissions, of where the current system requires reform:

The concept of "development commitment" should be narrowed as the current definitions allow huge numbers of inappropriate developments to proceed in Koala habitat. Also, there should be a tightening of the rules that apply to community infrastructure and extractive industry in Koala habitat;

Strict rules stopping habitat destruction are needed, not just in Koala Conservation Areas and Koala Sustainability Areas but also in Urban Koala Areas;

On a political and legal basis, the best way to introduce restrictions needs to be considered. If restrictions are introduced under the Koala Conservation plan that might mean compensation would be payable if rules are inconsistent with planning instruments (Section 122 *Nature Conservation Act 1992*). However, if restrictions are made under the Regulatory provisions of the SEQ Regional Plan, then reflected in planning schemes, compensation is not payable.

The State Environmental Protection Agency needs to be given "concurrence" powers to be used by reference to strict criteria protective of koalas in Urban Koala Areas as well as Koala Conservation Areas and Koala Sustainability Areas. This power can only be effectively given to the EPA if it is accompanied by substantial additional funding.

Yours faithfully
Environmental Defenders Office (Qld) Inc.



Jo Bragg
Solicitor

To provide feedback on EDO services, write to us at the above address.

Cc
Minister Andrew McNamara
Premier Anna Bligh