



THE UNIVERSITY
OF QUEENSLAND
AUSTRALIA

CREATE CHANGE

Legal mechanisms for protection of coastal human settlements and ecosystems

Justine Bell-James

Protecting human settlements in Queensland



Queensland adaptation policy – human settlements

- Development should avoid natural hazard areas, or where this is not possible, mitigate the risks to people and property to an acceptable or tolerable level: SPP, 2017
- This may result in development being refused – see e.g. *Roubaix Properties Pty Ltd v Somerset Regional Council* [2020] QPEC 34
- Future court action?

Protecting coastal ecosystems under sea level rise

- Ecosystems like mangroves can ‘keep pace’ with sea level rise – unless physical structures prevent this
- Novel legal mechanisms can facilitate this



Human rights and climate change

- *Human Rights Act 2019* (Qld) commenced in 2020
- Internationally – link between climate change and human rights is well-recognised
- Could be an important driver of climate action into the future



THE UNIVERSITY
OF QUEENSLAND
AUSTRALIA

CREATE CHANGE

Thank you

Dr Justine Bell-James | Associate Professor
School of Law
j.bell-james@law.uq.edu.au
07 3365 6588



facebook.com/uniofqld



Instagram.com/uniofqld



[@justinebellj](https://twitter.com/justinebellj)



[Justine Bell-James](#)