

Chapter 3



Role of agencies and groups





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A number of agencies and groups undertake coastal management in their current functions and responsibilities. In many cases, the State Coastal Plan will support existing activities; some of the outcomes, principles and policies included in the State Coastal Plan are already reflected in various policies and in practice. However, where gaps are found to exist in the current framework, the State Coastal Plan will set a new standard for coastal management in Queensland. The State Government, through the State Coastal Plan, aims to promote consistency in the way coastal management is implemented by identifying in a single document the State's coastal management outcomes, principles and policies.

The State Government seeks to develop partnerships with the Commonwealth and local government, industry, Indigenous Traditional Owners and community groups to implement the coastal plans. As the State Coastal Plan and regional coastal management plans will have the force of law under the Coastal Act, agencies and persons with responsibilities in the coastal zone that are governed by or linked to the Coastal Act, will need to have regard to the provisions of these plans. These include agencies and persons preparing plans, undertaking assessments and issuing approvals, and making management decisions.

It is proposed that the State Coastal Plan will be implemented in a number of ways by relevant agencies and groups.

The implementation of the Coastal Act (and the State Coastal Plan) relies on other legislation as well as its own legislative powers. The EPA will be working with the State and local agencies responsible for other pieces of relevant legislation to ensure that the State Coastal Plan is adequately recognised.

3.1 Role of the Minister for Environment

The Minister for Environment is responsible for the Coastal Act as well as several other Acts directly relevant to coastal management, including the *Beach Protection Act 1968*, the *Canals Act 1958*, the *Harbours Act 1955*, the *Environmental Protection Act 1994*, the *Nature Conservation Act 1992*, the *Marine Parks Act 1982*, the *Cultural Records (Landscapes Queensland and Queensland Estate) Act 1987* and the *Queensland Heritage Act 1992*.

The Minister is also responsible for appointing the Coastal Protection Advisory Council and any regional consultative groups.

3.2 Role of the Minister for Local Government and Planning

Under the *Integrated Planning Act 1997*, the Minister for Local Government and Planning is responsible for its implementation, which includes:

- ◆ ensuring that the State Government's interests have been adequately reflected in planning schemes for local government areas;
- ◆ directing the development of any State planning policies; and
- ◆ overseeing the Integrated Development Assessment System to ensure State interests and the purpose of the *Integrated Planning Act 1997* is achieved which includes reserve powers to call in development applications and join appeals to the Planning and Environment Court.

3.3 Role of the Coastal Protection Advisory Council

Under the Coastal Act, the Coastal Protection Advisory Council advises the Minister directly on coastal management matters. These matters include:

- ◆ the development and implementation of coastal plans and their relationship to other plans;
- ◆ areas within Queensland requiring special coastal management;
- ◆ research and other studies relating to the coastal zone;
- ◆ developing public awareness and consultation programs; and
- ◆ providing assistance that local government and other agencies may need in undertaking coastal management.



3.4 Role of the lead agency

The lead agency in coastal management — the EPA — coordinates the preparation of the coastal plans, administers the licensing and enforcement of coastal permits (such as permits under the *Harbours Act 1955*, *Canals Act 1958* and *Beach Protection Act 1968*¹⁷), and provides advice to local government and other agencies and persons regarding coastal management best practice.

The EPA currently administers the coastal land acquisition fund, which aims to acquire land for coastal management purposes. In the 1999 – 2000 financial year, the fund amounted to \$2.5 million. Funds are also provided directly to the Coastcare program.

It is the EPA's responsibility to monitor the implementation of the State Coastal Plan and prepare a 'State of the Coastal Zone' report by 2003.

The Queensland Parks and Wildlife Service is part of the EPA and is the manager of a significant part of the state for wildlife conservation purposes such as protected areas under the *Nature Conservation Act 1992* and marine parks under the *Marine Park Act 1982*.

3.5 Role of regional consultative groups

Regional consultative groups are established under the Coastal Act by the Minister to assist in the preparation of regional coastal plans. Their function is to advise the Minister about the preparation of the regional coastal plan and to make recommendations on issues, management strategies and areas requiring special coastal management, and to seek community involvement during the preparation of each regional coastal plan. Members must include representatives of local government (which includes Aboriginal Councils and Island Councils where relevant), tourism, conservation, industry and Aboriginal and Torres Strait Islander interests and are to reflect the priority management issues of the region. Refer to Map 1 for the boundaries of the regions where regional coastal plans are to be developed.

3.6 Role of local government

Local government is responsible for preparing planning schemes under the *Integrated Planning Act 1997*, taking into account matters of state and regional interest (such as the requirements under the coastal plans). Local government must take into account the State Coastal Plan and any applicable regional coastal management plan in assessing particular development applications where the coastal plans have not been incorporated into a planning scheme. Additionally, coastal plans deal with state and regional interests that local governments are encouraged to consider in the preparation of corporate plans and the development of local laws under the *Local Government Act 1993*. Local governments within the coastal zone are shown in Map 2.

Local governments can also undertake the following: funding, construction and management of coastal management infrastructure; the acquisition and management of coastal lands to protect coastal resources; the management of waterways in the coastal zone; the funding, construction and management of water quality management infrastructure; cleaning of foreshores and waterways; and managing public access to the coast.

Aboriginal Councils and Island Councils (Torres Strait) are established under the *Community Services (Aborigines) Act 1984* and the *Community Services (Torres Strait) Act 1984* respectively. The land under the jurisdiction of these Councils are separate from local governments referred to above. Aboriginal Councils and Island Councils are responsible for the management of land within their Council area and have a similar role to local governments.

¹⁷ The licences and permits under these Acts are to be transferred to the *Coastal Protection and Management Act 1995* and their processes made consistent with the Integrated Development Assessment System under the *Integrated Planning Act 1997*.



3.7 Role of Aboriginal and Torres Strait Islander communities

Indigenous Traditional Owners have custodial responsibilities for their traditional land, sea and air country. Their connections with country mean that they hold traditional knowledge about coastal areas ('saltwater' country) and its interrelationships with catchment areas ('freshwater' country). As part of carrying out their custodial responsibilities, Indigenous Traditional Owners wish to be actively involved in managing traditional lands.

Other indigenous community members may have historic and contemporary associations with coastal areas. These people, where culturally appropriate, may be involved.

3.8 Role of the community

Community groups and individuals including Regional Strategy Groups, currently commit time and effort to developing strategies such as integrated catchment management plans, natural resource management strategies and to on-the-ground works and activities such as rehabilitation projects that contribute to managing coastal areas. In some cases, the State and Commonwealth governments support these efforts through funding programs such as Coastcare and Coasts and Clean Seas.

3.9 Role of industry groups

Industry groups develop strategies and management plans for their operations and, in some cases, have established codes of practice that deal with environmental issues to guide their activities. Some industry groups have a role in land management on the coast: for example, the Port Authorities as government-owned corporations under the *Transport Infrastructure Act 1994*, are responsible for strategic port land. Part of their role is similar to that of local government under the *Integrated Planning Act 1997*, that is, preparing land use plans and undertaking the assessment manager role in development assessment.

3.10 Role of other State Government agencies

The State Government administers several Acts (such as the *Land Act 1994*, the *Fisheries Act 1994*, the *Transport Operations (Marine Pollution) Act 1994* and the *Native Title (Queensland) Act 1993*), develops policy and funds incentive programs that are relevant to coastal management and delivers outcomes supportive of those outlined in this State Coastal Plan. In particular, natural resource management policies and plans including water resource plans are currently being prepared by the Department of Natural Resources and Mines.

3.11 Role of Commonwealth Government

The Commonwealth Government has a direct role in managing parts of Queensland's coastal zone, such as the Great Barrier Reef Marine Park in partnership with the Queensland Government, as well as a role in developing national policies and strategies and providing funding programs that are able to support coastal management programs. The *Great Barrier Reef Marine Park Act 1975* (Cth) establishes the management framework for the Great Barrier Reef, which covers up to two thirds of the coast to the low water mark, in accordance with world heritage principles.

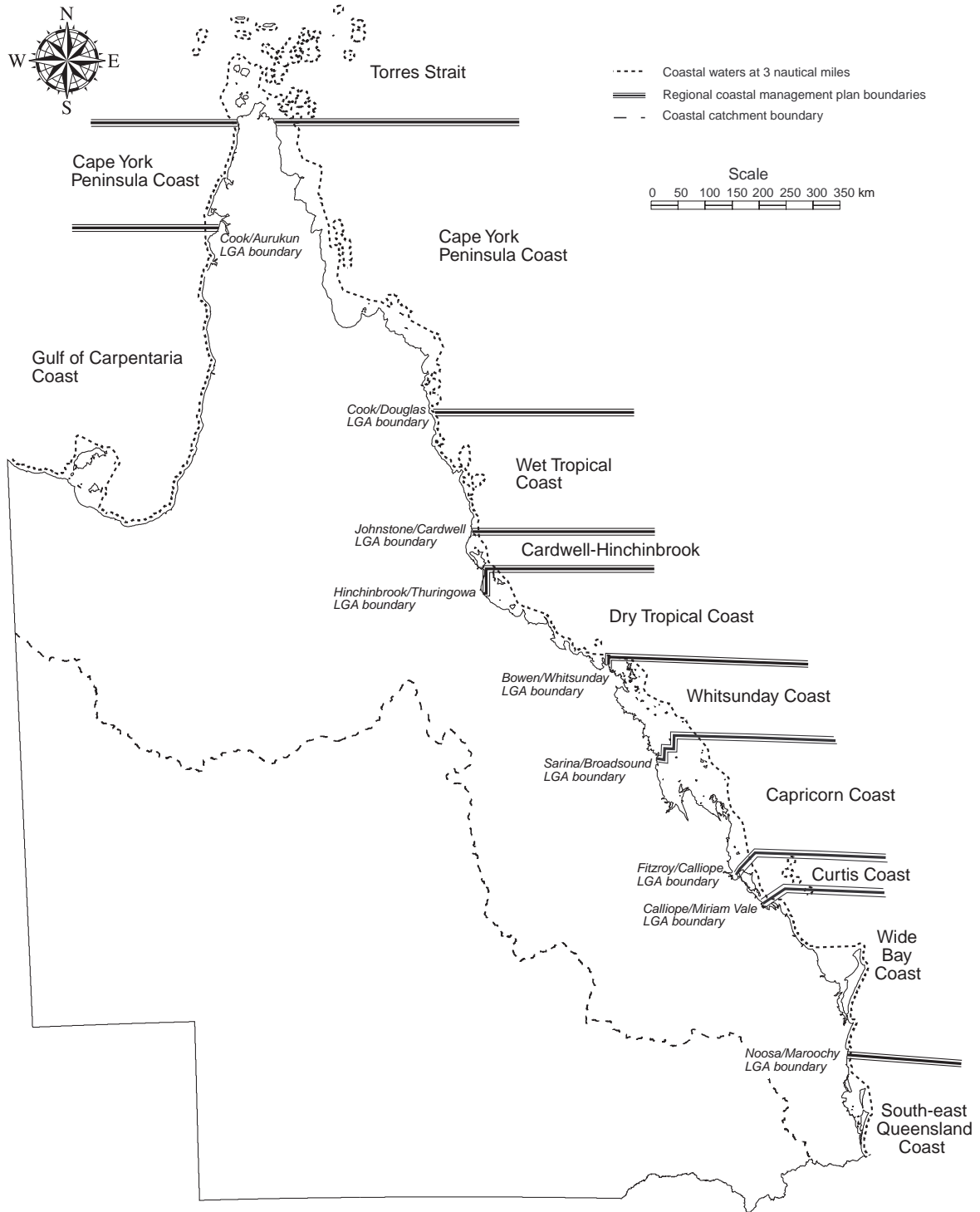
The *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC) that commenced in July 2000 gives the Commonwealth an increased role in assessing development and activities in the coastal zone of Queensland. The EPBC Act seeks to protect matters of National Environmental Significance such as Ramsar sites and world heritage areas that cover significant areas of the coastal zone.

The Commonwealth *Native Title Act 1993* deals with the recognition and protection of native title rights and interests.



3.12 Role of research bodies

Research bodies such as universities, Cooperative Research Centres (including Coastal Zone, Estuary and Waterway Management; Reef; and Sugar), CSIRO, Australian Institute of Marine Science, and Bureau of Sugar Experimental Stations, undertake scientific research into coastal resources and their values. This information is very important for monitoring and improving the management of activities that impact upon the coast.



Note: Catchment boundary derived from sub-basins supplied by Department of Natural Resources and Mines. Coastline and coastal waters at 3 nautical miles were supplied by AUSLIG.

Map 1 — Queensland: coverage of regional coastal management plans