



New claims against CSR in Gympie - Finding the right piece in the chemical puzzle

Judy Teizel, Brisbane

Dealing with chemical injuries cases is always difficult in that there are so many chemicals in our environment.

The first thing you must do is isolate the particular chemical causing the symptoms your client has and locate the source of that chemical. This is particularly so in environmental cases.

One case in which our firm is involved is a good example of this.

For more than a year the Gympie Times ran articles with headlines such as "ARSENIC CLAIMS GO UNDER MICROSCOPE" and "ARSENIC FEARS SPARK URGENT WATER TESTING".

Another article in the Weekly Observer in Gympie read "ARSENIC LEVELS FIFTEEN TIMES LIMIT FOUND IN PRIVATE DAM WATER".

Gympie is a small mining town two hours north of Brisbane. In the late 1800's the town thrived on the gold mining in the area.

It was therefore no surprise that there were high levels of arsenic in the Gympie area, as this is a by-product of gold mining. There are, in fact, still gold mines in Gympie. The concerns were first raised when children at the Monkland School in Gympie began exhibiting symptoms such as nosebleeds, headaches and nausea, asthma, skin rashes and behavioural problems.

This seemed to be a major cause for concern for the parents and local resi-

dents. Across the road from the school is the Eldorado gold mine. There are two other gold mines close by.

Parents and children had also noticed, at times, a lot of smoke coming from the CSR Timber Products plant which produces chipboard. This factory is approximately 150 metres from the school on a small hill that overlooks the school.

The other piece to the puzzle was that for the twenty years that the CSR plant had existed in Gympie the residents told us that the plant had been dumping waste chipboard into valleys on farms in the local area with the property owners' consent. So much had been dumped on one property that the residents believed it had altered the line of the valley. The main problem with this waste was that when it wasn't blowing dust over everything it was self combusting and causing thick smoke to envelope the area. A number of the residents complaining of symptoms in themselves and their children lived on allotments backing on to these dump sites. Some of the dump sites were not very far from the CSR factory.

For the major part however, most of the people seem to be worried about the arsenic levels. Our firm travelled up to see the concerned parents and residents who were quick to tell us about the arsenic. We then took a drive past the CSR factory. Continued on page 4

APLA victory in SA

Angela Bentley, Adelaide

The bid of the South Australian Government to increase the period of significant impairment for motor vehicle accident victims to bring claims for pain and suffering from one week to a period of six months of serious and significant impairment has been defeated. (Ed: see *Plaintiff* 27, p.47)

The South Australian Branch of APLA mounted a media and political lobbying campaign to highlight the injustice of the proposed amendment which was introduced into State Parliament on June 4 1998 without any forewarning.

The Motor Accident Commission spent approximately \$200,000 lobbying in favour of the proposal, including \$100,000 in media consultants. APLA resisted the proposal expending less than \$10,000 excluding the cost of members' time.

On August 27 1998 a Joint Conference of both Houses threw out the proposed amendment.

South Australian members are grateful for the support of the APLA National Council and for the help we were given by Simon McGregor, APLA's National Policy Manager (see page 26). ■