

NELR recent developments

- sustainable wood supply, based on agreed minimum quantities, and an ongoing supply of specialty timbers
- immediate protection of high conservation value forests on public land identified by the environmental NGOs, by way of a moratorium phased in over three months. While the boundaries of high conservation areas have yet to be finalised, initial indications are that this could include more than 600 000 hectares of additional reserves, including the Tarkine rainforest, Great Western Tiers, Blue Tier and the Upper Florentine Valley
- support for plantation certification and transition of the commodity forest industry out of public native forests into sustainable plantations
- independent, scientific landscape conservation and integrated catchment management programmes, and associated reform of laws and policies governing resource management in Tasmania
- only plantation residues to be used as biomass for Renewable Energy Certificates
- Forestry Tasmania to seek FSC certification.

Most controversially, the Statement of Principles includes support for 'a range of plantation based timber processing facilities, including a pulp mill.' Conservation signatories have denied that the principles amount to support for the proposed

Gunns Pulp Mill at Bells Bay, emphasising that any proposed mill must be based on a new and transparent public consultation process. However, a number of groups in the region of the Bells Bay mill have refused to endorse the Statement of Principles.

The Statement commits the parties to seek Tasmanian and Federal Government support for the development of a plan to deliver the Principles and a stakeholder-led implementation process with a finalised full agreement within 12 months. The Tasmanian Premier has met with the Prime Minister and Environment Minister to discuss potential funding and governance models.

See: www.premier.tas.gov.au/hot_topics/tasmanian_forest_industry_-_principles_of_agreement

Environment Minister rejects development proposal at Ralphs Bay

The Federal Environment Minister formally refused to grant approval under the EPBC Act for the proposed canal estate development at Ralphs Bay on 29 October 2010 (see NELR 2010: 2&3). The development, which was refused by the Tasmanian government earlier this year, was referred to the Minister on the basis of its potential impacts on threatened species, migratory species and the nearby Ramsar wetland.

WESTERN AUSTRALIA

Ainsley Reid and Joe Freeman

Conservation Legislation Amendment Bill 2010

The Conservation Legislation Amendment Bill 2010 (Bill) was introduced to the Legislative Council and read for a second time on 17 November 2010. The purpose of the Bill is to amend the *Conservation and Land Management Act 1984* (WA) (the CALM Act) and the *Wildlife Conservation Act 1950* (WA). Changes proposed by the Bill include replacement of the provisions for the voluntary land management agreements which presently do not enable joint management of lands by the Department of Environment and Conservation's chief executive

officer and other parties. The Bill will correct this deficiency and if enacted, will enable the joint management of land through joint management agreements. It will also recognise agreements already in place under the Burrup and Maitland Industrial Estates Agreement of 2003, the Ord final agreement of 2005 and the Yawuru agreement for Broome signed on 25 February 2010.

The Bill will also provide formal recognition of the importance of land and waters to the culture and heritage of Aboriginal people through a new management planning objective that will apply to

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all lands subject to the CALM Act.

Forestry Management Plan 2004–2013 – mid-term audit

The WA EPA has released its report and advice to the Minister for Environment on the Mid-term Audit of Performance Report on the implementation of the Forest Management Plan 2004–2013 (FMP). The mid-term audit prepared by the Conservation Commission of Western Australia provides the EPA with advice as to whether the management of land to which the Plan applies has been undertaken in accordance with the FMP.

EPA Chairman Paul Vogel said that the EPA had recommended no changes to the current FMP, however work on a new FMP should start now. The EPA has provided a comprehensive list of issues for consideration during the preparation of a new plan, with climate change and governance critical matters to be addressed.

Mr Vogel said that another key component of the FMP was the establishment of new conservation reserves, but that only 67% of the land category changes required for the creation of the conservation reserves had occurred. Mr Vogel acknowledged that the creation of reserves was an important matter for the community and many submissions expressed concern and disappointment on this crucial issue. Mr Vogel said the designation of Fauna Habitat Zones was a key initiative of the FMP and it was a concern that the final guidelines for the selection of those zones were yet to be completed.

See: <http://www.epa.wa.gov.au/EPADocLib/Rep%201362%20FMP%20audit%202710%20.pdf>

Kimberley and Pilbara receive \$1m conservation boost

The WA Minister for the Environment, the Hon. Donna Faragher MLC, has announced a \$1m state government investment into priority nature conservation projects in the Kimberley and Pilbara regions, including \$750 000 for the continuation of the State Cane Toad Initiative.

The projects are part of a \$3.75m targeted

investment by the Department of Environment and Conservation (DEC) in 2010–11 to implement projects for the conservation of WA's native plants, animals and ecosystems.

While highlighting the unique nature of flora and fauna in the Kimberley and Pilbara, the minister identified the cane toad as one of the major threats to the region's biodiversity. The \$750 000 allocated to the Cane Toad Strategy for Western Australia 2009–10 will help achieve the strategy's three goals:

- to maximise understanding of cane toads, their impacts and management options
- to minimise the impact of cane toads
- to discover and implement long-term management solutions for the control of cane toads.

This funding will complement the \$1.2m (over four years) in WA government funding allocated to the Kimberley Toad Busters.

In the Pilbara, projects will focus on pest animal control, including completion of the construction of a fence on the southern boundary of the Cane River-Mt Minnie Conservation Park, as part of a boarder program to reduce the impact of pest animals in the area.

See: <http://www.dec.wa.gov.au/content/view/6188/1560/>

WA Government endorses \$370m desalination plant

Premier Colin Barnett has announced that the Burrup Peninsula near Karratha will be the site of a \$370m seawater desalination plant. The WA Water Corporation will manage the development of the desalination plant which is expected to be commissioned in three years as a new source of drinking water for the West Pilbara. It is intended to support residential and small commercial growth in Karratha, Dampier, Roebourne, Wickham and Port Samson. Major industrial operators are expected to source and fund their own water supplies. The WA Government recently called for expressions of interest from parties interested in supplying six

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gigalitres of drinking water for the medium term future.

See: http://www.watercorporation.com.au/_files/InfrastructureProjects/Pilbara_Industry_Briefing_Nov_15.PPT.pdf

Kimberley Wilderness Parks

The WA Government has announced the formation of the Kimberley Wilderness Parks, including the state's largest interconnected system of marine and terrestrial parks covering more than 3.5m hectares, an area of land more than half the size of Tasmania. Created under the Kimberley Science and Conservation Strategy, Premier Colin Barnett said the new parks would include four new marine parks, a new national park and additional conservation reserves.

The Kimberley Wilderness Parks will contain more than half of the known terrestrial bird and animal species found throughout the Kimberley and will protect a range of marine and terrestrial animals including rare and endangered turtles, Humpback and Minke whales, rock wallabies and Northern Quolls.

The WA Environment Minister also released the indicative management plan for the proposed Camden Sound Marine Park, the establishment of which the Government committed to in 2009. The current proposal for the Camden Sound Marine Park is almost twice the size of the proposal originally envisaged by the Government and would

protect the largest Humpback whale nursery in the southern hemisphere.

The indicative management plan for the Camden Sound Marine Park is open for consultation comment until 1 February 2001, with management plans for the North Kimberley Marine Parks to be made available for public comment next year. Mrs Faragher said that consultation with the community would be an important part of the planning process for the Camden Sound Marine Park particularly because the park will be multiple use, allowing for the needs of the fishing, pearling, aquaculture, resources and tourism sectors.

Recreational fishing will be allowed in marine park waters, with the exception of sanctuary zones, and commercial fishing will be allowed to continue except within sanctuary zones and wilderness fishing zones. Trawling will be excluded from the whale protection zone.

Together with the North Kimberley Marine Parks, the Camden Sound Marine Park will be managed as the Great Kimberley Marine Park, which will cover more than 17% of WA waters, making it Australia's second largest coastal marine park behind the Great Barrier Reef Marine Park.

The Government will release further initiatives under the Kimberley Science and Conservation Strategy over the coming months. More information is available at www.dec.wa.gov.au/kimberleywildernessparks

QUEENSLAND

Patrick Vuleta

State Planning Policy 4/10 – Healthy Waters

In October 2010 the Queensland Government published *State Planning Policy 4/10–Healthy Waters (SPP 4/10)*, to commence 28 February 2011. State planning policies guide the creation of local government planning instruments. If a planning instrument does not reflect a state planning policy, the policy will override the instrument.

SPP 4/10 is based on *Environmental Protection (Water) Policy 2009 (EP Water)*, a subordinate

law under the *Environmental Protection Act 1994 (Qld)*. EP Water specifies environmental values for waterways within Queensland. *SPP 4/10* seeks to achieve these values by bringing their consideration into the development assessment process.

SPP 4/10 will apply to development applications for urban developments of at least six residential lots and more than 2500m². It will also apply to development applications for a material change of use, reconfiguration of a lot or operational works