

Annual Compliance Plan 2010–2011

June 2010

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Foreword

At the heart of the Department of Environment and Resource Management's (DERM) approach to compliance is the goal of encouraging people to voluntarily comply with their obligations. DERM does this by actively engaging with companies and individuals subject to environmental regulation through activities, such as education and awareness raising, and planned inspections and audits. Compliance and enforcement activities are also important when used in response to breaches of legislation in order to deter future breaches.

The Annual Compliance Plan 2010–11 advises Queenslanders of DERM's proposed activities over the next year to address the key compliance issues that affect our environment and natural resources. Not only do resources underpin our economic activity but also our natural heritage, which we must protect for future generations.

By publishing annual compliance plans, and advising the community what can be expected in the coming year, DERM is giving effect to its commitment to transparency in the way that compliance activities are carried out.

DERM regulates a broad range of activities—from protecting cultural heritage and water resources, to managing national parks and preventing pollution—and the work that DERM does to ensure that people comply with laws is equally broad. This year's annual compliance plan sets out both the general activities that DERM will be undertaking, as well as specific projects aimed at reducing particular risks to the environment.

For example, taking into account the expansion of the coal seam gas (CSG) industry across the state, including multiple proposals to construct liquefied gas plants for the liquefaction and export of CSG, the Queensland Government has ramped up its compliance monitoring and investigation of mining and petroleum activities. A new team has been established in Roma and DERM is committed to ensuring coal seam gas operators comply with new laws and policies affecting the industry.

Potential impacts on agricultural land, rivers and groundwater supplies are being assessed before approvals are granted. To ensure CSG operators comply with stringent operating conditions, compliance inspections will focus on land disturbance and rehabilitation, water and wastewater management, and the performance of dams used to store CSG water and brine waters.

Moreton Bay and other south-east Queensland coastal environments will also benefit under the annual compliance plan, which will see property developments and major infrastructure projects facing increasing scrutiny in relation to erosion and sediment control.

DERM will also continue to educate cane farmers and cattle graziers about the Great Barrier Reef protection laws that came into effect on 1 January 2010, which require better management of fertiliser and pesticide use to improve the quality of water that runs off their properties onto the reef.

The publication of this annual compliance plan, and the compliance activities and projects within the plan, provides an opportunity for companies and individuals to access support to improve their performance levels. It also helps deliver the vision of a green, strong and sustainable Queensland.

John Bradley
Director-General

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Introduction

Regulatory coverage

The Department of Environment and Resource Management (DERM) conserves and manages the environment and natural resources for the benefit of all Queenslanders. DERM's key areas of regulatory responsibility are:

- **Protecting and conserving the natural environment and cultural heritage**

This includes pollution control and waste management, managing vegetation loss and the state's coastline, conserving ecosystems, landscapes and native wildlife, and conserving Indigenous and built heritage.

- **Managing land wisely**

This includes effective planning and development, State land and stock route management, native title recognition, and the selling of quarry materials and forest products from State land.

- **Securing water for Queensland's future**

This includes managing resource use, protecting unspoiled rivers and maintained sufficient flow for healthy ecosystems, monitoring surface and groundwater levels and quality, and providing safe and reliable water supplies.

Regulatory compliance program

DERM's regulatory compliance program is founded on a targeted and transparent approach to compliance, supported by a modern and strong enforcement program. DERM's approach is to:

- ensure that clients understand Queensland's environmental and natural resource management obligations
- encourage voluntary compliance with those obligations
- work with government, business, industry and the community to improve performance
- monitor compliance with Queensland's environmental and natural resource management obligations
- take consistent and proportionate responses to non-compliance, in accordance with the Enforcement Guidelines, to achieve environmental and natural resource outcomes and deter further non-compliance.

A key output of the regulatory compliance program is developing an overarching compliance strategy and publishing compliance plans annually. It is intended that annual compliance plans (ACPs) enable participation and information exchange and help build capacity for compliance, by transparently outlining all the compliance activity to occur in a given year, both proactive and reactive.

DERM's Compliance Strategy 2010–14, annual compliance plans, and enforcement guidelines, which set out how DERM selects matters for enforcement, are available at <www.derm.qld.gov.au>.

Compliance activity

Types of compliance activity

The two main types of compliance activity DERM carries out to ensure risks are being managed appropriately are outlined below:

1. DERM **responds** to reports about incidents that affect the environment and natural resources. These reports can come from members of the public, industry self-reporting or from monitoring programs. This responsive work drives remedial and/or enforcement action on a site-by-site basis.
2. DERM **plans** a variety of compliance activities throughout the year aimed at addressing risks before they become problems, many of which would be irreversible. Activities include:
 - a. Strategic response to non-compliance
These projects target issues that require immediate attention because they are threatening the safety of people, or the environments and natural resources that DERM protects and manages. These projects drive compliance outcomes and remedial action.
 - b. Strategic response to compliance risks
These projects target a particular business or community sector or area that has a high potential to impact upon the natural environment or the safety of people. They focus on issues such as establishing baseline compliance performance, the effectiveness of current regulatory frameworks, strategies to improve compliance performance and identifying best practice. These projects drive improved regulatory systems and tools, and compliance outcomes.
 - c. Ongoing compliance monitoring and assistance to clients to ensure adherence to legislation, zoning plans, permit conditions and other regulatory instruments.

Recent compliance activity

Throughout 2009–10, DERM progressively improved compliance levels in several business sectors through more open communication and by providing better educational forums and guidance materials.

For example, facilities at the Port of Brisbane, while demonstrating good performance levels overall, are further improving their stormwater emergency preparedness; more dam owners are submitting failure impact assessments and upgrading dam spillways to acceptable standards; and fruit growing properties in central Queensland are using more appropriate flying fox control measures.

DERM also prosecutes those choosing not to comply or who cause serious environmental harm.

In 2009–10, for example, DERM prosecuted five mining companies in north-west Queensland in relation to alleged environmental offences, including release of contaminated water following heavy rainfall. DERM is working with these companies to ensure mines are better prepared for the wet season.

DERM also brought criminal charges against people interfering with dingoes and feeding them on numerous occasions. DERM's strategy aims to reduce deliberate feeding of dingoes and reduce their aggressive behaviour so there is a sustainable dingo population.

Partnership building, ongoing compliance monitoring, data collection and regulatory system changes in 2009–10 have also placed the department in good stead in 2010–11 to:

- work with south-east Queensland local governments and improve erosion and sediment controls on government infrastructure and private development projects
- improve regulatory tools and compliance levels in relation to water management at high-risk waste disposal facilities and mine sites
- effectively regulate the rapidly expanding coal seam gas to liquid natural gas industry, and other petroleum and gas activity, to ensure that groundwater is protected from contamination and over extraction
- use the Statewide Landcover and Trees Study to detect potential unlawful clearing
- focus on the humane shooting of macropods rather than over-harvesting
- address overuse and degradation of our water resources.

Annual Compliance Plan 2010–11

The Annual Compliance Plan 2010–11 sets out DERM's compliance approach in each of the following areas that it regulates:

1. coastal and inland waters – development and agriculture
2. environmental management
3. Queensland heritage conservation
4. Indigenous heritage conservation
5. land management – State land and the stock route network
6. estate management – conservation estate, marine parks and commercial native forests
7. vegetation management
8. wildlife and ecosystems
9. water supply – water use and service provision.

For each of those areas, this plan provides a brief overview, identifies any key risks, sets out DERM's general approach to ensuring compliance for that area and outlines any specific, planned compliance projects that will be carried out in 2010–11. Some projects will continue past June 2011.

Compliance projects for 2010–11 include:

- erosion and sediment control on urban development sites in south-east Queensland
- acid sulphate soils management
- Port of Townsville material handling
- mine water management
- mining rehabilitation
- petroleum and gas activity, including coal seam gas and underground coal gasification
- landfill gas migration
- heritage place compliance
- arson in the Lockyer Valley
- vehicle use in Byfield and D'Aguilar national parks
- vegetation management framework best practice
- Statewide Landcover and Tree Study assessment
- water meter compliance across the state.

1. Coastal and inland waters

Development

Certain development may need to consider the State Planning Policy 4/10 – Healthy Waters, which has been developed to mitigate the risks to water quality and waterway health from urban stormwater and waste water management. Unmanaged urban stormwater causes contaminants, such as nutrients, sediment and rubbish, to enter waterways. Waterway erosion can also occur through the concentration of stormwater flows entering natural waterways. The draft policy does not apply to existing land uses, or drinking water supply or quality issues. In addition, the draft policy addresses large-scale development, and does not deal with single lots or dwellings as these are addressed by existing design and construction criteria through the building regulations and Queensland Development Code.

Developers must also be aware of the State Planning Policy 2/02 – Planning and Managing Development involving Acid Sulfate Soils (SPP 2/02) when developing land in low-lying coastal areas in certain local government areas. Development involving acid sulfate soils (ASS) should be planned and managed to avoid potential adverse effects on the natural and built environment (including infrastructure) and human health. Development permits may include a requirement to prepare and implement an ASS management plan, consistent with the SPP 2/02 Guideline.

The Draft State Planning Policy for Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments also seeks to ensure that development in or adjacent to wetlands of high ecological significance in Great Barrier Reef catchments is planned, designed, constructed and operated to prevent the loss or degradation of wetlands and their values, or enhances these values, particularly the hydrological regime and ecological values of those wetlands.

Permits under the *Water Act 2000* are required to extract quarry material, such as sand, gravel, rocks and soil, from non-tidal reaches of streams and freshwater natural lakes. Permits are also required to clear vegetation, excavate, or place fill within a watercourse, lake or spring.

General compliance monitoring or assistance

- Respond to valid reports from the public to ensure placement of fill, excavation and destruction of native vegetation in non-tidal watercourses, lakes or springs is legal and protects the physical integrity of those riverine areas.
- Ensure compliance with high-risk quarry material allocations within riverine areas by monitoring reports and/or onsite activity; and only renewing permits where sustainable management of the resource and appropriate operator performance is occurring.

Compliance projects

Project	Goal	Objectives	Scope	Expected outcomes
Erosion and sediment control (ESC) 2009–2012	To protect the environmental values of waters and water quality objectives from urban development sites.	<p>To increase monitoring of ESC practices on construction sites to ensure compliance with the <i>Environmental Protection Act 1994</i>.</p> <p>To build internal capacity of DERM and south-east Queensland (SEQ) local governments for undertaking compliance actions.</p>	<p>SEQ Healthy Waterways Strategy 2007–12 identified urban development as a major contributor of sediment and other pollutants to waterways.</p> <p>The project was endorsed by the chief executive officer committee for natural resource management in SEQ, as one of the strategic actions to address stormwater contamination.</p> <p>Undertaking compliance inspections during construction phase of high-risk public infrastructure and private developments.</p> <p>In partnership with SEQ local governments.</p>	<p>Significant improvement in ESC practices at construction sites.</p> <p>Significant reduction of sediments entering SEQ waterways.</p>
Acid sulphate soils (ASS)	To ensure development doesn't result in land degradation and environmental harm from ASS, by either avoiding or appropriately treating and managing disturbance to ASS.	<p>To provide streamlined and standardised development permit conditions requiring preparation and implementation of ASS management plans.</p> <p>To work with applicants and local governments to mitigate environmental harm and land degradation caused by insufficient ASS management.</p>	<p>In 2010–2011, implement standardised conditions for development requiring ASS management plans in accordance with the SPP 2/02 Guideline.</p> <p>In 2011–12, developing a range of compliance auditing tools to enable DERM to better assess, within available resources, as broad a range as possible of activities that affect ASS.</p>	<p>Promotion of vigilance and/or awareness to appropriately manage ASS when developing in high-risk ASS areas.</p> <p>Increased compliance with development permit conditions.</p>

Further information – *Environmental Protection Act 1994*, Environmental Protection (Water) Policy 2009, *Sustainable Planning Act 2010*, State Planning Policy 4/10 – Healthy Waters, State Planning Policy 2/10 – Planning and Managing Development involving Acid Sulfate Soils, Draft State Planning Policy for Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments, *Water Act 2000*.

Agriculture

There has been increasing concern about impacts to the waters of the Great Barrier Reef lagoon as a result of runoff from agricultural activity in the Mackay–Whitsunday, Burdekin Dry Tropics and Wet Tropics catchments.

In January 2010, DERM introduced new laws that require the adoption of best practice land management in these catchments, through three key measures:

- All graziers and sugar cane farmers in the priority catchments must calculate, and apply no more than, the optimum amount of fertiliser.
- These farmers must also keep records (from 1 January 2010) of annual soil tests used to determine optimal fertiliser rates, fertiliser and herbicide applications and prescribed agricultural product use (specifically ametryn, atrazine, diuron, hexazinone, tebuthiuron).
- Farms that have a high risk of impacting the reef through poor management practices must also prepare environmental risk management plans (ERMPs). High-risk farms are considered those where sugar cane is growing on more than 70 hectares in the Wet Tropics catchment, and where cattle is grazing on more than 2000 hectares in the Burdekin Dry Tropics catchment. ERMPs were required to be submitted before 1 October 2010.

The new laws aim to reduce by at least 50 per cent the amount of nitrogen, phosphorous and pesticides flowing from catchments into the reef lagoon by the end of 2013, and to cut sediment flowing to the reef by 20 per cent by 2020.

While DERM will initially focus its efforts on providing extensive information, assistance, and education to operators about the new requirements, recalcitrant operators or those causing serious environmental harm can be penalised under the new laws. Research work aiming to understand the motivations and barriers to compliance with the new laws will inform future compliance strategies.

General compliance monitoring/assistance

- Continue to deliver education and assistance programs to landowners regulated by the new laws (in conjunction with industry groups, natural resource management bodies and the Department of Employment, Economic Development and Innovation).
- Provide additional assistance with the record-keeping requirements to operators, and conduct random reviews of record-keeping in the latter part of 2010–11.
- Identify operators who do not hold an accredited ERMP, to guide further compliance activities including education and assistance.
- Respond to public reports about inappropriate farming practices.

Further information – *Environmental Protection Act 1994*, *Chemical Usage (Agricultural and Veterinary) Control Act 1988*, *Chemical Usage (Agricultural and Veterinary) Control Regulation 1999*, information packages sent to known operators.

2. Environmental management

Everyone in the community is responsible for actions they take that affect the environment. No one may carry out an activity that causes, or is likely to cause, environmental harm unless they take all reasonable and practicable measures to prevent or minimise the harm. In addition, if someone becomes aware of serious or material environmental harm being caused or threatened by an activity they are involved in, they have a duty to report that harm (unless the harm is authorised by law).

To protect the environment, DERM regulates an extensive range of primary, secondary and tertiary industries under the *Environmental Protection Act 1994* broadly categorised as mining and petroleum activity, aquaculture and intensive animal industry, chemical manufacturing, fuel burning, extraction, metal fabrication, non-metal product manufacture, food processing, timber processing, transport and bulk material handling, waste management and water treatment. DERM also manages contaminated land resulting from poor environmental management and waste disposal practices, or accidental spills in industrial or commercial activities.

It is important that emerging new energy industries, such as the rapidly expanding coal seam gas (CSG) to liquid natural gas (LNG) industry, are managed so that any potential environmental impacts upon agricultural lands, rivers and groundwater supplies are assessed before approvals are given, and that the industries are then regulated effectively during operation. In addition to new laws and policy that DERM has recently implemented to improve the management of impacts from CSG water dams and to manage residual salt, DERM is developing new laws to require stringent management of water extraction impacts on bores, aquifers and springs. DERM will ensure that the CSG and later the LNG industries are proactively inspected to ensure that protected vegetation is not impacted, that waste products including CSG water and residual salts are managed and disposed of correctly, that previously contaminated areas such as decommissioned evaporation dams are rehabilitated, and that groundwater is protected from contamination and over extraction.

Industry that meets certain thresholds, such as fuel use and substance handling, must report emissions and transfers of substances to DERM. This information is publicly available on the National Pollutant Inventory (NPI) internet database <www.npi.gov.au>.

The community can report an environmental issue from anywhere in the state through a 24-hour, seven-day-a-week hotline service. Examples of incidents and complaints reported to DERM include oil and chemical spills, sewage overflows and fish kills.

General compliance monitoring or assistance

- Carry out compliance inspections of licensed sites (including environmentally relevant, mining and petroleum activities) posing the greatest environmental risk. Sectors targeted this year include sewage treatment plants (municipal and small operators), extraction, waste facilities, various processing industries (including meatworks, refineries, metal production, chemical manufacturers, and bulk material handling), and mine sites.
- Review the performance of, and regulatory requirements (including adequacy of development approval conditions) for, eight sites identified as presenting a high or very high risk in the Review of Queensland Industrial Estates 2006–09 project.
- Respond to incident reports received on the DERM hotline.
- Assess, and where necessary, improve the quality of all submitted NPI reports.

Compliance projects

Project	Goal	Objectives	Scope	Expected outcomes
Port of Townsville material handling	To obtain compliance with current approvals and identify areas for improvement for premises that are potential sources of air contaminants.	<p>To work with the port and relevant port users to promote best practice for materials handling, particularly for bulk mineral concentrates.</p> <p>To clearly determine air quality within the Townsville airshed, relating to total suspended particles, dust fall, and the heavy metal analysis of the particles and/or dust.</p> <p>To advise the community about air quality in Townsville including any relevance to potential public health issues.</p>	<p>Activities conducted within the Townsville port area.</p> <p>Conducting compliance inspections of the port area and bulk materials handling facilities within the port, commenced March 2010.</p> <p>Air quality monitoring to occur at three locations within Townsville: two inner city locations and the Townsville Sports Reserve.</p>	Minimised risk associated with dust nuisance and a possible public health issue in Townsville if dust fall containing metal concentrates from bulk handling activities increases.
Mine water management	To improve stormwater and waste water management practices at identified high-risk mines in Queensland.	<p>To identify and document high risk factors and inconsistencies in water management practices.</p> <p>To identify appropriate conditioning and other environmental management issues to ensure effective water management.</p>	<p>Two-year project from September 2009 to 2011.</p> <p>Site water management at level 1 mines across Queensland.</p> <p>Targeted compliance inspections of high-risk mine sites in north Queensland.</p>	Minimisation of wastewater discharges from mines during high rainfall events.
Mining rehabilitation (financial assurance)	<p>To address any gap between total financial assurance held by the State and the total cost of rehabilitating disturbed land.</p> <p>To prevent financial liability associated with unexpected closure (such as bankruptcy) of mines.</p>	<p>To ensure mining plans of operations accurately reflect disturbed land and financial assurance calculations.</p> <p>To improve tools for DERM staff to accurately assess rehabilitation progress and financial assurance requirements.</p>	<p>Four-year project from August 2008 to 2012.</p> <p>Mining rehabilitation and financial assurance issues at level 1 mining operations across the state.</p> <p>Compliance inspections of a selection of mine sites across Queensland.</p>	<p>Improved accuracy of plans of operations, which disclose rehabilitation works and costs.</p> <p>Adequate financial assurance is held by the State.</p>

Project	Goal	Objectives	Scope	Expected outcomes
Petroleum and gas (P&G) activity, including coal seam gas (CSG) and underground coal gasification (UCG)	To track and manage the P&G sector's environmental performance and impacts on Queensland's environment.	<p>To ensure industry holds and complies with the correct level environmental authority for the activity being carried out.</p> <p>To improve outcomes for protecting receiving waters, including groundwater, from discharge impacts, and protecting environmentally sensitive areas and important agricultural land.</p> <p>To increase awareness of rehabilitation practices, challenges faced and success rates.</p> <p>To ensure that residual salt is managed and not allowed to contaminate the landscape.</p> <p>To minimise and ensure remediation of impacts to other water users from CSG water extraction activity.</p> <p>To minimise the impacts of petroleum activities on the amenity of the community.</p>	<p>Administer CSG water management policies and legislation amendments when assessing disposal options for CSG water, including salt management and disposal—banning the use of evaporation dams unless there are no feasible alternatives, and ensuring town drinking water supplies are protected.</p> <p>An assessment of compliance by the petroleum and gas sector commenced in August 2010 and continues until April 2011.</p> <p>Level 1 and 2 petroleum activity, as well as UCG trials, will be proactively inspected. Any beneficial use approvals related to petroleum activities will also be assessed.</p> <p>Compliance inspections will assess disturbance to land, water management and releases, dam management including hazard assessment, and rehabilitation of completed activities.</p> <p>Approximately 150 groundwater bores will be sampled to assess the impacts of CSG activities on groundwater.</p> <p>Community concerns about petroleum activities will be responded to, and landowner opportunities and access to information on CSG activities on their properties, will be enhanced.</p>	<p>Minimise harm to high value conservation areas, namely Category A, B and/or C environmentally sensitive areas.</p> <p>Manage risk of dams to prevent contaminant releases to land and/or waters.</p> <p>Rehabilitation successfully undertaken to restore the land after activities cease.</p>
Landfill gas migration	To establish a risk status for subsurface migration of landfill gas from Queensland landfills.	<p>To ensure landfills operators are managing landfill gas appropriately.</p> <p>To identify any risks posed to encroaching land uses on landfill facilities.</p>	<p>Complete a desktop study to identify landfill sites within Queensland that are at risk of encroachment by incompatible land uses, prioritising putrescible waste facilities and large facilities in the first instance.</p> <p>Conduct site audits of high risk facilities and complete a review of landfill gas management procedures. Where existing data does not confirm 'no gas migration', require evaluation of potential gas migration pathways.</p>	Develop a risk profile associated with potential landfill gas migration for Queensland landfill facilities.

Further information – *Environmental Protection Act 1994*, draft Code of environmental compliance for level 2 petroleum activities.

3. Queensland heritage conservation

Heritage places contribute to our sense of place, reinforce our identity and help define what it means to be a Queenslander. Heritage places include buildings and structures, cemeteries, archaeological sites, gardens, urban precincts and cultural landscapes.

Development involving a place on the Queensland Heritage Register must minimise the impact on the heritage values of the place, although changes designed to give a heritage place new life can often be accommodated and are regularly encouraged. Development work to heritage-listed places must first be approved by DERM with either an exemption certificate or development permit. Unauthorised works and failure to maintain heritage places is of particular concern to the department.

General compliance monitoring or assistance

- Provide information and advice on complying with development conditions and essential maintenance obligations, as requested.
- Work with individuals undertaking development on heritage places to ensure the cultural heritage significance of the place is retained.

Compliance projects

Project	Goal	Objectives	Scope	Expected outcomes
Approved development and essential maintenance compliance	To protect the cultural heritage significance of places on the Queensland Heritage Register.	To ensure essential maintenance obligations are met. To ensure development consent conditions are observed and met.	Continued focus on heritage places identified as posing a high risk of disrepair in 2009–10. Heritage places for which there are recently issued notices or permits will also be inspected across the state.	Improved percentage of clients meeting their compliance obligations.

Further information – *Queensland Heritage Act 1992*, Queensland Heritage Strategy 2009.

4. Indigenous heritage conservation

Cultural heritage is the physical traces left behind by past inhabitants, both tangible and intangible, and is strongly tied to Aboriginal and Torres Strait Islanders' connection to the land and sea. Cultural heritage management involves effectively recognising, protecting and conserving Indigenous cultural heritage, which includes areas, objects, rituals and traditions.

Cultural heritage can easily be destroyed and it is the responsibility of all Queenslanders to help protect it. Anyone conducting activities in areas of significance, irrespective of the underlying land tenure, must take all reasonable and practical measures to avoid harming Indigenous cultural heritage (known as the 'duty of care').

Duty of care guidelines should be referred to prior to undertaking a land-use activity. While DERM can provide information on previously identified Indigenous cultural heritage places, people carrying out land-use activities should not rely solely on previous work, but rather consult with the relevant Indigenous party to determine the location and extent of any cultural heritage places or objects affected by the proposed activity.

General compliance monitoring or assistance

- Education workshops to be carried out, where possible, for Traditional Owners, other government agencies, proponents and local governments.
- Working with individuals undertaking intensive land use activity, to improve operational procedures to better protect cultural heritage.
- Respond to reports of allegations of damage and disturbance to cultural heritage places.

Further information – *Aboriginal Cultural Heritage Act 2003, Torres Strait Islander Cultural Heritage Act 2003, Duty of Care Guideline.*

5. Land management

State land

DERM administers about 70 per cent of land in Queensland, commonly referred to as State land. State land comprises unallocated State land, land held under leases, reserves including deeds of grant in trust, and all dedicated roads. Over each of these tenure types, secondary tenures, such as subleases, licences and permits, may be issued.

Occupying and using unallocated State land is illegal without the prior authority of DERM. Illegal occupation leads to risks, such as personal injury or the loss of life or property because of wild fire, coastal erosion, unsafe structures, pollution, and public health and safety issues, associated with unplanned development and poor living conditions, such as lack of potable water, sanitation and garbage disposal facilities.

Leases and licences are granted over State land for specific purposes, including pastoral, grazing, agriculture, industry, tourism, sport and development. Permits to occupy can be issued over unallocated State land, a road, or reserve for a specific purpose, such as a pump site or for short-term grazing. To protect values on leasehold land, land management agreements may be negotiated with lessees on how values will be protected.

In managing State land, DERM ensures land managers comply with their duty of care, comply with the conditions of use or trustee responsibilities, and collect an appropriate return to the State on behalf of the community for use of the land. The duty of care that applies to rural leasehold land that is leased for agricultural, grazing or pastoral purposes, is outlined in the Delbessie Agreement. This agreement takes into account the aspirations of leaseholders, conservation and Indigenous groups, and rural industry.

General compliance monitoring or assistance

- Promote effective and sustainable land management practices through departmental and industry support services.
- Further develop remote sensing capability to identify long-term condition trend risk properties for audit purposes.
- Annual review of major development leases.
- In association with DERM's debt management program, ensure lessees comply with terms and conditions of leases particularly rent payments.
- Help lessees implement land management agreements, including through compliance inspections and assessment processes.
- Develop and publish self-assessment guidelines for use by lessees.
- Identify illegal occupation of State land during fire and pest management activities and other inspection opportunities. Progressively deal with illegal occupation throughout Queensland as resources permit.

Further information – *Land Act 1994*, Land Regulation 1995, Delbessie Agreement (State Rural Leasehold Land Strategy).

Stock route network

Stock routes are pathways for travelling stock on roads, reserves, and other lands. They provide pastoralists with a means of moving stock ‘on the hoof’ around the state’s main pastoral districts as an alternative to trucking and other contemporary transport methods. Approximately 72,000 kilometres (covering 2.6 million hectares) of Queensland’s road network is declared as stock route. These routes, together with reserves for travelling stock, make up the Queensland Stock Route Network (SRN). There are many facilities for travelling stock use associated with the network, including more than 700 operational stock route water facilities.

Select local governments are required to have a stock route network management plan, which outlines how the local government will manage and administer the SRN in their local government area, including issuing permits to travel and agist stock on the SRN and managing the natural values located on the SRN.

A landowner or stockowner must apply to the relevant local government for a permit to walk (travel permit) or graze (agistment permit) stock on the SRN. Water agreements must be in place where a landholder takes a supply of water from a stock route water facility, or supplies water to a stock route water facility. Water agreements negotiated under previous legislation have been terminated in order to introduce a consistent equitable water agreement framework. Previous agreements must be replaced with new agreements where a landholder continues to take or supply water.

When land that has a stock route crossing is sold, the stock route must not form part of the land that is transferred to the buyer.

General compliance monitoring or assistance

- Review local government stock route network management plans to ensure inclusion of policies to promote compliance.
- As requested by applicants, review local government permitting decisions, for both stock travel and agistment, to ensure permitting decisions are made in accordance with legislative provisions and approved local government policy.
- Help local governments establish water agreements with landholders taking water from, or supplying water to, stock route water facilities.
- Review rural property sales, and inform real estate agents if their listings include stock routes.

Further information – *Land Protection (Pest and Stock Route Management) Act 2002*, Queensland Stock Route Network Management Strategy 2009–14.

6. Estate management

Conservation estate

The management principles of conservation estate are to:

- provide, to the greatest possible extent, for the permanent preservation of the area's natural condition and protect the area's cultural resources and values
- present the area's cultural and natural resources and their values
- ensure that the only use of the area is nature-based and ecologically sustainable.

The majority of visitors to, and users of, the conservation estate behave in a reasonable and sustainable manner. However, on occasion DERM's Queensland Parks and Wildlife Service (QPWS) deals with non-compliant activities, including inappropriate visitor behaviour, illegal or unsustainable vehicle use, grazing or cattle incursions, green waste and other litter dumping, illegal firewood collection, tree clearing and other boundary incursions, and interference with historic sites.

General compliance monitoring or assistance

- Systematic program of compliance and education patrols, particularly during high volume visitor periods at Easter and Christmas.
- Systematic program of compliance and education patrols on Fraser Island to ensure visitor safety near dingoes.
- Audit commercial tour operators to verify compliance with permit conditions and legislative obligations.

Compliance projects

Project	Goal	Objectives	Scope	Expected outcomes
Arson in the Lockyer Valley	To protect ecosystems on QPWS-managed estate from damage caused by arson.	To protect life and property from loss caused by arson on QPWS-managed estate. To educate the public, rural communities and park neighbours about the QPWS fire management program.	Lockyer Valley protected areas and forests. In partnership with Queensland Fire and Rescue Service. QPWS fire management program implemented.	Alleviate community concern about fire risk arising from protected areas and QPWS-managed estate. Community understanding of, and respect for, QPWS fire management leads to the elimination of arson. Unnecessary land clearing by property owners in response to perceived fire risk is reduced.

Project	Goal	Objectives	Scope	Expected outcomes
Inappropriate vehicle use in national parks	To avoid environmental degradation and disturbance to wildlife, and to enhance visitor amenity and safety through eliminating illegal use of vehicles in protected areas.	To educate users about requirements for recreational vehicle use in managed estate, and ensure they are complied with. To contribute to planning processes to identify appropriate sites for recreational vehicle use on and off QPWS-managed estate.	Byfield National Park and D'Aguilar National Park. In partnership with Queensland Police and local government, where appropriate.	Reduced occurrence of illegal vehicle use. Reduced occurrence of accidents resulting in personal injury.

Further information – *Nature Conservation Act 1992*, *Nature Conservation (Protected Areas Management) Regulation 2006*, *Recreation Areas Management Act 2006*.

Marine parks

Marine parks are established over tidal lands and waters and protect habitats, including mangrove wetlands, seagrass beds, mudflats, sandbanks, beaches, rocky outcrops and fringing reefs. DERM's Queensland Parks and Wildlife Service (QPWS) has a comprehensive program to ensure stakeholders are aware of their compliance obligations. This is achieved through interpretation, awareness, information and education. However, there continues to be unlawful activities impacting on nature conservation within these areas.

QPWS, in conjunction with the Great Barrier Reef Marine Park Authority, focuses on issues including fishing in protected zones, illegal taking of vulnerable marine and terrestrial species, damage to cultural resource or sites, non-permitted tourism operations, littering, and illegal structures and dredging.

General compliance monitoring or assistance

- Patrols during the day or night around problem sites at various locations within the Great Barrier Reef World Heritage Area and State Marine Park.
- Implementation of the Moreton Bay Marine Park Zoning Plan, in particular ensuring visitors conduct appropriate activities in green zones.
- Respond to shipping and pollution incidents.

Further information – *Marine Parks Act 2004*, *Great Barrier Reef Marine Park Act 1975*, marine park zoning plans.

Commercial native forests

DERM manages native forest timber production and the sale of quarry materials from State forests, timber reserves and other State-controlled lands across Queensland, as well as administering permits for apiary sites and stock grazing on designated areas of State forest. DERM's goal is to maximise financial returns to the State from the management of native forest products and quarry materials, within social, environmental and cultural expectations.

While managing the commercial sale of forest products, enhancing access to State-owned quarry resources to support infrastructure development projects, and improving the efficiency of commercial management of State-owned forest resources, DERM also ensures all native forest and quarry activities on State lands comply with relevant environmental legislation and applicable codes of practice. DERM regularly monitors timber production activities and provides constructive feedback to harvesting contractors to improve overall environmental performance. Compliance monitoring will focus on activities that have the potential to cause soil erosion and damage to forest roads and tracks.

General compliance monitoring or assistance

- Educate contractors about the correct application of sales permit terms and conditions and codes of practice, including introducing koala identification training.
- Regular monitoring of all sales activities in relation to sales permit conditions and codes of practice.
- Investigate removals of forest products and quarry materials not consistent with the regulations.

Further information – *Forestry Act 1959*, Code of Practice for Native Forest Timber Production on State Lands 2007.

7. Vegetation management

Regional ecosystems are communities of native vegetation consistently associated with a particular combination of geology, land form and soil in a bioregion. Each regional ecosystem has been assigned a conservation status based on its current remnant extent (how much of it remains) in a bioregion.

Regulating the clearing of remnant vegetation ensures the conservation of biodiversity, maintains ecological processes and ensures clearing does not cause land degradation. In Queensland, this regulation is predominantly achieved through the *Vegetation Management Act 1999* and the *Sustainable Planning Act 2009* (the vegetation management framework).

Under the vegetation management framework, clearing remnant vegetation identified on a regional ecosystem or remnant map (on freehold land, Indigenous land, and State tenures) can only occur if done under a development permit or if considered exempt development. Exempt activities include routine clearing required to manage existing fence lines, yards, establishing firebreaks and burning off. Clearing requiring a development permit can only occur for certain purposes, including significant projects, to control non-native plants or declared pests, ensuring public safety, necessary infrastructure, fodder harvesting, thinning, clearing of encroachment or extractive industry.

Since October 2009, regulated regrowth vegetation on freehold, Indigenous and leasehold land for agricultural and grazing is also protected. No permit is required to clear regulated regrowth on such tenures. However, landholders need to notify DERM that they intend to clear and any clearing must comply with the regrowth code. The government introduced the new regrowth laws to protect high-value regrowth vegetation and native vegetation alongside waterways in priority Great Barrier Reef catchments. On some other State land tenures the clearing of native woody regrowth may require a development permit.

Under certain circumstances, clearing vegetation for a development may be offset by the management and protection of another area of ecologically equivalent vegetation.

General compliance monitoring or assistance

- Continue industry co-delivery implementation program for vegetation management, in partnership with Agforward and the Queensland Farmers' Federation, to help landowners understand their obligations under the new regrowth arrangements.
- Use the Statewide Landcover and Trees Study to detect potential unlawful clearing and understand shifting patterns of unlawful clearing.
- Continue to work with clients (including local governments) to improve their understanding of the vegetation management framework. In response to unexplained clearing, staff will undertake appropriate compliance actions that may include discussions with landholders, warning letters, Property Maps of Assessable Vegetation (PMAV) and restoration notices.

Compliance projects

Project	Goal	Objectives	Scope	Expected outcomes
Vegetation management framework – best management practice	To promote and enable effective interpretation and implementation of the vegetation management framework.	<p>To make refinements to vegetation management codes, making them more practical and understandable.</p> <p>To increase client awareness and ability to interpret and implement aspects of the vegetation management framework.</p>	<p>Remake of the Regrowth Vegetation Code, based on feedback received and a review of its implementation. The remake will include more comprehensive best management practice guidelines to help landholders understand and comply with the code.</p> <p>Finalise random audit and survey of the Native Forest Practice Code.</p> <p>Website updates and improvements to assist landholders in understanding the vegetation management framework.</p>	<p>Release of a new version of the Regrowth Vegetation Code by the end of 2010, incorporating improvements.</p> <p>Increased compliance with vegetation management framework.</p> <p>Increased opportunity for self-regulation and education.</p>
2007–2008 Statewide Landcover and Trees Study (SLATS) identification of vegetation clearing	To identify and prioritise vegetation clearing cases for investigation in a targeted manner.	To review the 12 500 hectares of unexplained clearing reported in the Analysis of Vegetation Clearing Rates in Queensland report (supplementary report to the SLATs Landcover Change in Queensland 2007–2008 report), prioritising possible illegal clearing for further investigation.	<p>Unexplained clearing is remotely identified from the 2007–2008 SLATS.</p> <p>Further analysis and prioritisation will occur to determine clearing that requires further investigation.</p> <p>Compliance responses will be implemented where appropriate, based on the scale of clearing and the biodiversity value of the vegetation cleared.</p>	<p>Appropriate investigation and enforcement of illegal clearing.</p> <p>Compliance actions include discussions with landholders, warning letters, penalty infringement notices, restoration notices or legal proceedings.</p>

Further information – *Vegetation Management Act 1999*, State Policy for Vegetation Management, Regional Vegetation Management codes, Regrowth Vegetation Code, Native Forest Practice Code, *Sustainable Planning Act 2009*, Vegetation Management Concurrence Agency Policies for Material Change of Use and Reconfiguring a Lot, Queensland Government Environmental Offsets Policy and the Policy for vegetation management offsets.

8. Wildlife and ecosystems

As well as its management of wildlife on conservation estate (such as national parks), DERM manages interaction between people and protected native wildlife 'off-park'. DERM aims to conserve and protect the wildlife while being responsive to the social and economic needs of the community.

Areas of interest to DERM include wildlife harvesting, damage mitigation, problem wildlife and incident response, enforcement and compliance, and licensing and permits. A major part of DERM's approach is liaison and engagement with key stakeholders, the general community and other parts of government.

In a vast state hosting a diverse and vast array of species, ecosystems and significant sites, nature refuges fill an important niche in promoting a community-based landscape approach to conservation. Nature refuges are voluntary agreements between a landholder and the Queensland Government that acknowledge a commitment to manage and preserve land with significant conservation values while allowing compatible and sustainable land uses to continue. Nature refuges comprise the second largest expanse of Queensland's protected areas estate. With more nature refuges changing hands from one landowner to the next, the department is committed to ensuring that new landowners are aware of their obligations under these conservation agreements. The investigation of breaches of nature conservation legislation on nature refuges includes breaches by landowners and may include breaches by third parties.

DERM is protecting more areas as national park to secure our unique biodiversity, by increasing land for conservation by 50 per cent. This will bring the total land protected in national park estate to 12.9 million hectares. As a result, some State forests and unallocated State land are being converted to protected area. As a result, the department is keen to ensure that commercial users and visitors to these newly created protected areas are aware of their new obligations.

General compliance monitoring or assistance

- Inspect commercial macropod harvesters, dealers and processors, and monitor permit return data to ensure annual quotas for commercial harvesting of macropods are not exceeded and relevant codes are being complied with.
- Implementation of the Crocodile Management Strategy, to enhance community awareness and reduce negative interactions between human and estuarine crocodiles.
- Monitor flying fox roosts near urban areas and fruit growing farm practices, to ensure lethal or illegal disturbance of flying fox populations are not occurring.
- Investigate any suspected, reported or identified breaches of nature conservation legislation on nature refuges.
- Investigate any reported or identified potential breaches of nature conservation legislation concerning the taking of wildlife from the wild, particularly with respect to threatened species.

Further information – *Nature Conservation Act 1992*, *Nature Conservation (Wildlife Management) Regulation 2006*, *National Code of Practice for the Humane Shooting of Kangaroos and Wallabies for Commercial Purposes 2008*.

9. Water supply

Water use

Water is a fundamental and vital resource that underpins the prosperity and wellbeing of all Queenslanders. Regional water supply strategies are the Queensland Government's approach to ensuring short- and long-term regional water supply security. These strategies, developed in partnership with local governments, water service providers, industries and community groups, balance water demand and supply requirements and provide regional water supply solutions for the next 50 years. Water resource plans complement parallel initiatives like regional water supply strategies.

DERM is responsible for planning the state's future needs by securing supplies for social and economic needs, such as towns, industry, irrigation, mines, fisheries, and tourism, while setting out strategies to support river health. Water resource plans, resource operations plans and resource operations licences are DERM's principal tools to strategically manage water. Water metering provides a clear picture of water-use patterns to enable effective planning, allocation and management of the resource.

Landowners require authorisation in the form of a water licence, water allocation or water permit to access, use, or distribute surface and underground water. Development permits may also be required to construct works that either take or interfere with water. Unlawfully taking water, or interfering with a watercourse, can jeopardise both the ability of other users to enjoy the benefit of the resource and the ecosystems that rely on the water.

In the case of underground water, bore drilling can reduce pressure in aquifers, possibly cross contaminate aquifers and harm nearby ecosystems, so it is important that best practice standards are complied with.

A national framework for ensuring that water users comply with their legal obligations is being developed by the Australian Government. If it is endorsed by the Council of Australian Governments, DERM will implement the framework by increasing monitoring of high-risk water resources, providing additional education to water users and moving towards nationally consistent offences, penalties and best practice compliance tools.

General compliance monitoring or assistance

- Audit water supply scheme operations, including monitoring data, and particularly in areas where a new resource operations plan has commenced.
- Respond in a timely manner to all reports of water entitlement overuse, unlawful take of water, or illegal works in water courses.
- Ensure subartesian and artesian bores are drilled to the respective best practice standards, compliant with work approvals, and drilling logs are submitted.
- Monitor, as required, approved land and water management plans under the *Water Act 2000* to ensure risks from irrigation water use are properly managed.

Compliance projects

Project	Goal	Objectives	Scope	Expected outcomes
Statewide meter compliance project	To reduce the risk of overuse and degradation of the water resource, such as salt water intrusion.	<p>To ensure landholders operate in accordance with their water use entitlements.</p> <p>To inform clients about meter installations and potential impacts on the resource from overuse.</p>	<p>Landholders within metered areas of the state.</p> <p>Meter readings will be reviewed in accordance with water sharing rules, to identify and make landholders aware of potential non-compliance with entitlements.</p> <p>Inspections of works exempt from metering, to determine if still appropriate.</p>	<p>Maximised water resource security.</p> <p>Environmental flow conditions are met.</p>

Further information – *Water Act 2000*, water resource plans, minimum standards for the construction and reconditioning of water bores that intersect the sediments of artesian basins in Queensland.

Service provision

Providing water, sewerage services and water dam safety is regulated under the *Water Supply (Safety and Reliability) Act 2008*.

Service providers (except recycled water providers) must be registered, and where required, must have approved plans (or exemptions) in place to ensure a continuity of the provision of water and sewerage services.

Owners of water supply referable dams in Queensland are also required to ensure that they meet the requirements of the Act. Guidelines have been written to help clients address their responsibilities.

A shortage of suitably qualified people to help meet legislative requirements or time frames can impact upon the ability of owners of small size referable dams and small and/or remote service providers to meet their obligation. Introducing new requirements for drinking water and recycled water that require incident and water quality reporting has highlighted difficulties in relation to resource availability and workforce skills and capacity. The recent drought has identified the importance of drought management plans in helping service providers ensure they can meet community needs during water supply shortages.

DERM provides general information to service providers and dam owners to help them comply with their regulatory requirements, and works individually and collectively with service providers and dam owners to discuss issues and identify ways to improve compliance.

General compliance monitoring or assistance

- Ensuring primary plans that are due, are received. The main focus for 2010–11 is on drought management plans for larger urban communities, drinking water quality management plans, and recycled water management plans.
- Working with dam owners and key stakeholders to ensure spillway upgrades occur in accordance with the timings approved by DERM.
- Educating, informing and working with drinking water providers to ensure that they:
 - undertake E.coli monitoring at the required frequency and sample numbers
 - report all water quality incidents as required and manage them appropriately
- Monitor and work with service providers with an approved recycled water management plan to ensure they are complying with their plans.

Further information – *Water Supply (Safety and Reliability) Act 2008*.

More information

To view this plan, previous annual compliance plans, or the Compliance Strategy 2010–14, visit www.derm.qld.gov.au.

For general enquiries, contact 13 74 68 (13 QGOV).

To provide feedback on this plan, visit www.derm.qld.gov.au to lodge a comment or complaint.