

## THE TASMANIAN PULP MILL—BELL BAY INDUSTRIAL ESTATE, TAMAR VALLEY

### Celebrity Media Gardener should clean up on who is funding local protest.

On 19 November 2009, ABC gardening personality Peter Cundall was arrested outside Tasmania's Parliament House during a protest against Gunns' Tamar Valley pulp mill.

His arrest was portrayed in the media<sup>i</sup> as the culmination of action by concerned local community members to protest against 2007 Pulp Mill Assessment Act being passed by both Houses of Parliament. It was this Act that enabled the Mill's economic and environmental assessment to be completed and a State Permit to be issued for its construction and operation. {Note the Commonwealth used a separate process under its Environment Protection and Biodiversity Conservation Act to also approve the project}.

The celebrity gardener was quoted as stating “It was a terrible thing that basically a proponent of the mill can actually make major donations to a party or both parties, and help to actually write the legislation, and it is then passed through Parliament, with the members of Parliament not allowed to oppose it or amend it. That to my mind is corruption...”

Yet he and the protesters ignored the Hansard record<sup>ii</sup> of the open and transparent debate on the Bill that saw independent members of the Legislative council move a series of amendments to the Government's Bill drafted by parliamentary draftsmen that rewrote key clauses to ensure that citizens common law were upheld. The Tasmanian Supreme Court subsequently upheld the intention of these amendments that are now law.

Upon news of his arrest lawyers volunteered to defend this icon of the media gardeners.

No wonder Victoria's Fitzroy legal service offered to defend Mr Cundall; he is the Patron of their Online Law book.

The Law Handbook Online - Fitzroy Legal Service - Windows Internet Explorer  
http://www.lawhandbook.org.au

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Welcome to...  
**The Law Handbook Online**  
“I am proud to be the patron of this marvellous guide to the law. You'll find it's absolutely jam-packed with all sorts of information, names, and numbers.  
Look, it's so easy, *anyone* can give it a go.  
So go on, dig into *The Law Handbook* and watch your legal rights grow. Just like that.”  
— Peter Cundall  
*It's your bloomin' law!*

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Mr Cundall's interest in law, government and activism for social change appears to date from being a candidate for the Communist Party of Australia in the 1961 senate election. Since then he has supported a range of protests including those directed against Tasmania's forest Industry and in recent years the approved pulp mill.

On this same web page as Mr Cundall's photo and statement of support, there is a link to the Activists Rights Handbook developed by the Fitzroy Legal Service with the help of funding from the Reichstein Foundation.

How to use this site | Links & resources | Activists legal right: a short guide | About this project | Acknowledgements | Contributors

# ActivistRights.org.au

Activist Legal Information | Legal Context of Activism | Activist Legal Support

The Activist Rights website is for people who are trying to create positive changes in their lives and communities.

Resources on this site have been drawn from around the world and from our own experience here in Australia to help support new and experienced activists, campaign organisers, legal workers and progressive lawyers.

Our aim is to help Australian activist networks and movements face the police and legal system, build resilience against repression and to keep working for a better world.

- > Why an activists rights website?
- > What is Activist legal support?
- > What is an activist?
- > What is lawful and unlawful?
- > Criminalising political dissent
- > Civil disobedience
- > Policing political protests
- > Police tactics at protests
- > Surveillance of activists
- > DIY legal research

"Protest beyond the law is not a departure from democracy; it is absolutely essential to it."

Howard Zinn

Information is particular to Victoria and Commonwealth Law and current as at April 2004.  
This site should not be used instead of legal advice.  
Always seek legal advice.

FITZROY LEGAL SERVICE INC. | Reichstein Foundation | Victoria Law Foundation

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The Reichstein foundation was set up by a wealthy Melbourne Industrialist to support workers and their families in the City's Western suburbs where the company's factories were located. It used to support charities but now funds advocates for social change, including activist green groups.

According to its 2008 annual report Reichstein bankrolled the Wilderness Society's campaign against the Tasmania's approved pulp mill to the tune of \$17,560.00.

The Wilderness Society has been an active opponent of the pulp mill, despite the mill having no impact on Tasmania's high quality wilderness or its old growth forest. Mr Cundall and the Wilderness society have shared the stage at so called "community" anti pulp mill rallies.

However the funding of such campaigns has remained a mystery until the publication of the Reichstein foundations annual report.

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Reichstein Foundation Report July 2007 – December 2008	
<h1>Grants</h1>	
Made from 1 July 2007 – 31 December 2008	
<b>Environment</b>	
<b>Ballarat Renewable Energy and Zero Emissions</b> www.breeze.org.au	<b>Friends of the Earth Melbourne</b> www.melbourne.foe.org.au
Employment of a part-time project manager \$30,000	Victoria's desalination project, at what cost? Forcing change to responsible water policy \$31,000
Developing environmental sustainability in Ballarat	Educating the public about Victoria's water supply options and sustainable water use
Supported by Hamer Fund of Melbourne Community Foundation	Supported by Grigg Family Fund of Melbourne Community Foundation
<b>Climate Action Network Australia</b> www.cana.net.au	<b>Friends of the Earth Melbourne</b> www.melbourne.foe.org.au
Building for Poznan: Increasing the capacity of Australian NGOs to work on climate change \$2,000	Communications tools & platforms to strengthen the climate movement \$13,000
Increasing the capacity of NGOs to engage in the climate change policy debate	Generating stronger campaigns through developing communication and networking tools
<b>Environment Victoria</b> www.envict.org.au	<b>Mount Alexander Sustainability Group</b> www.masg.org.au
Strengthening community involvement in sustainable water management \$15,250	Focus on community \$10,000
Creating a strong voice to protect and restore river health	Resourcing the local community to work with disadvantaged groups on environment projects
<b>Environment Victoria</b> www.envict.org.au	<b>National Trust of Australia (Victoria)</b> www.natrust.com.au
Multicultural leaders in sustainability \$20,000	Devilbend Reserve aquatic ecology monitoring \$5,500
Engaging young culturally and linguistically diverse youth to work with their local environment	Surveying ecological studies to ensure the sustainability of the Devilbend Reserve
	Supported by Philippa and Peter Currie
	<b>Victorian National Parks Association</b> www.vnpa.org.au
	Protection of Victoria's marine and coastal biodiversity \$25,000
	Raising awareness and changing policy concerning Victoria's coastlines
	Supported by Philippa and Peter Currie and an anonymous donor
	<b>Wilderness Society</b> www.wilderness.org.au
	Gunns proposed pulp mill \$17,560
	Resourcing the community in the Tasmanian Tamar Valley affected by the proposal to build a pulp mill
	<b>Responsible Forest Management Australia</b> www.rfcaustralia.org.au
	Visit of Dr Michael E Conroy from the US Environmental Grantmakers Network \$2,500
	Supporting discussion around responsible forest management
	<b>Wilderness Society</b> www.wilderness.org.au
	Development of a regional biodiversity and cultural heritage agenda \$37,000
	Building capacity and collaboration between environment groups and Indigenous Traditional Owners
	<b>TOTAL ENVIRONMENT</b> \$218,810

Web sites      Reichstein foundation      <http://www.reichstein.org.au/>  
Fitzroy legal Centre      <http://www.fitzroy-legal.org.au/>

<sup>i</sup> Sydney Morning Herald, 19 Nov 09, Peter Cundall Arrested accessed at <http://www.smh.com.au/national/peter-cundall-arrested-in-mill-protest-20091119-io9n.html>

<sup>ii</sup> Hansard, Tasmanian Legislative council Thursday 29 March 2007 - Part 2 - Pages 48 – 116 available at <http://www.parliament.tas.gov.au/HansardCouncil/isysquery/bfd317f2-09f7-4bc5-9c2c-1bb0a50527dd/1/doc/c29march2.htm>