

SPECIAL BULLETIN
February 2005
Opportunities for public comment

What's in this Bulletin?

This month we outline opportunities for public comment on government environmental initiatives, with a number of key proposals, currently open for your input! **Due 28th February:** submissions on the SEQ Regional Plan and the SEQ Regional *Coastal* Plan. **Due 1st March:** submissions on the Interim Code for Native Forest Practices. **Due 4th March:** submissions on councillor's code of conduct. Plus submissions sought on Interim Vegetation Clearing codes, Strategy on Great Sandy Marine Park, Koala Plan, and 4 Resource Operations Plans. Get active and have your say!

Next month we will update you on all of EDO's cases, staff news and other interesting environmental law developments.

Opportunities for Comment – Have Your Say!

1. Draft SEQ Regional Plan – **comments due 28 February 2005**

This draft plan released by the State Office of Urban Management fails to analyse critical environmental thresholds such as minimum water quality standards for waterways or to demonstrate those thresholds will not be exceeded by predicted population growth. The Plan does not protect our threatened regional wildlife corridors. Recently EDO Qld has held a series of 8 workshops throughout the South East to help people to make submissions on this crucial document, which **overrides local planning schemes**. EDO-Qld lodged a preliminary submission on the draft plan in December 2004, prepared by Brian Feeney, Principal Planner for Community Planning Advocacy Centre, a special project of EDO-Qld. We have now finalised our submission and it is available on our website for your reference

For a copy of the EDO Qld-CPAC submission on the SEQ plan see www.edo.org.au/edoqld or contact Jo Bragg on jbragg@edo.org.au.

For other information on the Plan see EDO Qld's website at <http://www.edo.org.au/edoqld/edoqld/lawreform/seqplanbrief.pdf>; also QCC's website at <http://www.qccqld.org.au/news.htm> and OUM's website at www.oum.qld.gov.au.

2. Draft SEQ Regional Coastal Management Plan – **comments due 28 February 2005**

The Draft SEQ Coastal Plan has been somewhat overshadowed by the Regional Plan discussed above, but it is an equally important document. The Plan is a statutory instrument made under the *Coastal Management and Protection Act 1995* (Qld) with the status of a State Planning Policy under IPA, and so must be implemented by local government by incorporation into planning schemes and as a measure against which development proposals are assessed. The draft Plan sets out 18 policies which are intended to manage the impacts of coastal development (particularly from dredging, marinas, waterfront estates, and acid sulfate soils) by setting environmental standards to protect water quality, preserve wetlands (eg 100m no-development buffer around wetlands) and minimise erosion. It is critical that these targets and the policies are clear and tight rather than general visionary statements to ensure that Councils are left in no doubt about the applicable rules to apply when assessing coastal development applications. Get in and have your say to ensure this happens, very few submissions have been lodged to date!

Copies of the Draft SEQ Regional Coastal Management Plan are available free by phoning 1800 677 831, e-mailing seqcoast.plan.epa.qld.gov.au or visiting www.epa.qld.gov.au.

Comments are due by Monday 28 February 2005 and should be posted to the Project Manager, SEQ Regional Coastal Management Plan, EPA, PO Box 15155, City East, QLD 4022.

3. New Interim Code for Native Forest Practices – comments due 1 March 2005

This code will govern native forest practices on freehold land and was released for public consultation by Natural Resources Minister the Hon. Stephen Robertson. Stakeholders have until 1 March 2005 to lodge submissions on the interim code - which comes into effect the same day. The interim code will then be reviewed taking into account stakeholder views. Copies of the interim code are available in the Vegetation Management section of the Department's website at www.nrm.qld.gov.au.

For further details contact Joanna Cull at EDO-NQ on jcull@edo.org.au or Louise Matthiesson at the Wilderness Society on (07) 3846 1420 or email bushland@wilderness.org.au.

4. Councillor's code of conduct - comments due 4 March 2005

Draft legislation to establish a compulsory, enforceable Code of Conduct for Councillors is open for public comment. While the CMC will continue to investigate complaints of official misconduct, the proposed Code is intended to provide Councillors with clear guidance and a straight-forward frame of reference about their roles, obligations and acceptable behavioural standards. The Code will include penalties such as written reprimands, public censure and suspension from Council and committee meetings, with details of any incidents of objectionable behaviour to be published in Council Annual Reports. The proposed Code is based on the State government's 2001 Ethical Standards Code.

EDO clients regularly complain of biased behaviour by rogue Councillors. Here is your chance to detail examples and to ensure such behaviour can formally be penalised.

Copies of the draft legislative proposals and accompanying explanatory notes are available from www.lgp.qld.gov.au.

Submissions must be received by 4 March 2005 and faxed to 3225 1351, e-mailed to localgovernment@dlgp.qld.gov.au, or posted to the General Manager, Local Government Services, Department of Local Government, Planning, Sport & Recreation at POBox 15031, City East, Qld, 4002.

5. Review of Interim Vegetation Clearing Codes - comments due 14 March 2005

Remember the excellent vegetation clearing law reforms of May 2004, which phased out broadscale clearing by 2006 and which limit acceptable vegetation clearing applications for just 9 'ongoing purposes' under a \$150 million structural adjustment package?

The 24 interim Regional Vegetation Clearing Codes for Ongoing Purposes which were adopted as part of those reforms are now up for review. These Codes set the parameters for when vegetation clearing which requires a permit to be applied for will be permitted, by setting performance requirements and acceptable solutions to be achieved, such as protection of waterways by set no-clearing buffer zones. The Codes are therefore critical documents.

EDO Qld is continuing in its legal assistance to The Wilderness Society and the Queensland Conservation Council on the vegetation law reform campaign, and has drafted a submission on the review of the interim codes for those groups. Our major reform suggestions for the Code review include:

- Removing the privileges given to extractive industry and projects of state significance in the codes at the expense of Endangered Regional Ecosystems;
- Development of a comprehensive offsets policy, which does not allow clearing of Endangered Regional Ecosystems;
- Restoration of the ability of codes to declare areas of high nature conservation value and land vulnerable to degradation; and
- Tightening of the exceptions to the application of the 'mandatory' performance requirements in Part A of the interim codes.

We encourage members of the public interested in vegetation clearing to examine the Codes and make suggestions for tightening and improving the environmental requirements to be met to receive a clearing permit.

The interim codes are available at: www.nrm.qld.gov.au/vegetation/regional_codes.html or through any local NR&M office or by phoning 1800 999 367.

Comments on the Regional Ongoing Purpose Clearing Codes (not the ballot codes) are due by 14 March 2005 and should be posted to Code Review, Vegetation Management, NR&M, GPO box 2454 BRISBANE Q 4001. Contact Larissa Waters on lwaters@edo.org.au for more information.

6. Declaration and Zoning of the proposed Great Sandy Marine Park – Northern Section - **comments due 14 March 2005**

The declaration and zoning of the proposed Great Sandy Marine Park – Northern Section under the *Marine Parks Act 1982* will cover tidal waters and tidal lands from Baffle Creek in the north to Double Island Point in the south. The proposed boundaries of the marine park are based on the 'area of interest' for a marine park, identified by the Queensland Government in 2002. The objective of the Northern Section is to ensure the conservation and reasonable and sustainable use of the area's environmental, social, cultural and economic resources and values. The EPA is seeking public input on the Strategy for the Declaration and Zoning of the Great Sandy Marine Park – Northern Section. The EPA has also prepared a Regulatory Impact Statement and Draft Public Benefits Test for the proposed Great Sandy Marine Park – Northern Section Zoning Plan, on the costs and benefits of the proposed zoning management arrangements.

*For enquiries and copies of the documents please telephone **1800 193 106** or visit [www.epa.qld.gov.au/about the epa/public consultation#GreatSandyMarinePark](http://www.epa.qld.gov.au/about_the_epa/public_consultation/#GreatSandyMarinePark).*

*The deadline for submissions has been extended until 14 March 2005, and must be emailed to greatsandy.marinepark@epa.qld.gov.au or posted to **Great Sandy Marine Park – Northern Section, EPA, PO Box 15155 City East Qld 4002**.*

7. Draft Koala Conservation Plan and Management Program - **comments due 31 March 2005**

As part of a strategy to address koala conservation following from the recent listing of the koala in SEQ as "vulnerable", the EPA has released a draft *Nature Conservation (Koala) Conservation Plan 2005* and draft *Management Program 2005-2015* for public consultation. The draft Conservation Plan proposes a division of the state into three koala districts with special management areas based on the level of threat, and includes proposals for no further land clearing in major koala habitats. Each koala district will have policies for managing development and other issues that impact upon koalas and koala habitat, including requirements on road design, rehabilitation and relocation.

In the interim while the Conservation Plan is being finalised, a new temporary State Planning Policy 1/05: Conservation of Koalas in South-east Queensland has been adopted, which repeals the earlier Koala Coast SPP 1/97. This SPP is not open for public consultation.

(Revised information: 2.2.06 - Copies of the plan can be downloaded from the following link:

http://www.epa.qld.gov.au/nature_conservation/wildlife/koala_conservation_plan/koala_conservation_plan_report/)

Submissions must be received by 31 March 2005 and emailed to koala.plan@epa.qld.gov.au or posted to Draft Koala Conservation Plan, Conservation Services Division, EPA, PO Box 15155, CITY EAST, QLD, 4002.

8. Draft Resource Operations Plan (ROP) for Warrego, Paroo, Bulloo and Nebine catchments (4-pack) and Draft ROP for Moonie catchment – **comments due 1 April 2005**

The Department of Natural Resources and Mines has released a draft Resource Operations Plan (ROP) under the *Water Act 2000* for the Warrego, Paroo, Bulloo and Nebine (4-pack) and Moonie catchments. EDO Qld assisted WWF Australia and the Toowoomba Regional Environment Council with those groups' submissions on the Water Resource Plans (WRP) for the 4-pack and the Moonie, including suggestions about the appropriate amounts of environmental flow which should be allocated to remain in the river to ensure ecological health. The draft ROPs provide finer detail on how to implement the policies of the final WRPs, including water trading, managing unsupplemented water and overland flow, and enhanced water monitoring and assessment.

The draft 4-pack ROP proposes to make 8000 megalitres of water available immediately for future development in the Warrego catchment. In the Nebine, Paroo and Bulloo catchments, the draft plan proposes to set aside additional water to safeguard town water supplies as well as retaining water reserves for future projects.

Copies of the draft Plans are available from local DNRM or Council offices, or at www.nrm.qld.gov.au/wrp/wpbn.html (4-pack) or www.nrm.qld.gov.au/wrp/moonie.html (Moonie). Comments on the draft ROPs are due by 1 April 2005.

For further information about the draft 4-pack ROP contact DNRM's Phil McEwan on 4688 1074, on the draft Moonie ROP contact Steve Goudie on 4688 1159 and for details of DNRM workshops on the draft ROPs, contact Phil Sternes on 4688 1045.

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