

**Topic:** Barnwell Rd / KUR-World

**Date:** 1 July 2016

**To:** Urban Sync

**Email:** [admin@urbansync.com.au](mailto:admin@urbansync.com.au)

**CC:** [info@msc.qld.gov.au](mailto:info@msc.qld.gov.au), [mail@kurandapaper.com](mailto:mail@kurandapaper.com),

[Barron.River@parliament.qld.gov.au](mailto:Barron.River@parliament.qld.gov.au), [\[Ann.English@environment.gov.au\]\(mailto:Ann.English@environment.gov.au\)](mailto:Terri-</a></p></div><div data-bbox=)



**Purpose:** To explore the proposed project in more detail, in lieu of PUBLIC CONSULTATION, to date.

As a community group we would like to address the following:

1. Does your client, Reever and Ocean Pty Ltd, understand that Kuranda Region residents have the legal mechanism of 'Social License' to deny support for this project?
2. Do you understand your Lack of Compliance to date indicates that Urban Sync and Reever and Ocean Pty Ltd. may not be appropriate developers for this land, as you have *demonstrated through your actions to date*, your total lack of understanding for the ecological, cultural and local sensitivity of this historically zoned land parcel:
  - a. Section 7.1 in the 'EPBC Referral of proposed action' asks the question 'Does the party taking the action have a 'satisfactory record' of responsible environmental management?' Why was this section ticked 'Yes' indicating that Ken Lee, the proponent, has a 'satisfactory record of responsible environmental management'. Then, instead of providing details of an actual 'satisfactory record' – you have stated this is the proponent's – Ken Lee's – first development so there is 'no record'. Why did you fill the form in incorrectly on behalf of your client, Reever and Ocean Pty Ltd?

 Australian Government  
Department of the Environment  
**Referral of proposed action**

**Project title:** KUR-World Integrated Eco-resort

**7 Environmental record of the responsible party**

NOTE: If a decision is made that a proposal needs approval under the EPBC Act, the Environment Minister will also decide the assessment approach. The EPBC Regulations provide for the environmental history of the party proposing to take the action to be taken into account when deciding the assessment approach.

		Yes	No
7.1	Does the party taking the action have a satisfactory record of responsible environmental management?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<b>Provide details</b> This is the proponent's first development and so there is no record of prior environmental management.		

- b. Taking a look at this matter below - which does give our community groups an indication of environmental management to date of the project to some degree – we

see proponent has *retrospectively* submitted a *basic* council application for a rural dam on the property. As you can see on the sign – the Mareeba Shire Council ‘HAVE YOUR SAY’ period commenced from the 8 June and ends on the 28 June – and here is the dam! The photo was taken on 8 June. This video was created prior to 15 June.



<https://youtu.be/O5EKX-Cgg8g>

Our concern is that without the appropriate PERMITS TO OUR COUNCIL, an actual SOIL AND EROSION PLAN was never formally surveyed, written up and then enacted on the land during the land clearing, scraping back to dirt in full catchment zones and earthworks to create dam. Were BEST PRACTISES *actually used* for the work to date?

3. Please explain why you have *pushed on regardless* without appropriate permits for the rural dam (OPERATIONAL WORKS APPLICATION FOR A DEVELOPMENT PERMIT) or for land clearing (SOIL AND EROSION PLAN). Are you aware that emails and calls were being made to the Mareeba Shire Council since last December? Did they advise you of the growing concerns around the project area?
4. Please be advised, our community groups are dissatisfied with the 2015 Mareeba Shire Council Planning Scheme in its current form. *Document trail supplied on request.* The environmental overlays have been removed in this version, without appropriate community consultation, and has failed our community to protect the historically zoned land parcels in Wet Tropics World Heritage. Our community groups have been forced to come forward to protect this Vital Corridor land at all costs.
5. Please be advised, our community feels we have not been adequately represented on this matter by those who were voted by us to do so, our Mareeba Shire Council. Our

community groups believe our local council has been *negligent* by not advising you and your client, or cautioning you, in regards to the Kuranda Region communities, and our likely views of a project of this nature right in the middle of our treasured homelands. Our Mayor, Tom Gilmore stated on ABC Radio Far North “It’s a very exciting proposal, my council, of course, has been briefed by Mr Lee and his company over a period of time.”

<https://youtu.be/fQTgMTSyqwk> at 1:00. We believe, in your conversations with our council, that Tom Gilmore was negligent to have not informed you and your client of our ‘likely community views’ in regards to your project.

6. Please understand, we disregard getting written off as a bunch of greenie, hippy, enviros, musos, rainforest fairies, etc. instead we prefer to be leaders of the preservation of our greater environment – our human habitat - lands, waters, breathable air, forests and animals for future generations – because once we push it all down – it’s over folks.
7. Do you understand the true reflection of invasion of these lands by the early pioneers in our current naming conventions: ATHERTON, CLOHESY, VIEVERS, BARNWELL, BOYLES, etc. The size of the BARNWELL historic 12 titles parcels indicate that Great (Great?) Grandad Barnwell “settled” this central passage of Bulwai Country, and where the homestead now stands atop the higher part of the property, was most likely a Bulwandji Campground, as was the case in those days. The campgrounds and other subsistence work areas were effectively ‘large holes’ or ‘pockets’ in the thick rainforest – eg. ‘Welcome Pocket’ in Kuranda - perhaps 50 to 200 metres across – often positioned near a clean and constant water source (such as the aquifer on ‘unnamed creek’ at the top of the BARNWELL titles near the homestead). Of course, the true history can only be written with the proper Cultural Survey that you have failed to undertake with the Bulwandji Traditional Owners to date.
8. Do you understand the significance of place names such as Skeleton Creek, Skull Pocket, Butchers Creek, Skull Lagoon, Rifle Creek, Blunder Creek, Skull Hole, etc in our region?
9. We do not accept the ‘private sale’ of this land for *gross financial gain* that requires clearing Recovering Rainforest and carving it up. We believe the Bama *Rainforest People* are the Traditional Custodians of this land and we support the appropriate process of the historically zoned BARNWELL 12 RURAL TITLES to bring this important piece of land back to the Traditional Owners.
10. The land will be returned to the Bama and, supported by our community nurseries and other local embedded cultural groups, we will bring this land back to full health and regrow the ancient forest. This will ensure we put the rainforest giants – the ‘timber getting’ that built Colonial Australia - back in place for future generation’s health and wealth in this Vital Corridor.

11. Please confirm that you have absorbed and understood this Wet Tropics World Heritage Vital Corridor land, the KUR-World project area, is integral to the survival of:
- 2 CRITICALLY ENDANGERED SPECIES
  - 22 ENDANGERED SPECIES (including the Southern Cassowary - Keystone species of the ancient rainforest)
  - 13 THREATENED (VULNERABLE) SPECIES

As specified in the 'EPBC Act Protected Matters Report' on your 12 TITLES:

<http://epbcnotices.environment.gov.au/entity/annotation/ed8beb29-0b26-e611-bb47-005056ba00a8/a71d58ad-4cba-48b6-8dab-f3091fc31cd5?t=1464830277340>

12. Does your client understand, from our point of view, that just because he had the \$2 million to buy the land *this does not entitle him* to develop it however he wants to. This is simply unrealistic, unacceptable and impolite to the 2,766 (2011 Census) people who call this place home?

13. Do you understand the only sections in the EPBC Referral of proposed action, that you, on behalf of your client, Reeve and Ocean Pty Ltd, failed to complete are:

<p><b>2.6 Public consultation (including with Indigenous stakeholders)</b></p> <p>No public consultation has occurred at this stage.</p> <p>* Various companies in Cairns are available to facilitate this process – why wasn't this work done for this submission?</p>	<p>INCOMPLETE</p>
<p><b>3.3 (h) Commonwealth Heritage Places or other places recognised as having heritage values</b></p> <p>No sites listed on the Register of the National Estate, World Heritage list, National Heritage list or the Commonwealth Heritage List or the Queensland Heritage Register are present on the site.</p> <p>* The Queensland Aboriginal Cultural Heritage Act 2003 is missing on this list of appropriate legislation for this project.</p> <p><a href="https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/A/AborCultHA03.pdf">https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/A/AborCultHA03.pdf</a></p>	<p>INCOMPLETE</p>
<p><b>3.3 (i) Indigenous heritage values</b></p> <p>The KUR-World project site is located within Djabugay country. No indigenous heritage values have been identified on the site to date.</p> <p>* Bulwai/ Bulwandji Native Title Claim (Cairns Regional Claim) currently in progress. This Native Title claim covers the KUR-World project area.</p>	<p>INCOMPLETE</p>

14. To fully understand our “community investment portion” in your client’s KUR-World Master Plan (\$650 million), please provide a breakdown of ‘Foreign Investment’ vs ‘Infrastructure funded by the Australian ratepayer / taxpayer’ for our assessment as to whether this is in line with what our community considers ‘good investment in our region’.

Please complete the following table:

Foreign Investment	\$ <input type="text"/> million
Infrastructure funded by the Australian ratepayer / taxpayer	\$ <input type="text"/> million
KUR-World Master Plan	<b>\$650 million</b>

15. For our first round of public consultation we would like to conduct any, or all, of the following on your behalf:

- a. Online petition, eg. [www.change.org](http://www.change.org)
- b. SMS polling application
- c. Emails, eg. sent to [admin@urbansync.com.au](mailto:admin@urbansync.com.au)
- d. Postal letter, eg. sent or personally delivered to 192 Mulgrave Rd, Cairns City QLD 4870
- e. Public gathering of protest

Please advise our community your preferred method/s for receiving objections to the KUR-World project by entering values in the table below:

Method	Required #	% of Population	Kuranda Region (2011 Census)
Online Petition	<input type="text"/>	<input type="text"/>	2,766
SMS polling	<input type="text"/>	<input type="text"/>	2,766
Emails	<input type="text"/>	<input type="text"/>	2,766
Postal letter	<input type="text"/>	<input type="text"/>	2,766
Public gathering of protest	<input type="text"/>	<input type="text"/>	2,766

16. Why do you think chopping up prime Wet Tropic Rainforest Vital Corridor Country is acceptable on your RURAL historically zoned 12 Titles?

17. Why do you think *special subdivision rules* should be extended to your development when a lot of work *for proper sustainable development* has already been done for the eco@jumrum Residential Development?

Thank you for your time and engagement on this matter that affects our Kuranda Region deeply due to the sheer size and scope of the proposed project.

*\* This information request has been posted on the KUR-World webpage link below. The reply will be posted when it is received from Urban Sync.*

For more information on the KUR-World project and how it relates to the Kuranda Region community please visit: [www.kurandaregion.org/kur-world](http://www.kurandaregion.org/kur-world)

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