



ENVIRONMENTAL DEFENDERS OFFICE  
(QLD) INC.

ENVIRONMENTAL DEFENDER'S OFFICE OF  
NORTHERN QUEENSLAND INC.



## **BULLETIN – JUNE 2003**

### **What's in this Bulletin?**

As well as informing you on key Court cases, this month's issue discusses the Draft Zoning Plan for the Great Barrier Reef Marine Park Area and the opportunity for public comment on the Plan. We also explain the potential ramifications of a current dredging permit application for a proposed canal estate in North Queensland, and note EDO Qld's updated website! Finally, read how new group *Lawyers Against Land Clearing* has formed, to scrutinise the proposed amendments to Queensland's vegetation clearing laws discussed last Bulletin!

### **Springbrook Conservation Appeal to be heard at Southport**

On 25-28 August 2003 the Southport Planning and Environment Court will hear an appeal brought by environmentalists against a decision by the Gold Coast City Council to approve a tourist development in an ecologically sensitive part of Springbrook.

This is an important precedent case as the additional cabin development approved by Council, while small, further breaches the density restrictions in the planning scheme on the justification that the developer is donating some other less ecologically significant land at another site. Therefore the appellants, Ken and Jeanette O'Shea, Friends of Springbrook Alliance Inc. and the Gold Coast and Hinterland Environment Council Inc. (GECKO) have banded together, represented by EDO Qld and Barrister Paul Howorth, to engage expert witnesses and oppose the development.

Springbrook is an area of very high conservation value, similar in its outstanding biodiversity values to the nearby World Heritage listed Springbrook and Lamington National Park. Currently State and local government are embarking on some much needed joint planning for the region in order to protect its outstanding values, so it is imperative that current planning scheme restrictions on development in this precious area are respected.

*For more information contact EDO Qld or email Ken O'Shea on [kenoshea@tpg.com.au](mailto:kenoshea@tpg.com.au)*

### **Nathan Dam Case - Court Date Allocated**

In our April 2003 Bulletin we updated you on the progress of the Nathan Dam case, in which QCC and WWF Australia challenge an assessment decision of the Federal Minister for the Environment and Heritage, Dr. David Kemp. We have now been allocated a court date - the case will be heard before Justice

Kiefel at 10:15am on Tuesday, 2 September 2003. Members of the public are welcome to attend and watch this landmark case, but must observe court protocols like switching off mobile phones and remaining silent.

*For more information about the case contact Larissa Waters or Jo Bragg at EDO Qld.*

### **Lawyers Call For Controls on Land Clearing**

A group of Queensland lawyers, including EDO solicitors, met in Brisbane recently to establish *Lawyers Against Land Clearing*, a group aiming to play a constructive part in the public debate surrounding the Commonwealth/Queensland package to control land clearing, outlined in our May 2003 Bulletin.

Lawyers Against Land Clearing comprises barristers, private solicitors and community legal centre solicitors, with interim spokesperson, Sunshine Coast solicitor David Fahl, saying:

*Broadscale land clearing causes loss of biodiversity, greenhouse gas emissions and dry land salinity. Current laws and policies on land clearing have allowed a disgraceful rate of clearing in Queensland, contributing to the distressing fact that, on current knowledge, Australia has one of the highest rates of land clearing in the world.*

*It's time for lawyers to participate in this public debate. We are uniquely placed to analyse and critique the details of the Cth/State package, to help achieve stronger, simpler laws to better protect vegetation.*

Lawyers Against Land Clearing will call a public meeting of Queensland lawyers in the next three weeks and invite members of the profession to attend and express their support for the proposed land clearing reforms. For those lawyers in North Queensland who would like to participate in Lawyers Against Land Clearing please contact Joanna Cull at EDO NQ.

*For more information about Lawyers Against Land Clearing contact interim spokesperson David Fahl, on (07) 54 79 0155 or email [david@lestarmanninglawyers.com](mailto:david@lestarmanninglawyers.com).*

### **Canal Estates Hit Far North Queensland**

A current application for dredging in both the general use and the estuarine conservation zone of the Trinity Inlet/Marlin Coast Marine Park should be a cause for concern for North Queensland residents. The application to dredge has been made to the Environmental Protection Agency (EPA) by Consolidated Properties Pty Ltd, which has all the approvals required for a major development on the Earl Hill South site, except for the permit to dredge in the Marine Park.

CAFNEC, with assistance of EDO-NQ, have prepared a submission opposing the granting of the permit on the basis that it would be contrary to the *Marine Parks Regulation 1990* and the Trinity Inlet/Marlin Coast Zoning Plan. CAFNEC and EDO-NQ are concerned that EPA approval for dredging would pave the way for the first canal estate development in North Queensland, and could set a

worrying precedent for the protection of estuarine conservation zones in Marine Parks generally. The EPA's decision on whether to grant the dredging permit is expected shortly.

*For further details contact Joanna Cull of EDO-NQ on 40314766 or email [jcull@edo.org.au](mailto:jcull@edo.org.au).*

### **Great Barrier Reef World Heritage Area Draft Zoning Plan out for Public Comment**

As most EDO members would know, the Federal Government has recently released the Draft Zoning Plan for the Great Barrier Reef Marine Park, as part of its Representative Areas Program ("RAP"). The RAP is carried out under the *Great Barrier Reef Marine Park Act 1975* and is now in its second public consultation phase.

Under the recently released Draft Zoning Plan, 32.5% of the Great Barrier Reef Marine Park has been zoned green (no take), which is a major improvement on the current 4.6%. There has been a significant backlash against the proposed zoning by the commercial and recreational fishing sectors and now is a crucial time for the protection of the Reef. Environmentalists and lawyers interested in conservation of the reef should make a submission to GBRMPA by the closing date of **4 August 2003**. The conservation movement has suggested submitters express support GBRMPA's decision to zone 32.5% of the GBRMP green but that they also urge GBRMPA to consider zoning up to 50% of the Reef green. Scientific experts in the field recommend between 30%-50% of the Marine Park should be zoned green to protect its long term health.

Submission forms for making public comments on the Draft Zoning Plan are available from the GRMPA website at [www.gbrmpa.gov.au](http://www.gbrmpa.gov.au).

*For further information, visit [www.gbr.wwf.org.au](http://www.gbr.wwf.org.au) or contact Reef Campaigner Imogen Zethoven of WWF on 38392677, James McLellan of NQCC on 47716226, John Rainbird of CAFNEC on 40321746, the Mackay Conservation Group on 49530808 or Brett Kuskops of Capricorn Conservation Council on 49278644. For further details from EDO-NQ contact Joanna Cull on 40314766 or at [jcull@edo.org.au](mailto:jcull@edo.org.au).*

### **EDO Qld Website Updated**

Checked out the EDO Qld website lately? We've updated our site, and you can now find all our recent Bulletins, news of upcoming workshops, and a link to new "Current information sheets"! See the information sheet discussing the draft Koala Conservation Plan released by the EPA, and in the next few weeks watch out for an information sheet of a brief overview of the structure of the Water Act 2000 and how the public can participate in water planning, along with other useful information! Keep watching this space as more material is uploaded in the coming weeks, and please provide feedback and suggestions for information you'd like to see on our website!

See the EDO Qld website at [www.edo.org.au/edoqld](http://www.edo.org.au/edoqld)

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