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ARTICLES

What Is Happening on Keswick Island? – Spotlight on Queensland Island Governance Arrangements – *Rhett Martin*

This article focuses on planning and environmental law issues arising from management of Keswick Island (Keswick), located near Mackay off the Queensland coast. At issue is the extent to which head lease obligations have been performed by the head lessee, whether environmental and planning laws and lease conditions have been properly complied with and, where compliance is deficient, whether duly enforced by the Queensland Government, and the impact this has on island residents, including sublessees. Various questions arise about the transfer of the head lease to the current head lessee on Keswick, Oasis Forest Ltd, and their governance of the island, and relationship with sublessees. These questions are relevant to Queensland, and federal environmental and planning laws, administrative decision-making on Queensland Island governance, including how head lessees on Queensland islands are chosen, and the future of Queensland Island tourism and governance.

73

Slipping behind Environmental Goals: The Legal and Institutional Barriers Hindering Product Sustainability in Australia and Queensland – *Thomas Duffy*

Negative environmental outcomes have necessitated the global discussion of adopting circular economy principles. Leaders in sustainability, such as the European Union, have formed international precedent for integrated sustainability frameworks. These frameworks recognise the key role of product sustainability, but Australia and Queensland have not followed sustainable suit. With voluntary product stewardship schemes, Australia's sustainable product market suffers from a lack of enforcement. The absence of a sustainable product market is also hindered by intellectual property rights and e-waste complexities. Commonwealth and Queensland policy have recognised these issues, but the lack of authentic product stewardship regulations insufficiently address innovative policy objectives. This article evaluates the shortcomings of these laws and regulations, drawing transnational jurisdiction comparisons to propose appropriate reform options. The findings confirm that product sustainability is limited by Australia's weak frameworks and enforcement mechanisms. This consolidates the proposed implementation of regulatory and market-based intervention strategies. Stemming from a reliance on traditional waste methods and fragmented approaches to product stewardship, this article ultimately purports to evaluate the Australian and Queensland product sustainability gaps that current literature fails to comprehensively address.

86

The Case for TEEB Ecosystem Valuation Modelling in Enforceable Undertakings –
Rhiannon Brazier

With the recent increase in the use of enforceable undertakings (EUs) by regulators as a method of enforcing environmental legislation, this article lays out the case for the introduction of ecosystem-services modelling frameworks into the EU structure. The ecosystem and biodiversity valuation framework known as TEEB should be applied by regulators to ensure that the commitments secured in EUs restores injured ecosystems back to baseline. EUs need a clear and comprehensive framework for valuating ecosystem and biodiversity harm caused by legislative breach if EUs are to realistically achieve their intended restorative justice purposes. Use of a TEEB framework will set out as guidance for offenders, a clear standard for restoration. 101

Is Land-use Planning Being Underutilised for Ensuring the Resilience of New Electricity Infrastructure?: An Australian Case Study –
Rosemary Lyster, Anne Kallies, Philippa England and Stephanie Vatala

Australia is a signatory to the Paris Agreement and has embarked upon a radical transformation of its electricity infrastructure to be achieved by 2030. This requires significant investment in new infrastructure including 10,000 km of transmission lines to connect renewable energy and battery firming projects to the existing national electricity grid. This development is taking place within Renewable Energy Zones designated in the States and Territories. In this article, the authors question the contribution which land-use planning is making to building the resilience of this new infrastructure to climate-induced extreme weather events. We focus on the jurisdictions of New South Wales, Victoria and Queensland. Our analysis suggests that optimism in using land-use planning frameworks to build resilience in electricity infrastructure is overstated at present. This points towards an urgent need to develop a more robust strategy in future. 110