

# Annual Compliance Plan 2009–10

## Objective

To reduce risks from the activities regulated by the Department through improving the levels of compliance in the community.

## Introduction

The Department of Environment and Resource Management's (DERM) compliance program is based on being targeted, transparent and risk-based. These principles guide the development of annual compliance plans that set out the proactive compliance activities that DERM will undertake during the year. The plans address all of the areas for which DERM is responsible, including:

- efficient use of water and protection of unspoiled rivers
- sustainable use of land resources, including integrated management of soil, water and vegetation
- preservation of Indigenous and other cultural heritage
- protection of air, water, and soil quality
- waste management
- protection and conservation of ecosystems, landscapes and native plants and animals.

Projects selected for inclusion in DERM's annual compliance plans address one of three key areas:

- **Critical issues**—require immediate attention because they are causing unlawful harm to the natural landscape, or severely threatening the conservation of our natural and cultural heritage, or have an impact on issues that may affect public safety.
- **Emergent issues**—activities within a particular business sector or area that have a high potential to impact on the natural environment. These projects focus on issues such as establishing baseline compliance performance, effectiveness of current regulatory activities, strategies to improve compliance performance and identifying best practice. These projects drive improved regulatory strategies and compliance outcomes.
- **Maintenance issues**—ongoing compliance monitoring of DERM clients to ensure adherence to legislation, zoning plans, permit conditions and other regulatory instruments.

## Critical issues

Project	Issue	Objective	Approach
<i>Environmental Protection Act 1994—mine management</i>			
Mine water management	Wastewater discharges from mines during high rainfall events.	Improved stormwater and wastewater management practices at high risk mines within Queensland.	<ul style="list-style-type: none"> <li>• Review adequacy of design guidelines and consistency of permit conditions in relation to water storages.</li> <li>• Inspect those sites identified as representing highest risk, taking remedial action where required.</li> </ul>
<i>Nature Conservation Act 1992—wildlife management</i>			
Human safety in the presence of dingoes	Managing interactions between humans and dingoes to maximise safety.	A better public understanding of how to behave in the presence of dingoes will assist with implementing the <i>Dingo Management Strategy</i> on Fraser Island, and lead to fewer dangerous interactions and a reduction in intervention from the Queensland Parks and Wildlife Service (QPWS).	Dingo habitats on protected areas, with particular emphasis on Fraser Island. <ul style="list-style-type: none"> <li>• Educate visitors and local residents about the importance and dangers of dingoes and responsibilities under the <i>Dingo Management Strategy</i>.</li> <li>• Monitor human–animal interactions taking remedial action, where necessary.</li> </ul>
Human safety in the presence of estuarine crocodiles	Managing interactions between humans and estuarine crocodiles to maximise safety.	Enhanced community awareness and capacity leads to a reduction in negative interactions with estuarine crocodiles.	Crocodile habitats across Queensland. <ul style="list-style-type: none"> <li>• Educate visitors and local residents about the importance and dangers of crocodiles to build community awareness and capacity.</li> <li>• Monitor human–animal interactions taking remedial action, where necessary.</li> </ul>

## Emergent issues

Project	Issue	Objective	Approach
<b>Environmental Protection Act 1994—mine management</b>			
Mining Financial Assurance	Accuracy of financial assurance estimates in Plan of Operations.	<ul style="list-style-type: none"> <li>• Ensure Plans accurately disclose rehabilitation works and costs.</li> <li>• Develop and implement tools to allow regional implementation of financial assurance and rehabilitation assessments.</li> </ul>	<ul style="list-style-type: none"> <li>• Examine the accuracy of information contained in Plan of Operations, particularly the categorisation of significantly disturbed land and calculation of financial assurance.</li> <li>• Conduct site inspections, taking remedial action where required.</li> </ul>
<b>Environmental Protection Act 1994—industry/agriculture management</b>			
Sewage treatment plants (Great Barrier Reef)	Sewage treatment plants discharging into Great Barrier Reef catchments.	Improve quality of sewage treatment plant effluent discharges into Great Barrier Reef catchments.	Inspect high-risk sewage treatment plants discharging to Great Barrier Reef catchments, taking remedial action where appropriate.
Erosion and sediment control (urban development)	As identified in the <i>South East Queensland (SEQ) Healthy Waterways Strategy 2007–12</i> , urban development is a major contributor of sediment and other pollutants to Queensland waterways.	Expand an existing 2008–09 northern SEQ project to southern SEQ (in partnership with local governments) to protect the environmental values and water quality objectives of waters from urban development sites.	<ul style="list-style-type: none"> <li>• Provide training to DERM and local government staff.</li> <li>• Educate industry on stormwater management and water quality objectives.</li> <li>• Inspect urban development sites, taking remedial action where required.</li> </ul>
Waste disposal facilities	The operation of waste disposal facilities presents significant risk to environmental values, in particular surface and groundwater.	Improve levels of environmental compliance and minimise unlawful contamination from waste disposal facilities.	<ul style="list-style-type: none"> <li>• Assess levels of environmental compliance across a sample of the sector, taking remedial action where required.</li> <li>• Review current regulatory procedures and make recommendations into an improved regulatory regime.</li> </ul>
Water quality in Great Barrier Reef catchments (subject to the passing of the Great Barrier Reef Protection Amendment Bill 2009)	Impact of agricultural activities on the quality of water entering the Great Barrier Reef.	Support the implementation of new regulatory requirements for commercial sugar cane growing and cattle grazing in the Wet Tropics Mackay-Whitsunday, and Burdekin dry tropics catchments.	<ul style="list-style-type: none"> <li>• Ensure effective record keeping is carried out and the implementation of environmental resource management plans can commence.</li> </ul>

## Nature Conservation Act 1992—wildlife management

Flying fox management	Minimise threatening processes for flying fox populations.	Protect flying fox populations from threats by ensuring compliance with non-lethal control methods and requirements for roost protection from disturbance.	<ul style="list-style-type: none"> <li>Educate industry and community groups on the importance of, and requirements for, protecting flying fox populations.</li> <li>Inspect a sample of fruit growing properties to ensure compliance with non-lethal control.</li> <li>Liaise with communities and inspect flying fox roosts near urban areas to ensure that lethal or illegal disturbance is not occurring.</li> </ul>
Protected plants	Minimise threatening processes for protected plants.	Enhanced community awareness and streamlined permitting requirements lead to a reduction in threats to protected plant populations.	<ul style="list-style-type: none"> <li>Educate industry and community groups on importance of and requirements for protected plant populations.</li> <li>Enhance responsiveness of legislation to community and industry needs by reviewing the <i>Nature Conservation (Protected Plants) Conservation Plan 2000</i>.</li> </ul>

## Nature Conservation Act 1992—estate management

Recreational vehicle use	Illegal use of four-wheel-drive, trail bikes and quad bikes on managed estate in SEQ.	Avoid environmental degradation, disturbance to wildlife and disturbance to user amenity through illegal use of recreational vehicles following closure of private 'off road' facilities.	<ul style="list-style-type: none"> <li>Educate user groups on requirements for vehicle use of managed estate.</li> <li>Contribute to planning processes to identify appropriate sites for recreational vehicle use in SEQ.</li> </ul>
Arson	Arson on QPWS managed estate.	<ul style="list-style-type: none"> <li>Protect ecosystems from unsustainable damage caused by arson.</li> <li>Protect life and property from loss caused by arson on QPWS managed estate.</li> </ul>	<ul style="list-style-type: none"> <li>Continue to educate the public, rural communities and park neighbours on the QPWS fire management program.</li> <li>Undertake fuel reduction burns in accordance with the fire management program.</li> </ul>

## Water Act 2000

Drillers Licensing	Protecting aquifers from physical degradation and contamination.	Subartesian and artesian bores are drilled to the respective best practice standards and are compliant with work approvals.	<ul style="list-style-type: none"> <li>Ensure drillers submit their drilling logs.</li> <li>Review drilling logs to identify potential non-compliance with mandatory standards and license conditions, taking remedial action where required.</li> <li>Regular attendance on drilling sites, particularly during artesian bore grouting activities, taking remedial action if required.</li> </ul>
--------------------	--	---	--

## Water Supply (Safety and Reliability) Act 2008

Referable Dams	Ongoing identification and monitoring of dams that if they were to fail would effect a population of 2 or more.	To ensure safety of people that would be at risk if a dam were to fail.	<ul style="list-style-type: none"> <li>• Continue to identify dams with potential population at risk.</li> <li>• Ensure dam owners submit required Failure Impact Assessments, taking remedial action with those that don't.</li> <li>• Continue to educate dam owners on how to comply with legislation.</li> <li>• Audit dam owner's compliance with dam safety conditions for at least 10 referable dams.</li> </ul>
----------------	---	---	---

## Vegetation Management Act 1999

Native vegetation management	Maintenance of native vegetation consistent with the tree clearing laws.	To maintain and enhance levels of compliance with the VMA to ensure the purposes of the act are achieved, using efficient, targeted and innovative approaches.	<ul style="list-style-type: none"> <li>• Targeted education campaigns for landholders in the reef catchment and for those affected by the Regrowth Moratorium.</li> <li>• Identify unlawful clearing impacting on reef water quality, taking remedial action, where required.</li> <li>• Continue supporting industry partnerships.</li> <li>• Use the remote sensing and the Statewide Landcover and Tree Study (SLATS) to analyse vegetation clearing and permit activity trends, and target compliance activities.</li> <li>• Audit fodder and thinning permit activity compliance with the Native Forest Practice Code, taking remedial action where required.</li> </ul>
------------------------------	--	--	---

## Maintenance issues

Project	Issue	Objective	Approach
<i>Environmental Protection Act 1994—general</i>			
Licensed activities under the <i>Environmental Protection Act 1994</i> .	Ongoing monitoring of high-risk Environmentally Relevant Activities, mine operations and petroleum and gas operations.	Compliance with permit conditions, and environmental harm minimised or prevented.	<ul style="list-style-type: none"> <li>• High-risk sites will be identified, inspected, and remedial action taken, where required.</li> <li>• Focus will be, but not limited to, aquaculture facilities in the north, port operations in Townsville and Brisbane, mine operations governed by a Special Agreement Act, Ipswich extractive industry, meat and other food processing, industrial estates, and small sewage treatment plants and large sewerage infrastructure.</li> </ul>

Permit fees/returns	Illegal operations under the <i>Environmental Protection Act 1994</i> , including unpaid permit fees, abandoned sites, incorrect fee discounts, incorrect cancellations.	Ensure permit authorisations are paid in full and on time (or late fees are paid).	<ul style="list-style-type: none"> <li>• Set internal procedures, review annual return templates and processes, and educate operators on their requirements.</li> <li>• Identify extent of non-payment or incorrect payment of fees, inspect random sample of operations, and take remedial action where required.</li> </ul>
---------------------	--	--	---

Freshwater/estuarine catchments (Caboolture Estuary)	<i>Ecosystem Health Monitoring Program Report Card 2007–08</i> for waterways of SEQ and Moreton Bay.	Improve quality and/or reduce quantity of industrial discharges to a freshwater/estuarine catchment. Focus for 2009–10 is the Caboolture Estuary.	<ul style="list-style-type: none"> <li>• Inspect industrial and commercial activities that discharge into the Caboolture Estuary, taking remedial action where required.</li> <li>• Develop partnerships with local government and Department of Employment, Economic Development and Innovation, if possible; and inspect land development and rural activities that have the potential to discharge into the Caboolture Estuary, taking remedial action where required.</li> </ul>
--	--	---	--

**Nature Conservation Act 1992—wildlife management**

Commercial macropod inspections	Ongoing monitoring of high-risk commercial macropod activities under the Nature Conservation (Administration) Regulation 2006.	Ensure annual quotas for commercial harvesting are not exceeded, and compliance with the <i>National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes 2008</i> .	<ul style="list-style-type: none"> <li>• Inspect a selection of harvesters, chiller premises and meat processors across Queensland, in conjunction with other agencies, taking remedial action, where required.</li> <li>• Monitor permit return data for harvesters and dealers, taking remedial action, where required.</li> </ul>
---------------------------------	--	---	--

**Nature Conservation Act 1992—estate management**

Marine parks	All State marine parks, with particular focus on Moreton Bay Marine Park.	Enhanced protection of marine ecosystems and values through encouraging appropriate user behaviour.	<ul style="list-style-type: none"> <li>• Educate users on appropriate vessel operation and the activities permitted in State marine parks, focussing on those within 'green zones' and no anchoring zones.</li> <li>• Monitor behaviour and permit compliance and take remedial action where required.</li> </ul>
--------------	---	---	---

Terrestrial parks	All terrestrial parks.	Enhanced protection of terrestrial ecosystems and values through improved user behaviour.	<ul style="list-style-type: none"> <li>• Educate users on activities such as vegetation clearing, fire management, domestic pets, protecting sensitive areas, feeding/taking wildlife, littering etc.</li> <li>• Monitor visitor behaviour, taking remedial action where required.</li> </ul>
-------------------	------------------------	---	---

Protected area boundary incursions	All terrestrial parks and marine park islands.	Enhanced protection of ecosystems and values through improved community respect for protected areas.	<ul style="list-style-type: none"> <li>Educate the community on the importance of respecting protected area boundaries.</li> <li>Monitor protected area boundaries for incursions and taking remedial action where required.</li> </ul>
Commercial activities on managed estate	Managed estate where timber harvesting or grazing leases occurred.	Better management of the impacts of timber harvesting and grazing on managed estate, and manage compliance with relevant codes, operational standards and lease requirements.	<ul style="list-style-type: none"> <li>Audit a strategic sample of grazing leases and timber harvest sales on both current and transitioning QPWS estate for operational compliance.</li> <li>Assess native forest harvest plans for compliance with the code of practice and harvest scheduling.</li> </ul>
Permit fees/returns	Ongoing monitoring at key parks and sites of commercial and non-commercial activities under the <i>Nature Conservation Act 1992</i> and subordinate legislation.	Ensure all activities are appropriately licensed or permitted, and all fees and returns are paid in full.	<ul style="list-style-type: none"> <li>Continue to educate commercial and non-commercial users about permit requirements.</li> <li>Undertake audits of high use parks and sites and take remedial action where required.</li> </ul>
Threatened species	Managed estate and marine parks where threatened species and their habitat occur.	Enhanced protection of threatened species and their habitat through minimizing human related disturbance.	<ul style="list-style-type: none"> <li>Educate visitors and volunteers on appropriate behaviour around threatened species and in their habitat.</li> <li>Monitor behaviour and permit compliance and take remedial action where required.</li> </ul>

### Queensland Heritage Act 1992

Heritage inspections	Ongoing monitoring of high risk heritage places and heritage development under the <i>Queensland Heritage Act 1992</i> .	Compliance with requirements including minimum maintenance requirements and permit conditions.	Audit high-risk heritage places and development approvals, taking remedial action where required.
----------------------	--	--	---

### Aboriginal Cultural Heritage Act 2003 and Torres Strait Islander Cultural Heritage Act 2003

Aboriginal and Torres Strait Islander cultural heritage	Duty of care when conducting activities on lands that contain Aboriginal and Torres Strait Islander cultural heritage.	Effective recognition, protection and conservation of Aboriginal and Torres Strait Islander cultural heritage by land holders.	<ul style="list-style-type: none"> <li>Educate landholders on requirements to comply with their duty of care in relation to protecting and managing cultural heritage.</li> <li>Develop cultural awareness training modules for delivery to judiciary.</li> </ul>
---	--	--	---

## Forestry Act 1959

Commercial management of forest products under the <i>Forestry Act 1959</i>	<ul style="list-style-type: none"> <li>• Compliance with sales permit terms and conditions.</li> <li>• Compliance with relevant codes of practice.</li> <li>• Unauthorised removal of forest products and quarry materials.</li> </ul>	To maintain and enhance levels of compliance in relation to commercial management of forest products, and commercial use of State-owned native forest areas.	<ul style="list-style-type: none"> <li>• Educate contractors in the correct application of sales permit terms and conditions and codes of practice.</li> <li>• Regular monitoring of sales activities in relation to sales permit conditions and codes of practice, taking remedial action where required.</li> </ul>
---	--	--	---

## Land Act 1994

State land	Managing State land and associated values to maximise and sustain the flow of economic, social and environmental benefits to Queenslanders now and in the future.	Ensure the most appropriate use, tenure and management of land are a reflection of the intrinsic values inherent in that land.	<ul style="list-style-type: none"> <li>• Educate stakeholders and the community on how to comply with their legislative and other obligations.</li> <li>• Increase awareness about trespass actions via signage in high risk areas.</li> <li>• Proactively identify possible breaches of legislation, and audit compliance with development leases, taking remedial action where required.</li> </ul>
------------	---	--	---

## Land Protection (Pest and Stock Route Management) Act 2002

Stock route network (SRN) management	Managing stock routes in partnership with local governments to ensure they are managed sustainably.	State <i>Stock Route Network Management Strategy</i> compliance targets achieved, including improved voluntary compliance amongst SRN users.	<ul style="list-style-type: none"> <li>• Assist local governments in managing the SRN.</li> <li>• Support provided where possible through planning and signage and other initiatives.</li> </ul>
--------------------------------------	---	--	--

## Water Act 2000

Water Management	Managing access to water in Water Management Areas.	Sustainable allocation and management of water to achieve Water Resource Plan outcomes; equitable and consistent user access to water; and a secure basis for water accounting.	<ul style="list-style-type: none"> <li>• Educate water users on importance of compliance with entitlements.</li> <li>• Monitor metered use and take remedial action where required.</li> </ul>
	Managing access to water outside Water Management Areas.	Sustainable allocation and management of water to protect the interests of existing authorisation holders and water dependant ecosystems.	<ul style="list-style-type: none"> <li>• Ensure appropriate limiting access conditions on entitlements.</li> <li>• Monitor individual entitlements and take remedial action where required.</li> </ul>

Water Supply Schemes	Regulating Resource Operations License (ROL), Distribution Operations License (DOL) and Interim Resource Operations License (IROL) holders in the operation and management of Water Supply Schemes.	Ensure compliance with licenses; to ensure performance of entitlements and environmental outcomes, both within and outside water resource plan/ resource operations plan areas.	<ul style="list-style-type: none"> <li>• Audit ROL and IROL, in accordance with audit program and take remedial action where required.</li> <li>• Analyse reported data for compliance with license conditions and take remedial action where required.</li> </ul>
----------------------	---	---	--

Riverine Management	Protecting the physical integrity of non tidal watercourses, lakes and springs.	Manage access to riverine quarry material to protect the physical integrity including the stability of non tidal watercourses, lakes and springs.	<ul style="list-style-type: none"> <li>• Ensure compliance with Quarry Material Allocation Notices by establishing reporting conditions, monitoring provided reports and random site audits and take remedial action where required.</li> </ul>
	Protecting the physical integrity of non tidal watercourses, lakes and springs.	Manage the placement of fill, excavation and destruction of native vegetation in non tidal watercourses, lakes and springs.	<ul style="list-style-type: none"> <li>• Ensure compliance with riverine protection permits and statutory guidelines through routine inspections of activity sites and take remedial action where required.</li> </ul>

**Water Supply (Safety and Reliability) Act 2008**

Drinking Water Monitoring and Reporting	Protecting public health through safe drinking water supplies	Ensure providers are managing risks for producing safe drinking water.	<ul style="list-style-type: none"> <li>• Ensure water quality incidents are reported and appropriate remedial action is undertaken.</li> <li>• Continue to educate providers on how to comply with legislation.</li> </ul>
---	---	--	--

Water and Sewerage Infrastructure	Ongoing monitoring of water supply and sewerage infrastructure to ensure compliance with the legislation.	To ensure that service providers have appropriate operation, maintenance and renewal strategies in place to ensure the ongoing provision of water and sewerage services.	<ul style="list-style-type: none"> <li>• Review and monitor management plans and service standards.</li> <li>• Education and advice to service providers on how to comply with legislation.</li> <li>• Independent audits of water and sewerage infrastructure, with service providers implementing recommendations where appropriate.</li> </ul>
-----------------------------------	---	--	---