sch4p3(3) Prejudice

Chief of Staff ...OK
Dated 16/1/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 21/01/13

CTS No. 00033/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Detailed Brief – Threatened species process and assessment methodology**

TIMEFRAME

- Request from Minister Powell for more information relating to CTS 18890/12 (Attachment 2) – Species Technical Committee Ministerial Briefing Note.

RECOMMENDATION

It is recommended that the Minister:

- **note** the detailed information regarding the process for listing threatened species and assessment methodologies including a comparison across all Australian jurisdictions.

BACKGROUND

- The Minister approved the Department of Environment and Heritage (EHP) to take responsibility for the Species Technical Committee from the Department of Science, Information, Technology, Innovation and Arts (DSITIA), on 8 October 2012. Please refer to CTS 12939/12 (Attachment 1).
- The Minister endorsed the membership of the Species Technical Committee (CTS 18890/12 – Attachment 2), 'for now' with a request for a detailed brief on the following:
  - the threatened species process
  - the assessment methodology
  - a comparison of our Species Technical Committee with other jurisdictions and international models.

CURRENT ISSUES

- An in-depth description of the threatened species process and assessment methodology is provided (Attachment 3 – How species are listed in Queensland).
- A comparison of the Queensland framework with other Australian jurisdictions is provided (Attachment 4 – Comparison of listing frameworks across Australia).
- No information can be sourced in the short term regarding how Australian listing process compare to international models in use so compliance with International Union for Conservation of Nature and Natural Resources (IUCN) standards for listing has been analysed.
- sch4p4(1)(1)(a) Damage relations with other governments
- A review of listing legislation carried out by the Environmental Defenders Office suggests that the Queensland framework could be improved in relation to the independence of the committee and the transparency of decision making.
- Steps are already in motion to achieve these improvements to listings processes in Queensland.

RTI DL Release

Rec'd - ODG
14 JAN 2013

Author	Cleared by	Cleared by	Recommended:
Name: Sally Egan Position: Manager – Threatened Species Strategy Tel No:07 3330 5453 Date: 2 January 2013	Name: Sally Egan Position: A/Director – Threatened Species Tel No: 07 3330 5498 Date: 9 January 2013	Name: Allan Williams Position: A/ED, NCS Tel No:07 3330 5390 Date: 11 January 2013 **Cleared by** Name: Tamara O'Shea Position: DDG - CSS Tel No:07 3330 6240 Date: 14.01.13.	Name: Tony Roberts A/ DG, DEHP Tel No: 3330 6298 Date: 15/1/13

MINISTER'S COMMENTS

Thank you. Pls give advance notice of STC meeting dates. I wld like to attend and observe a mtg as diary permits.

ATTACHMENTS

- Attachment 1 - CTS 12939/12
- Attachment 2 - CTS 18890/12
- Attachment 3 - How species are listed in Queensland
- Attachment 4 - Comparison of listing frameworks across Australia.

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Sally Egan Position: Manager – Threatened Species Strategy Tel No:07 3330 5453 Date: 2 January 2013	Name: Sally Egan Position: A/Director – Threatened Species Tel No: 07 3330 5498 Date: 9 January 2013	Name: Allan Williams Position: A/ED, NCS Tel No:07 3330 5390 Date: 11 January 2013 **Cleared by** Name: Tamara O'Shea Position: DDG - CSS Tel No:07 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

MINISTER'S COMMENTS

Approved

RTI DL Release

ATTACHMENTS

Attachment 1 – Draft Terms of Reference

Author	Cleared by	Cleared by	Recommended:
Name: Wolf Sievers	Name: Geoff Clare	Name: Tamara O'Shea	Name: Andrew Chesterman
Position: Director, TSU	Position: ED NCS	Position: A/DDG CSS	DG, DEHP
Tel No: 3330 5498	Tel No: 3330 5390	Tel No: 3330 6240	Tel No: 3330 6298
Date: 20 September 2012	Date: 02 October 2012	Date:	

CTS No. 12939/12

sch4p3(3) Prejudice

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

pproved Noted

Minister for Environment and Heritage Protection

Minister
Dated

SUBJECT: Species Technical Committee

TIMEFRAME

It is desirable to resolve the matter before the end of October 2012 which is when the committee is next due to meet.

RECOMMENDATION

It is recommended that the Minister:

agr e to the Department of Environment and Heritage Protection (EHP) taking responsibility from Department of Science Information Technology Innovation and Arts (DSITIA), for the Species echnical Committee, which provides recommendation and advice to the Minister on listing and delisting species under the *Nature Conservation Act 1992*.

BACKGROUND

In 2007, an internal Species Technical Committee was established within the then Environmental Protection Agency, to provide scientific rigour and objectivity to recommendations and advice to the Minister on listing and delisting under the Act.

Membership of the committee was drawn from across the breadth of the agency. The committee was chaired by Environmental Sciences, with policy support from Policy and operational support from Conservation Services.

CURRENT ISSUES

Environmental Sciences, which is now part of DSITIA, has advised that it can no longer chair the committee and has requested EHP take ownership of this role. DSITIA will continue to provide scientific input on request.

The Conservation and Sustainability Services division of EHP has responsibility for protected wildlife and also undertakes the statutory actions associated with species listings, so it is logical for the technical committee to be managed by EHP.

It is proposed that management of the committee be assigned to the Threatened Species unit.

It is also proposed that membership be reviewed, and representation of particular expertise be sought from within and without government to provide comprehensive input.

The committee could be comprised of one representative from academia, one from the conservation sector, one from science/research sector, one from government with marine expertise, one or two from government with botanical expertise and one or two from government with fauna expertise.

Proposed terms of reference for the committee is attached, which is largely based on the terms of reference for the current committee.

CONSIDERATIONS

Consultation: the matter has been discussed between DSITIA and EHP at DDG level.

Legislation: Section 132 of the *Nature Conservation Act 1992* provides for the Minster to appoint advisory committees.

Key Communication Messages: positive message that government applies expert consideration towards protecting Queensland's wildlife.

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Wolf Sievers	Name: Geoff Clare	Name: Tamara O'Shea	Name: Andrew Chesterman
Position: Director. TSU	Position: ED NCS	Position: A/DDG CSS	DG. DEHP
Tel No: 3330 5498	Tel No: 3330 5390	Tel No: 3330 6240	Tel No: 3330 6298
Date: 20 September 2012	Date: 02 October 2012		4·10·12

sch4p3(3) Prejudice th

Chief of Staff [redacted] OK
Dated 20 / 12 / 12
Approved Not Approved Noted
Further information required
Minister.....
Dated 24 / 12 / 12

CTS No. 18890/12

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Species Technical Committee**

RECOMMENDATION

It is recommended that the Minister:

- **endorse** the membership of the Species Technical Committee, which provides recommendation and advice to the Minister on listing and delisting species under the Nature Conservation Act 1992.

BACKGROUND

- The Minister approved the Department of Environment and Heritage Protection (EHP) to take responsibility for the Species Technical Committee from the Department of Science, Information Technology, Innovation and Arts (DSITIA), on 8 October 2012. Please refer to Attachment 1 - CTS 12939/12.
- The approval included that a review of committee membership would be undertaken.

CURRENT ISSUES

- A review of membership, undertaken by a group comprised of the Chair of the committee and Director and Manager of the department's Threatened Species Unit, proposes that the membership of the committee be:

– Dr John Neldner	DSITIA	Chair
– Dr Col Limpus	EHP	marine
– Dr Mike Mathieson	DSITIA	fauna
– Dr Rhonda Melzer	NPRSR	central Qld, flora
– Dr Bill Macdonald	ex DSITIA, now private	flora
– Keith Macdonald	ex EHP, now private	north Qld, frogs, flora
– Dr Malcolm Dunning	DAFF	fish
– Rod Hobson	NPRSR	brigalow belt, reptiles
– Wolf Sievers	EHP	

- The function of the committee will be to advise the Minister on:
  - the classification of wildlife (plants and animals) into conservation categories defined by the *Nature Conservation Act 1992; and*
  - other matters regarding the conservation of biodiversity which may be referred by the Minister.
- It is intended that membership will be confirmed and a meeting held by mid January 2013.

MINISTER'S COMMENTS

Ok for now. Request further detailed brief on "threatened species" process and assessment methodology. Also comparison of our "Species Technical C'ttee" with other jurisdictions and international models

Rec'd - ODG
18 DEC 2012

ATTACHMENTS

Attachment 1: CTS 12939/12 – Species Technical Committee

Author	Cleared by	Cleared by	Recommended:
Name: Wolf Sievers Position: Director, TSU Tel No: 3330 5498 Date: 10 December 2012	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 13 December 2012	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 17 December 2012	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 18.12.12

RTI DL Release

CTS No. 00109/13

sch4p3(3) Prejudice t

Chief of Staf . OK
Dated 1 / 2 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 04/02/13

Department of Environment and Heritage Protection
MINISTERIAL DEPUTATION BRIEFING NOTE
Meeting details: 12.15pm on Wednesday, 6 March 2013
at Parliament House requested by Minister Dickson's office

The Honourable Andrew Cripps MP, Minister for Natural Resources and Mines.
The Honourable Steven Dickson MP, Minister for National Parks, Recreation, Sport and Racing.
Mr Howard Hobbs MP, Member for Warrego
sch4p3(3) Prejudice the protection of an individuals right to l Cunnamulla

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Potential acquisition of land for National Park**

DEP REP: Allan Williams, Director, Tenures and Covenants Unit; telephone: 3330 5392

BACKGROUND

- Meeting requested by Mr Howard Hobbs MP, Member for Warrego, to discuss the potential acquisition by the state of part of Bingara (a grazing lease) for national park purposes. He had requested the meeting on one of the following dates in the first sitting week—12, 13 or 14 February 2013. Minister Dickson's office has subsequently requested a meeting time of 12:15pm on Wednesday, 6 March 2013 at Parliament House (Attachment 1).
- Bingara is contiguous with another grazing lease (Werewilka) which is also suitable for national park purposes. The lessees of Bingara, as well as the lessee of Werewilka, are willing vendors.

CURRENT ISSUES

- The lessees of Bingara want to subdivide their lease, and amalgamate the eastern severance with their other adjoining property, , for build-up purposes.
- Whilst the subdivision of rural leases is generally not supported, in certain circumstances a subdivision may be approved by the Department of Natural Resources and Mines.
- The western half of Bingara (approx. 45,000 hectares) and Werewilka (approx. 53,377 hectares) are situated in the Mulga Lands bioregion (Attachment 2). Both properties have been offered to the government for purchase by the present lessees, the sch4p3(3 family at Bingara and at Werewilka, in order for the land to be managed and preserved for future generations as national park.
- The properties were assessed in 2012 by the Department of National Parks, Recreation, Sport and Racing (NPRSR) who rated them as very high priority properties. A market valuation for both properties was subsequently undertaken establishing a range of $1.4 to $1.45 million for the area of interest on Bingara and $1.75 to $1.8 million for Werewilka (excluding GST). An application to the Australian Government's National Reserve System (NRS) funding initiative has been submitted for these properties.
- The acquisition of the western half of Bingara and Werewilka for national park purposes would constitute a highly significant addition to the national reserve system of the Mulga Lands bioregion, adding to both the representation and protection of several rare communities and species found there.
- The most significant wetlands on the properties are a series of 49 artesian spring communities that form part of the broader Eulo Group, of which 20 are listed as intact. These springs are in excellent condition and are considered a very high priority for reservation and contain several rare and

Author	Cleared by	Cleared by	Recommended:
Name: Ashley Williams Position: Manager, Tenures and Covenants Tel No: 3330 5337 Date: 04 January 2013	Name: Allan Williams Position: Director, Tenures and Covenants Tel No: 3330 5392 Date: 22 January 2013 **Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 25 January 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 sch4p3(3) I Date: 29.01.13	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:

RTI DL Release

endemic plant and animal species. A summary of the protected area selection criteria is provided in Attachment 3.

- Werewilka also contains many significant cultural heritage features that are not yet on the Cultural Heritage Register. The current lessee has reported that there are at least two intact Aboriginal stone arrangements on the property and there are also likely to be several more culturally significant sites spread amongst the many granite outcrops on the property.
- The then Protected Area Selection Panel (PASP) reviewed this proposal and recommend that the properties have values suitable for a national park. Impediments to the potential gazettal of these properties have also been assessed and are considered low.
- A range of opportunities exist in the area for recreational activities as well as opportunities for ecotourism focused on the artesian springs and other scenic locations throughout the property, however, further investigation is needed before these can be implemented. The Yowah opal fossicking area is located within the Bingara area of interest and is also considered a tourist attraction.
- A National Reserve System (NRS) funding application has been submitted to the Australian Government to partially offset the purchase price of the two properties by two-thirds. The sale of the western half of Bingara and Werewilka provides the state with a unique opportunity to acquire a large parcel of land that is currently poorly represented and to protect a broad range of habitat and wildlife for future generations.
- Regardless of the outcome of the NRS application, the state is in a position where it can purchase these lands.
- If the NRS approve the application for this proposal post-acquisition, the NRS funding would be a retrospective payment.
- NPRSR must support this potential addition to the national park estate and accept responsibility for the ongoing management of these lands. Current NPRSR support for their acquisition is uncertain, due to the review of protected areas currently being undertaken in that portfolio.

Deputee Position

- sch4p3(3) Prejudice the pr are willing vendors for the sale of the western portion of Bingara.

Suggested Response

- The Department of Environment and Heritage Protection (EHP) recognises that Bingara has significant environmental values which should be preserved for future generations as national park.
- EHP is awaiting confirmation of a funding application through the Australian Government's National Reserve System (NRS) funding initiative, before it is in a position to begin negotiations.

MINISTER'S COMMENTS

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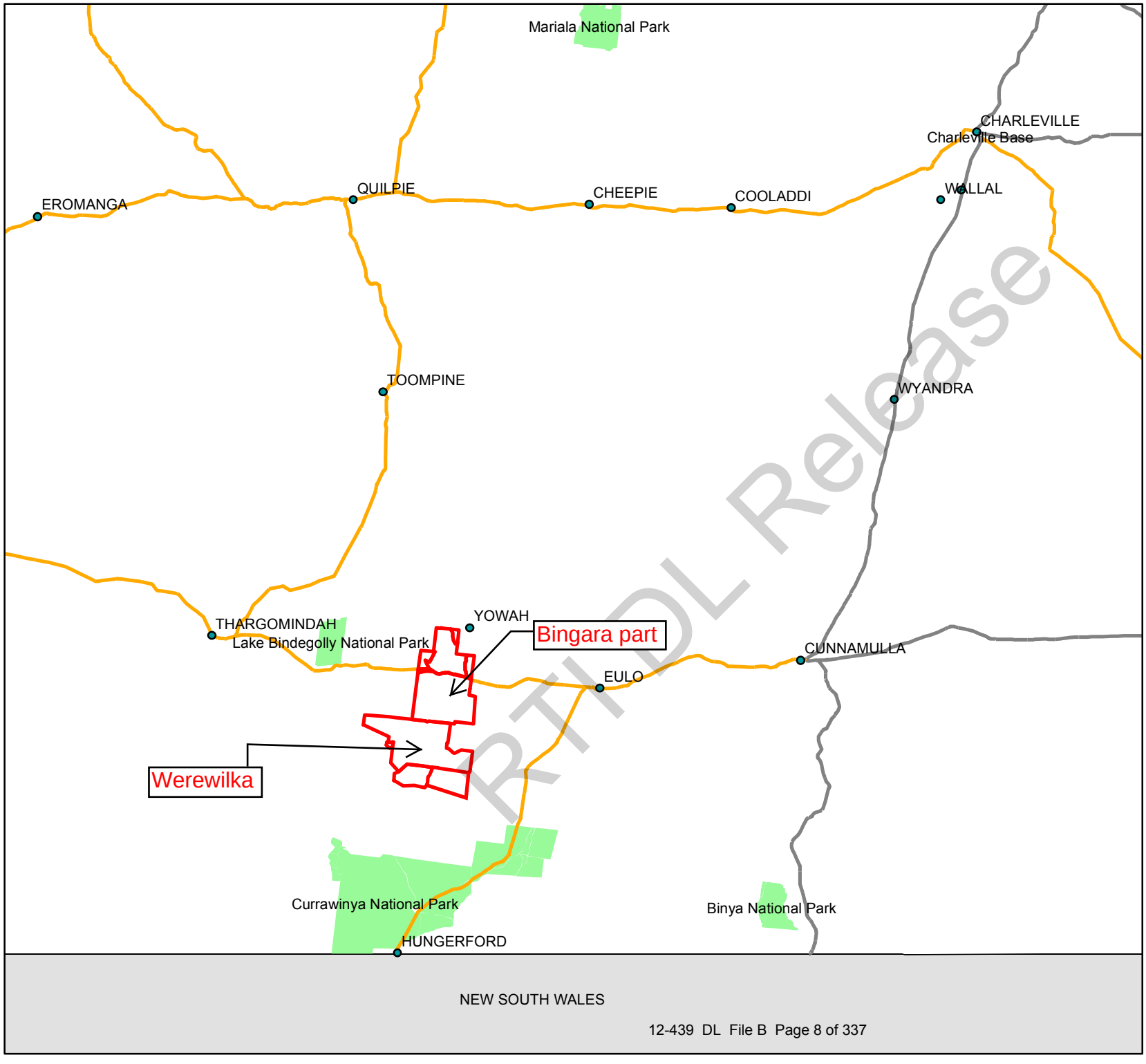
ATTACHMENTS

- Attachment 1 – Email from Minister Dickson's office regarding meeting date
- Attachment 2 – Bingara Werewilka locality map
- Attachment 3 – Protected area selection criteria for Bingara Werewilka

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Ashley Williams Position: Manager, Tenures and Covenants Tel No: 3330 5337 Date: 04 January 2013	Name: Allan Williams Position: Director, Tenures and Covenants Tel No: 3330 5392 Date: 22 January 2013 **Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 25 January 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:

Locality Map

Werewilka & Bingara (part)

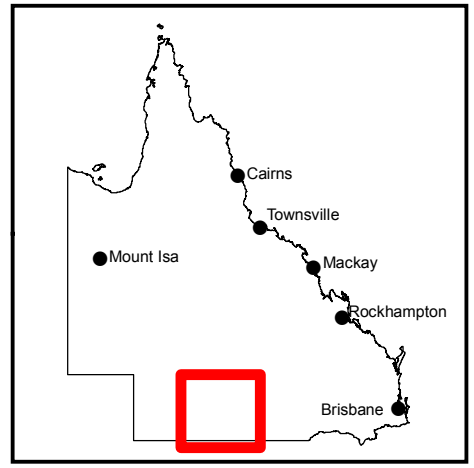


BingaraNth
BingaraSth
Werewilka

State Road Network

ROADTYPE

Freeways / motorways
Highways
Secondary roads



0 12.5 25 50 75 100

Kilometers

N

Map Production
PACTS
Feb 2012, DP

Data Source:
Digital Cadastral Database,
NRW 2007

RTI DL Release

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Queensland Government

Attachment 2 - Protected area selection criteria for Werewilka-Bingara

Criteria	Rating	Description
Contribution to comprehensive, adequate and representative reserve system	Very High	The property is located in the under-represented Mulga Lands bioregion and West Warrego Subregion. It includes 16 regional ecosystems, nine of which are of high to very high priority for reservation. Artesian Springs are a priority for protection in the bioregion.
Resilience to climate change (connectivity, threat mitigation, refugia	Very High	The property will protect the upper catchment of the Ramsar listed Currawinya National Park, and this will increase the resilience of the area. Active artesian springs on the property are vital refugia for endemic spring species and provide water for other wildlife in even the driest times.
Conservation of ecosystem services	High	Contains the upper catchment of Werewilka Creek and Boorara Creek which flow into the Currawinya Lakes Ramsar Wetlands in Currawinya National Park.
Contribution to adequacy at landscape or protected area level	High	Werewilka-Bingara will conserve a large continuous area of Mulga woodlands in good condition, as well as alluvial systems, so contributed to landscape-level adequacy. The protected area will be large enough to manage successfully.
Conservation of priority ecosystems and species	High	One of the REs on the property consists of springs on alluvia and is home to a number of rare and threatened species. Nine threatened species, including four plant and five animal species have been recorded. One of the REs is endangered and five are 'of concern'. Priority ecosystems include EPBC-listed spring ecosystems and other poorly represented ecosystems (open grasslands; stony residuals).
Representation of geological features, freshwater systems or wetlands	Very High	The area includes good representation of granite outcrops associated with artesian springs. The property is a natural discharge area for the Great Artesian Basin as evidenced by the mound springs in the area.
Socioeconomic benefits	High	The property is likely to have high values for ecotourism in the area.
Cultural values	Very High	Indigenous and European cultural sites have been recorded on the proposal.
Current condition (poor to very good)	Good to Very Good	The property is in good condition and there is adequate pest and weed management. Few weed and pest species have been recorded
Practicality of management	Medium	The property can be managed in conjunction with other area but would require additional resourcing
Level of threat if Werewilka-Bingara is not acquired	Medium	Exploration leases exist over part of the property. If the landholder changes there is a risk of poorer land management in the future

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Photos

1

2

3

4

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Key

1 – Granite Springs (Werewilka)
2 – Fish Springs (Werewilka)
3 – Regional Ecosystem 6.7.14; This RE has very poor representation in protected areas
4 – Tunca Springs (Bingara)

sch4p3(3) Prejudice the

Chief of Staff [redacted] OK
Dated 1 / 2 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 04 / 02 / 13

CTS No. 00481/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Revegetation/clearing of foreshore and midden in the vicinity,of [redacted] Roys Road, Coochin Creek**

TIMEFRAME

- The Minister's office requested that this brief be prepared by 23 January 2013. The delay in preparing the brief relates to the complexity and extensive history of the issue.

RECOMMENDATION

It is recommended that the Minister:

- **note** the issues raised in correspondence from sch4p3(3) Prejudice the protection of an ind of [redacted] Roys Road, Coochin Creek.
- **note** that the Department of Environment and Heritage Protection has no concerns regarding the activities of the Sunshine Coast Regional Council (SCRC) on the road reserve adjacent to the property of [redacted]

BACKGROUND

- On 9 January 2013, the Minister's electorate office received an email addressed to the Minister from [redacted] regarding a long-standing issue relating to the clearing by the Sunshine Coast Regional Council of vegetation on the road reserve adjacent to their property at [redacted] Roys Road, Coochin Creek.
- The Minister previously met with [redacted] at their home on 7 July 2011. The Minister subsequently wrote to the (then) Minister for Environment and Natural Resource Management in relation to the matter and received a response (CTS 12872/11 – Attachment 2).
- Additional background information on this matter is at Attachment 1.

CURRENT ISSUES

- [redacted] in their email, allege that "Council did a 'dirty deal' with DERM (?via Leanne Thomas) *(sic)* in which Council agreed to revegetate and mow the new boat ramp in exchange for DERM permission to remove ... trees and mow the regrowth on the midden in front of our place."
- They also request that you:
  - inquire into the details of the agreement between the (then) DERM and the SCRC; and
  - consider whether there is any role for the Queensland Government in protecting the midden and mangroves adjacent to their property.
- A clearing permit was issued to the SCRC on 26 September 2011 by the (then) DERM to clear vegetation referred to by [redacted]
- The approval to clear particular plant species was for the purpose of maintaining a previously grassed area designated as an open space/recreation area for public access to the Pumicestone Passage foreshore area.
- The permit (valid until 25 March 2012) included a requirement for "the replacement of an area of Least Concern native plants at a minimum ratio of 1:1 within the Coochin Creek Boat Ramp plant out site", in effect, an 'offset'. Such a clause is not unusual.
- Maintenance (mowing) of the cleared site is, according to [redacted] carried out at regular intervals by the SCRC.
- The clearing occurs on a road reserve that is under trusteeship of the SCRC which, therefore, has management and maintenance responsibility for the land.

Rec'd - ODG
29 JAN 2013

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Nick Weinert Position: Manager, Nature Conservation Tel No: 3330 5818 Date: 24 January 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 25 January 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 29.01.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 31.1.13

- The permit also stipulates the involvement of a representative of the local traditional owner group (sch4p3(3) Preju. It is understood that such involvement (either with [redacted] or another representative of the Gubbi Gubbi Dyungungoo Group Incorporated) has occurred, in accordance with the *Aboriginal Cultural Heritage Act 2003*.

CONSIDERATIONS

Consultation: This briefing note was prepared in consultation with Ms Renae Kerry, Ranger, Sunshine Coast. The officer named in the present correspondence, Ms Leanne Thomas, who has significant corporate knowledge in relation to the matter, [redacted]

MINISTER'S COMMENTS

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ATTACHMENTS

- Attachment 1 - Additional background information, [redacted] Roys Rd, Coochin Creek
- Attachment 2 - Supporting documentation – CTS 12872/11
- Attachment 3 – Supporting documentation – CTS 20665/11

Author	Cleared by	Cleared by	Recommended:
Name: Nick Weinert Position: Manager, Nature Conservation Tel No: 3330 5818 Date: 24 January 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 25 January 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

ATTACHMENT 1 – Additional background information, sch4p3 Roys Rd, Coochin Creek

- On 13 May 2010, (the former) DERM received a complaint from sch4p3(3) Prejudice the in regards to the alleged 'take' of vegetation by the SCRC by slashing of an 'endangered' protected plant known as *Allocasuarina emunia* within the Roys Road reserve, Coochin Creek.
- advised DERM that *A.emunia* was naturally occurring on his property and along the road verge opposite his property.
- On 18 May 2010, a DERM representative met with and SCRC officers at Roys Road, in relation to the alleged breach of the *Nature Conservation Act 1992* (NCA).
- On site, it was identified by DERM that the plants allegedly 'taken' by SCRC during maintenance operations were *Casuarina emunea*, which had been purchased from a commercial operator. advised DERM that the plants identified by him as 'naturally' occurring in the road verge, had been propagated and planted by he and as a way of 'preventing' the slashing and maintenance of the foreshore area.
- DERM advised both parties that the road reserve was under the trusteeship of SCRC and therefore the management and maintenance of the area was a SCRC responsibility.
- On 9 November 2010, SCRC contacted DERM advising that SCRC had investigated ongoing issues at Roys Road and considered all environmental, road safety and community issues surrounding the ongoing complaints by
- As a result of this investigation, SCRC advised that it would contract an ecologist to identify all plants naturally occurring in the area and remove all planted species, restoring the foreshore area to its previous state (i.e. open space / picnic area) under *Caloundra Local Laws No 9*.
- On 10 November 2010, DERM advised SCRC that all plants planted by , would not be considered the property of the state (as the plants had been lawfully obtained under a commercial permit) and would not be defined as 'wild' or 'wild by nature' under Schedule - Dictionary of the NCA. As a result, the SCRC was advised it would not require a clearing permit under the NCA to remove all *planted* plants from the area. However, any plants 'naturally occurring' derived because of 'natural processes' *would* require a clearing permit if any 'take' were to occur during the course of the management of the area.
- During this time, sought the involvement of the Queensland Ombudsman in the ongoing dispute. Advice from indicates that the Ombudsman found that their planting on the road reserve had been undertaken on the basis that the SCRC had advised it had "no objection" to their proposed planting.
- The present correspondence to you indicates that, on 7 July 2011, you were presented with a copy of the Ombudsman's finding when you met with at their property.
- On 26 September 2011, DERM issued Council with a clearing permit to clear 582m^2 of least concern plants under the NCA.
- The approval to clear particular plant species was for the purpose of maintaining a previously grassed area designated as an open space/recreation area for public access to the Pumicestone Passage foreshore area.
- Council advised DERM that this clearing commenced and finished on 4 November 2011.
- On 2 November 2011, wrote to the (then) Minister for Finance, Natural Resources and the Arts, who passed on the email to the (then) Minister for Environment and Natural Resource Management.
- wanted clarification if the take of these trees was legal.
- On 11 January 2012, CTS 20665/11 (Attachment 3) advised that the clearing had occurred in accordance with the NCA permit previously granted to the SCRC and re-affirmed that the road reserve was under the trusteeship of the SCRC, which was responsible for its management and maintenance.

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Nick Weinert Position: Manager, Nature Conservation Tel No: 3330 5818 Date: 24 January 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 25 January 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

CTS No. 12872/11

Advisor ..... OK
Dated / /
Approved Not Approved Noted
Further information required
Minister.....
Dated 23/9/11

Department of Environment and Resource Management
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment**

SUBJECT: sch4p3(3) Prejudice the pr **versus Sunshine Coast Regional Council - Roys Road Complaint**

TIMEFRAME/REQUESTED BY

- This brief was requested by the Minister for Environment, due 28 July 2011.

RECOMMENDATION

It is recommended that the Minister for Environment:

- **sign** the letter to [redacted] regarding her concerns of vegetation management on Roys Road reserve, Coochin Creek. (Attachment 1)

BACKGROUND

- On 13 May 2010, the Department of Environment and Resource Management (DERM) received a complaint from [redacted] in regards to the alleged 'take' of vegetation by slashing of an 'endangered' protected plant known as *Allocasuarina emunia* within the Roys Road reserve, Coochin Creek by the Sunshine Coast Regional Council (SCRC).
- [redacted] advised DERM that the *A.emunia* was naturally occurring on his property and along the road verge opposite his residence at [redacted] Roys Road, Coochin Creek.
- On 18 May 2010, DERM with [redacted] and SCRC officer's meet at [redacted] Roys Road, Coochin Creek in relation to the alleged breach of section 89 (b) (a) of the *Nature Conservation Act 1992* (NCA).
- On site it was identified by DERM that the plants allegedly 'taken' by SCRC during maintenance operations to be *Casuarina emunea*, which had been purchased from a commercial operator. [redacted] advised DERM that the plants identified by him as 'naturally' occurring in the road verge, had been propagated and planted by him and his wife [redacted] as a way of 'preventing' the slashing and maintenance of the foreshore area.
- DERM advised both parties that the road reserve was under trustee of SCRC and therefore the management and maintenance of the area was SCRC responsibility.
- DERM also informed [redacted] that any planting or revegetation of the foreshore would need a management plan submitted and approved by SCRC.
- As a result [redacted] forwarded a draft rehabilitation plan to DERM to view, which was then consequently forwarded to SCRC.
- [redacted] was again advised by DERM the plan needed to be approved by SCRC.
- On 9 November 2010, SCRC contacted DERM advising that SCRC had investigated the ongoing issues at Roys Road, Coochin Creek and considered all environmental, road safety and community issues surrounding the ongoing complaints by [redacted]
- As a result of this investigation SCRC would contract an ecologist to identify all plants naturally occurring in the area and remove all planted species, as a result restoring the foreshore area to its previous state (i.e. open space / picnic area) under the Caloundra Local Laws No 9.
- On 10 November 2010, DERM advised SCRC that all plants planted by [redacted], would not be considered the property of the state (as the plants had been lawfully obtained under a commercial permit) and would not be defined as 'wild' or 'wild by nature' under Schedule - Dictionary of the NCA. As a result, SCRC were advised they would not require a clearing permit under the NCA to remove all *planted* plants from the area. However any plants 'naturally occurring' derived because

Author	Cleared by	Cleared by	Recommended:
Name: Todd Kelly Position: A/Director Wildlife Management Tel No: 3330 5274 Date: 26 July 2011	Name: Nick Rigby Position: Director, Wildlife Management, CSP Tel No: 3330 5274	Name: Andrea Leverington Position: Assistant Director-General, QPWS Tel No: 3330 5270	Name: Jim Reeves Director-General, DERM Tel No: 3330 6240 Date: 14.9
	Name: Clive Cook Position: General Manager, Conservation Strategy and Panning, QPWS Tel No: 3330 5275	Name: Terry Wall Position: Associate Director-General, OER Tel No: 3330 6240 14.9.11	

FOI DL Release

of 'natural processes' *would* require a clearing permit if any 'take' were to occur during the course of the management of the area.

- On 8 December 2010, SCRC and the *Gubbi Gubbi* Elder attended the site and undertook a site inspection, discovering shell fragments of various shellfish on the ground where holes had been dug for the purposes of planting plants by sch4p3(3) Prejudice the
- The SCRC removed all planted vegetation on 17 December 2010, with the presence of a *Gubbi Gubbi* representative to ensure no further damage resulted. It was identified that the holes dug by damaged the midden's in the first instance, and subsequent parking by on the site has the potential to cause further damage.

CURRENT ISSUES

- The Member for Glass House Mr Andrew Powell wrote to the Minister for Environment on behalf of his constituent
- is seeking information about the management of vegetation on the road reserve adjacent to the Pumicestone Passage along Roys Road, Coochin Creek.
- The have been in contact with DERM and SCRC regarding this matter since May 2010.
- The road reserve is under trustee of SCRC and therefore the management and maintenance of the area is SCRC responsibility.
- On 10 June 2011, SCRC and DERM met to discuss the requirements of a clearing permit under the NCA, to ensure all legislative requirements have been meet in relation to any take of naturally occurring protected plants through on-going management of the Roys Road foreshore area.
- DERM has advised SCRC that an NCA clearing permit application is to be lodged to ensure the legal take, through maintenance, of any naturally derived plants.

RESOURCE/IMPLEMENTATION IMPLICATIONS

- No resource/implementation implications

PROPOSED ACTION

- DERM will continue to work with SCRC to ensure all legislative requirements under the NCA are upheld.

MINISTER'S COMMENTS

ATTACHMENTS

~~Attachment 1 – Letter to~~
Attachment 1 – Letter to Mr Andrew Powell MP

RTI DL Release

Hon Vicky Darling MP
Member for Sandgate

Queensland Government

Minister for Environment

Ref CTS 12872/11

23 SEP 2011

Mr Andrew Powell MP
Member for Glass House
PO Box 727
MALENY QLD 4552

Dear Mr Powell Andrew

Thank you for your letter making representation on behalf of sch4p3(3) Prejudice th of Coochin Creek concerning the Pumicestone Passage foreshore area.

The Department of Environment and Resource Management is aware of the concerns you have raised regarding [redacted] ongoing issues with the Sunshine Coast Regional Council. In relation to their complaints, departmental records indicate that the area in question is unallocated state land and is therefore managed by the council under the *Lands Act 1994*.

The department has been liaising with a council representative to ensure they comply with legislative requirements under the *Nature Conservation Act 1992*.

In response to the middens, I am informed that this issue is being managed by the council and the local Gubbi Gubbi elders.

I hope this information is of assistance when replying to your constituent. Should you have any further enquiries, please do not hesitate to contact Mr Joshua Cooney, Principal Policy Advisor in my office on telephone 3239 0844.

Yours sincerely

Vicky Darling

Vicky Darling MP
Minister for Environment

RTI DL Release

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Telephone +61 7 3239 0844
Facsimile +61 7 3227 6309
Email environment@ministerial.qld.gov.au
Website www.derm.qld.gov.au

CTS No. 20665/11

Advisor ..... OK
Dated / /
Approved Not Approved (Noted)
Further information required
Minister.....
Dated 1/1/12

Department of Environment and Resource Management
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment**

SUBJECT: sch4p3(3) Prejudice the pr **versus Sunshine Coast Regional Council - Roys Road Complaint**

TIMEFRAME/REQUESTED BY

- This brief was requested by the Minister for Environment.
- Noting of this brief is non-urgent.

RECOMMENDATION

- It is recommended that the Minister:
- **note** that the Department of Environment and Resource Management (DERM) approved Sunshine Coast Regional Council to carry out clearing of protected plants on Roy Road; and
- **for the Principal Policy Advisor to sign** the letter to [redacted] regarding her concerns of vegetation management on Roys Road reserve, Coochin Creek. (Attachment 1)

BACKGROUND

- On 13 May 2010, the Department of Environment and Resource Management (DERM) received a complaint from [redacted] in regards to the alleged 'take' of vegetation by slashing of an 'endangered' protected plant known as *Allocasuarina emunia* within the Roys Road reserve, Coochin Creek by the Sunshine Coast Regional Council (SCRC).
- [redacted] advised DERM that the *A.emunia* was naturally occurring on his property and along the road verge opposite his residence at [redacted] Roys Road, Coochin Creek.
- On 18 May 2010, DERM with [redacted] and SCRC officers meet at [redacted] Roys Road, Coochin Creek in relation to the alleged breach of section 89 (b) (a) of the *Nature Conservation Act 1992* (NCA).
- On site it was identified by DERM that the plants allegedly 'taken' by SCRC during maintenance operations to be *Casuarina emunea*, which had been purchased from a commercial operator. [redacted] advised DERM that the plants identified by him as 'naturally' occurring in the road verge, had been propagated and planted by [redacted] as a way of 'preventing' the slashing and maintenance of the foreshore area.
- DERM advised both parties that the road reserve was under trustee of SCRC and therefore the management and maintenance of the area was SCRC responsibility.
- On 9 November 2010, SCRC contacted DERM advising that SCRC had investigated the ongoing issues at Roys Road, Coochin Creek and considered all environmental, road safety and community issues surrounding the ongoing complaints by [redacted].
- As a result of this investigation SCRC would contract an ecologist to identify all plants naturally occurring in the area and remove all planted species, as a result restoring the foreshore area to its previous state (i.e. open space / picnic area) under the Caloundra Local Laws No 9.
- On 10 November 2010, DERM advised SCRC that all plants planted by [redacted] would not be considered the property of the state (as the plants had been lawfully obtained under a commercial permit) and would not be defined as 'wild' or 'wild by nature' under Schedule - Dictionary of the NCA. As a result, SCRC were advised they would not require a clearing permit under the NCA to remove all *planted* plants from the area. However any plants 'naturally occurring' derived because of 'natural processes' *would* require a clearing permit if any 'take' were to occur during the course of the management of the area.

Author	Cleared by	Cleared by	Recommended:
Name: Michael Devery Position: Manager Wildlife Operations Tel No: 3330 5257 Date: 9 December 2011	Name: Ashley Bunce Position: A/Director Wildlife Management Tel No: 3330 5274 Name: Clive Cook Position: General Manager CSP Tel No: 3330 5275	Name: Andrea Leverington Position: Assistant Director-General Tel No: 3330 5270 Name: [redacted] Position: DERM Tel No: 3330 6240	Name: Jim Reeves Director-General, DERM Tel No: 3330 6298 Date: 13/12/2011

Recd - ODG
13 DEC 2011

File Ref: [redacted] 13.12.11

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CURRENT ISSUES

- On 26 September 2011, DERM issued Council with a clearing permit to clear 582m^2 of least concern plants under the Act.
- Clearing occurred on road reserve which is under trustee of Council and therefore management and maintenance of the area is Council responsibility.
- The approval to clear particular plant species was for the purpose of maintaining a previously grassed area designated as an open space/recreation area for public access to the Pumicestone Passage foreshore area.
- Council have advised DERM that this clearing commenced and finished on 4 November 2011.
- On 2 November 2011, sch4p3(3) Prejudice wrote to the Minister for Finance, Natural Resources and the Arts, who then passed on the email to Minister for Environment.
- [redacted] wanted clarification if the take of these trees was legal.
- [redacted] have been in contact with DERM and SCRC regarding this matter since May 2010.

RESOURCE/IMPLEMENTATION IMPLICATIONS

- No resource/implementation implications

PROPOSED ACTION

- DERM will continue to work with SCRC to ensure all legislative requirements under the NCA are upheld.

MINISTER'S COMMENTS

ATTACHMENTS
Attachment 1 - Letter to [redacted]

RTI DL Release

Queensland Government

Office of the Minister for Environment

Ref CTS 20665/11

11 JAN 2012

sch4p3(3) Prejudice the protectio

COOCHIN CREEK QLD 4519

Dear

I refer to your email of 2 November 2011 sent to the Office of the Honourable Rachel Nolan MP concerning council removal of trees. Your email was referred to the Minister for Environment who has asked me to respond on her behalf.

As you are aware, the Department of Environment and Resource Management regulates the take, keep and use of native plants and animals under the *Nature Conservation Act 1992*. Recently, the department granted the Sunshine Coast Regional Council approval to clear certain least concern plant species along Roys Road, Coochin Creek.

This road reserve is under trustee of council and therefore management and maintenance of the area is council's responsibility. The approval to clear particular plant species was for the purpose of maintaining a previously grassed area designated as an open space/recreation area for public access to the Pumicestone Passage foreshore area. Council has advised the department that this clearing commenced and finished on 4 November 2011.

The Minister hopes this information is of assistance. Should you wish to discuss the matter further, please contact Dr Ashley Bunce, Acting Director, Wildlife Management of the department on telephone 3330 5274.

Yours sincerely

sch4p3(3) Prejudice the protection of an in

Joshua Cooney
Principal Policy Advisor

RTI DL Release

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Queensland Government

Office of the Minister for Finance, Natural Resources and The Arts

COPY

B/C Senior Policy Advisor to the
Honourable Vicky Darling MP
Minister for Environment
GPO Box 2454
BRISBANE QLD 4001

Referred by direction for direct reply. Copy of the inwards correspondence is attached.

Travis Dawson
Principal Advisor

Ref CTS 19605/11

15 NOV 2011

sch4p3(3) Prejudice the protection

COOCHIN CREEK QLD 4519

Dear

Thank you for your email of 2 November 2011 regarding council removal of trees. The Minister for Finance, Natural Resources and The Arts has asked me to respond on her behalf.

As the matter you have raised falls within the jurisdiction of the Honourable Vicky Darling MP, Minister for Environment, I have forwarded a copy of your letter to her for her consideration and reply direct to you.

Yours sincerely

Travis Dawson
Principal Advisor

RECEIVED
18 NOV 2011
OFFICE OF THE MINISTER
REF:

RTI DL Release

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Email finance@ministerial.qld.gov.au
naturalresources@ministerial.qld.gov.au
arts@ministerial.qld.gov.au

sch4p3(3) Prejudice the

CTS No. 00545/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

Dated 9 / 1 / 13
Approved
Further i ation re

Minister for Environment and Heritage Protection

Minister
Dated

SUBJECT: Temporary emissions licence application fee

RECOMMENDATION

It is recommended that the Minister:

approve setting the temporary emissions licence (TEL) application fee at $1102
sign the letter to the Treasurer seeking his approval for this fee (**Attachment 1**)

BACKGROUND

The TEL was introduced into legislation via the *Economic Development Act 2012* following the Queensland Flood Commission of Inquiry Report which identified a number of concerns about the use of transitional environmental programs when responding to emergency flood situations.

As part of the State Development, Infrastructure and Industry Committee's report on the Economic Development Bill 2012, it recommended that fees for TELs be set at a level that will operate as an incentive to preparedness. This recommendation was made in the context of a concern that planning provisions currently in place are weakened because a TEL approval could give an 'out' clause and be an incentive to poor planning.

The Government's response to the Committee's report indicates support for the recommendation and that appropriate fees will be set through the Environmental Protection Regulation 2008

CURRENT ISSUES

There are two options for the TEL application fee:

Cost recovery

Agencies have a responsibility under the Financial Performance and Management Standard 2009 to set user charges at a rate which accurately reflects the cost of providing the related service.

The existing application fees for various types of environmental approval under the *Environmental Protection Act 1994* are $551 and the administrative cost of processing a TEL is likely to be similar, although requiring a more urgent response.

However, this approach would not address the Committee's recommendation.

2. **Disincentive/exceptional fee**

A second option would be to set the application fee at a higher level than other fees as an incentive to better preparation in anticipation of emergency events.

Most application fees for new approvals are $551 and amendment fees are $276 (i.e. half the cost of a new approval). Either of these would be the appropriate mechanism for preparatory works undertaken in advance of an emergency (e.g. a flood event).

Given the scale of the operations concerned, the potential losses associated with natural disasters, and the relatively small cost of application fees, the fee level required to act as a genuine financial disincentive could not realistically be imposed.

However, it is proposed to set a fee of double the usual amount (i.e. $1102) to signal that the TEL is an exceptional mechanism, to be used in unusual or unexpected circumstances.

CONSIDERATIONS

Budget: Option 2 would help to offset the cost to the department of setting up systems to make a decision on these applications within 24 hours (the statutory decision timeframe)

RTI DL Release

Author
Name: Kate Watkins
Position: Team Leader, EPAL
Tel No: 3330 5902
Date: 10 January 2013

Cleared by
Name: Beth Clouston
Position: Manager, Reform & Innovation
Tel No: 3330 5744
Date: 14 January 2012

Cleared by
Name: Elisa Nichols
Position: A/Deputy Directo General, Environment and Planning
Tel No: 3330 5988
sch4p3(

Recommended:
Name: Tony Roberts
DG. DEHP
Tel No: 3330 6298

MINISTER'S COMMENTS

ATTACHMENTS

Attachment 1 – Letter to the Hon. Tim Nichols, Treasurer and Minister for Trade

RTI DL Release

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Kate Watkins Position: Team Leader, EPAL Tel No: 3330 5902 Date: 10 January 2013	Name: Beth Clouston Position: Manager, Reform & Innovation Tel No: 3330 5744 Date: 14 January 2012	Name: Elisa Nichols Position: A/Deputy Director-General, Environmental Policy and Planning Tel No: 3330 5988	Name: Tony Roberts DG, DEHP Tel No: 3330 6298

CTS No. 00552/13

sch4p3(3) Prejudice the prot

Chief of Sta
Dated 16/2/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 18/02/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **AgForce issues with** sch3(8)(1) Information disclosure of

RECOMMENDATION

It is recommended that the Minister:

- **sign** the letter of response to Agforce (Attachment 1).
- **note** the information regarding the issues raised by AgForce was in response to a confidential consultation meeting held on 5 December 2012.

BACKGROUND

-
-
- Comprehensive notes from these meetings are not available as they were an informal, confidential engagement with key stakeholders.
-

CURRENT ISSUES

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-
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-
-
-
-

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Sally Egan Position: Manager, Strategy, Threatened Species Unit Tel No: 3330 5453 Date: 17 January 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 8 February 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: sch4p3(3 13/02/13	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:
Cleared by Name: Wolf Sievers Position: Director, Threatened Species Unit Tel No: 3330 5498 Date: 30 January 2013			

sch3(8)(1) Information disclosure of which would found action for breach of confidence

-
-
-

CONSIDERATIONS

- *Consultation:* AgForce was present at confidential consultation regarding
-

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 – Letter to Agforce to be signed by Minister Powell

Author Name: Sally Egan Position: Manager, Strategy, Threatened Species Unit Tel No: 3330 5453 Date: 17 January 2013	**Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 8 February 2013	**Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	**Recommended:** Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:
Cleared by Name: Wolf Sievers Position: Director, Threatened Species Unit Tel No: 3330 5498 Date: 30 January 2013			

QUEENSLAND GOVERNMENT

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

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Queensland 4001 Australia
Telephone +61 7 3239 0844
Facsimile +61 7 3224 2496
Email environment@ministerial.qld.gov.au

Ref CTS 00552/13

18 FEB 2013

Mr Ian Burnett
General President
AgForce Queensland Industrial Union of Employers
PO Box 13186
NORTH BANK PLAZA
BRISBANE QLD 4003

Dear Mr Burnett Ian.

Thank you for your letter of 8 January 2013 concerning sch3(8)(1) Information disclosure of which would fo

I hope this information is of assistance to you. Should you have any further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

RTI DL Release

CTS No. 00660/13

Department of Environment and Heritage Protection
MINISTERIAL DEPUTATION BRIEFING NOTE
Meeting 23 January 2013
Mr Geoff Shadforth

Chief of Staff
Dated
Approved N Approved

Minister for Environment and Heritage Protection

Minister
Dated

SUBJECT: Private boat ramp proposal within an undeveloped section of Yandina Creek

BACKGROUND

A private boat ramp is proposed on Lot 1 RP107174 within an undeveloped tidal waterway and owners consent under the *Sustainable Planning Act 2009* (SPA) is required before a development application can be made.

EHP is responsible as both 'owner' of the tidal waters and as a concurrence agency for assessing the application. EHP policy is to not grant 'owners consent' to allow development applications to be made when that application will be refused by the department as a concurrence agency.

The draft Coastal Protection State Planning Regulatory Provision 2012 (Coastal SPRP) reintroduced a provision from the State Coastal Management Plan 2001 which does not support private marine infrastructure in undeveloped tidal waterways.

CURRENT ISSUES

This issue has arisen as an unintended consequence of the introduction of the draft Coastal SPRP in October 2012 by the Deputy Premier.

Some provisions of the draft Coastal SPRP were reintroduced from the 2001 State Coastal Management Plan without sufficient consideration of the policy shift between the 2001 plan and the 2012 Queensland Coastal Plan (QCP).

An equally important issue is the legal nature of SPRPs. Under SPA, SPRPs are applied more literally than other State or local planning instruments, such as state planning policies or local planning schemes, leaving decision-makers with little or no discretion.

The means of resolving this issue is to amend the SPRP to reinstate the policy of the 2012 QCP. This would have to be undertaken by the Deputy Premier.

EHP could take up this issue with the Deputy Premier's department now that the statutory public consultation period for the Coastal SPRP has been finalised.

However, presently his department's priority is completing the draft single State planning policy (SPP) which is intended to be released for statutory consultation mid February 2013.

It is proposed that the draft Coastal SPRP, together with all existing SPPs (including the suspended QCP) will be repealed once the single SPP commences – anticipated in April or May 2013.

The details of this case are:

An application for evidence of owner's consent and early concurrence response was received on 30 November 2012 to construct a boat ramp at sch4p3(3) Prejudice (Lot 1 RP107174), Maroochy River. The applicant is [redacted].

An initial assessment found that under section 2.2(15) of the draft Coastal SPRP new private jetties, pontoons and ramps on or connected to freehold land (used for existing or future residential and tourist purposes) on the coast are not supported in largely undeveloped tidal waterways or largely undeveloped sections of tidal waterways.

These structures may only be supported in tidal waterways where they are major private infrastructure of state economic importance or there are existing private jetties, pontoons and ramps on or connected to nearby freehold land and the proposal is infill (located in the vicinity of existing structures) and the new structure does not result in the need for the construction of revetment walls or hardening of the river bank.

Yandina Creek is considered to be an undeveloped waterway with the only structures in the vicinity of the property being the River Road bridge and an unapproved boat ramp approximately

RTI DL Release

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Rod Garner	Name: John Lane	Name: Elisa Nichols	Name: Tony rt
Position: A\Principal Environmental Officer	Position: Director, Environmental Planning	Position: A/Deputy Director-General, Environmental P licy and Planning	A/Direct eneral, DEHP
Tel No: (07) 5459 6138	Tel No: 3330 5864	Tel No: 33 0 5990	
Date:15 January 2013	Date: 17 January 2013		

File Ref:

30m upstream from the confluence with the Maroochy River.

Consultation: At the request of DFS Group, a meeting was held on 14 January 2013 at EHP's Sunshine Coast office. Rod Garner, Acting Principal Environmental Officer and Julie Murdoch, Senior Executive Officer together with Geoff Shadforth, Chris Werner and Peter Folker of DFS Group met to discuss the application.

The applicant, sch4p3(3) Prejudice ! and consultant, DFS Group were informed that the proposed boat ramp application is likely to be refused because the ramp is located in an undeveloped tidal waterway and therefore does not meet with section 2.2(15) of the draft Coastal SPRP.

There is no other suitable alternative location on Lot 1 RP107174 for this boat ramp to be built that would be approved.

The proposed boat ramp will require cutting into a high bank and may involve hardening of the banks to stabilise the ramp edge. The draft Coastal SPRP provision states the new structure should not result in the need for the construction of revetment walls or the hardening of the river bank.

Sunshine Coast Regional Council will be the assessment manager for the application if owner's consent is granted; it is unknown whether they would support the construction of a boat ramp in Yandina Creek.

Consequences of the Coastal SPRP

Deputee Position

The draft Coastal SPRP has reversed the policy of the QCP that allowed for new private maritime works in undeveloped waterways.

Suggested Response

This appears to be an unintended consequence of the regulatory provision.

This was introduced by the Deputy Premier and he has the power under planning law to change it.

I will ask my department to liaise with the Deputy Premier's department on this issue.

The draft Coastal SPRP is anticipated to be repealed when the single SPP commences – consultation on this is proposed to begin in February and the SPP commenced in April or May 2013.

The policy concerning private ramps and jetties in undeveloped waterways is not proposed to be included in the new single SPP.

Until the draft Coastal SPRP is amended or repealed, EHP cannot give owner's consent to the making of this application.

MINISTER'S COMMENTS

s prepare letter

see Fiona P. and also

Werner @ 3

RTI DL Release

ATTACHMENTS

Aerial photo and site photograph provided with the application.

Cadastral image of proposed boat ramp area.

Aerial image of proposed boat ramp area.

Author	Cleared by	Cleared by	Recommended:
Name: Rod Garner	Name: John Lane	Name: Elisa Nichols	Name: Tony Roberts
Position: A\Principal Environmental Officer	Position: Director, Environmental Planning	Position: A/Deputy Director-General, Environmental Policy and Planning	A/Director-General, DEHP
Tel No: (07) 5459 6138	Tel No: 3330 5864	Tel No: 3330 5990	Tel No: 3330 6298
Date:15 January 2013	Date: 17 January 2013	Date:	

Figure 2 – Aerial Photograph

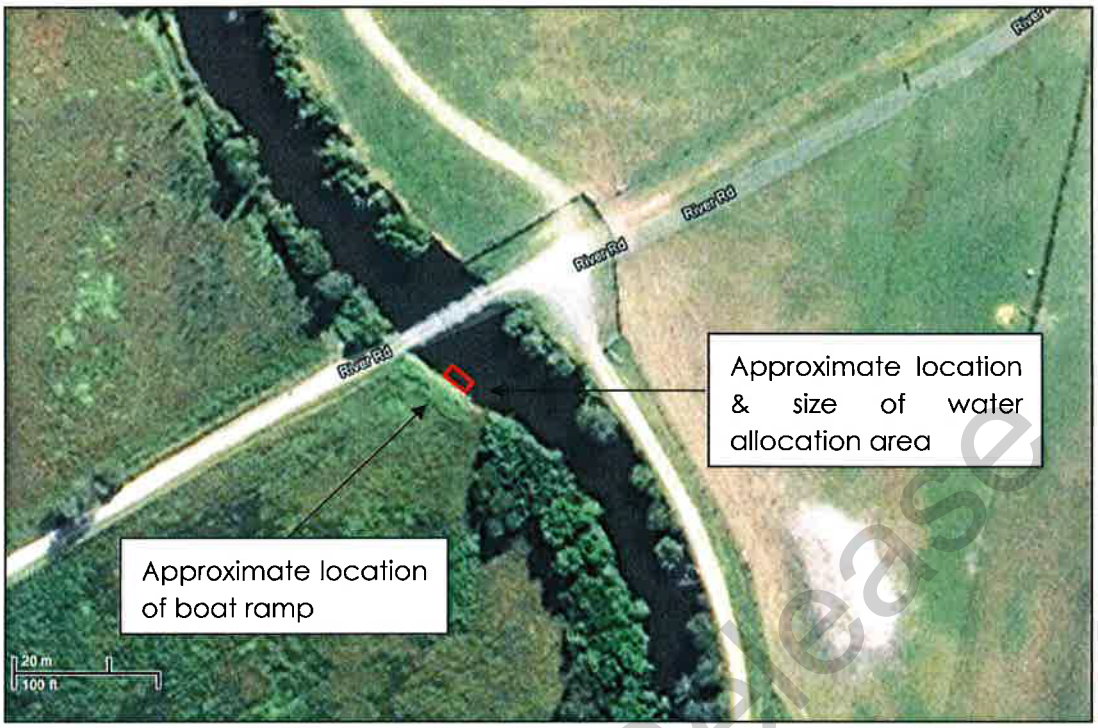

Figure 3 illustrates the location of the boat ramp on site and the located to bridge to the north.

Figure 3 – Site Photograph

RTI DL Release

sch4p3(3) Prejudice

Department of Environment and Heritage Protection **CTS No. 00669/13**

TO: THE PREMIER

SUBJECT: Flying-fox roosts at Charters Towers and in the Lockyer Valley

RECOMMENDATION

It is recommended that the Premier:

- **note** the following update on the status of dealings in respect to the flying-fox roosts at Charters Towers and in the Lockyer Valley and, in particular that:
  - Most of the flying-foxes at Lissner Park (Charters Towers) and Ravenswood in the Charters Towers Regional Council area (CTRC) have left.
  - Whilst the Lockyer Valley Regional Council (LVRC) has not recently received any complaints about flying-foxes near the Amaroo Retirement Village in Gatton, the council is in contact with EHP regarding flying-foxes at Helidon and Laidley.
  - EHP has commenced discussions with LVRC suggesting a more strategic approach through the development of a region-wide property management plan (PMP) that would cover all roosts following similar collaboration with Gold Coast City Council.

BACKGROUND

Charters Towers

- In late December, the number of flying-foxes in Lissner Park increased greatly with a large influx of Little Red flying-foxes. CTRC contacted EHP on 17 December 2012 regarding the influx and requested details of what residents could do to deter flying-foxes from their properties without contravening the NCA. This advice was provided on 19 December 2012.
- EHP met with CTRC on 20 December 2012 at Ravenswood, which also experienced a large influx of Little Red flying-foxes (estimated to be 70,000). Attempts to disperse animals from around non-roost areas in Ravenswood were unsuccessful.
- No reports or complaints were received over the Christmas/New Year break.
- CTRC advised EHP on Monday, 14 January 2013, that the numbers of Little Red flying-foxes in Lissner Park started reducing after Christmas and most had left in early January. Little Red flying-foxes have also reportedly left Ravenswood.

Lockyer Valley

- The Amaroo flying-fox roost has been known to EHP since Dec 2008.
- In April 2012, a three year Damage Mitigation Permit (DMP) for the Amaroo site was issued to LVRC to undertake vegetation modification, with works commencing in August 2012. LVRC has undertaken most of the vegetation modification aimed at reducing the site's extent and reduce impacts on neighbouring residents.
- In November 2012, EHP provided the Premier with an update on the status of the Amaroo flying-fox roost. (Please refer to Attachment 1.)
- LVRC has not had any complaints recently about this roost.

CURRENT ISSUES

- EHP has been working with many councils over the last couple years.
- Many councils including Moreton Bay Regional Council, Sunshine Coast Regional Council, CTRC, Mount Isa City Council and Gold Coast City Council are developing property management plans (PMP). These plans aim to identify sites where flying-foxes will be discouraged, while providing for long-term sites for roosting where concerns will be minimal.
- This strategic approach is very important as flying-foxes, when dispersed, can move to places where they can cause even greater impacts on the community. This has occurred in a number of communities in the past and the problems it has created has led councils like Mt Isa, and now Charters Towers, to adopt strategies to identify alternative sites that can be managed to increase their attractiveness to flying-foxes.

Author	Cleared by	Cleared by	Recommended:
Name: Dave Wildermuth Position: A/Director, WMU Tel No: 3330 5512 Date: 15 January 2013	Name: Geoff Cla Position: ED, NC Tel No: 3330 53 Date: sch4p3(15-1-13	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 15.01.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 15/1/13

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- Gold Coast City Council is currently in the final stages of their PMP which covers 27 roost sites.
- The benefits of a plan for a whole of council area are:
  - It allows the council to hold a three year DMP (instead of the normal 6 months).
  - It provides an accredited framework which delivers public education and accommodates the ongoing use of public areas and activities and supports business, while protecting and conserving flying-foxes.
  - It allows councils to detail the current and future land use where flying-foxes are known to inhabit.
  - Councils will be able to set up management protocols for when new roosts are found.
  - Councils can plan future development and urban growth with flying-fox management practices.
  - Council can develop and have ready educational, intervention and conservation strategies.

Lockyer Valley

- On 10 January 2013, there were approximately 5000 flying-foxes at the Amaroo roost. All three species were present with two species, the Black and Grey-headed flying-foxes having dependent young.
- As the Gatton roost is predominantly occupied by federally protected Grey-headed flying foxes, the applicant would also need to refer a proposal to disperse the animals (as opposed to the current approval to trim vegetation to reduce impacts on residents) to the Commonwealth Government under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).
- The Commonwealth has advised that should an application be referred to them, it would be assessed under the EPBC Significant Impact Guidelines. This could add significant uncertainty and delay a lasting resolution.
- LVRC and EHP have also been collaborating on two other flying-fox roosts at Helidon and Laidley.
- On 10 January 2013, EHP met with LVRC at Helidon to resolve the management options. Most of the roost is on private land and LVRC was reluctant to act.
- An LVRC-wide PMP is being discussed with LVRC officers as a strategic solution covering all roosts. EHP would assist LVRC in preparing a PMP.

RTI DL Release

Endorsed **Comments:** ..... **Minister for Environment and Heritage Protection**		sch4p3(3) Prejudice the protection of an ..... **Chief of Staff**
Approved **Comments:** ..... **CAMPBELL NEWMAN** **Premier**	Not Approved / /	Noted ..... **Chief of Staff** / /

ATTACHMENTS

- Attachment 1 – CTS 16851/12 (Flying-fox roost near Amaroo Retirement Village, Gatton)

Author	Cleared by	Cleared by	Recommended:
Name: Dave Wildermuth Position: A/Director, WMU Tel No: 3330 5512 Date: 15 January 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date:	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

THE PREMIER

SUBJECT: Flying-fox roost near Amaroo Retirement Village, Gatton

RECOMMENDATION

It is recommended that the Premier:

note the below update on the status of dealings in respect to the flying-fox roost adjacent to the Amaroo Retirement Village at Gatton and in particular that:

Lockyer Valley Regional Council (council) have been continuing to trim, lop or clear trees in the periphery of the roost site under their current Damage Mitigation Permit (DMP).

Council has indicated that they are not intending to submit a fresh application to disperse the roost at this point in time.

There are currently dependent flying-fox young in the roost which are not expected to be independent until about January or February of next year.

BACKGROUND

Flying-foxes have been roosting adjacent to the Amaroo Retirement Village and several private residences in Gatton since at least 2008.

Council has previously applied on two occasions to disperse the flying-fox roost and to trim, lop or clear certain vegetation in and around the roost site. The Department of Environment and Heritage Protection refused the dispersal component, but approved a three year DMP allowing trimming, lopping and clearing of trees around the core roost area to reduce noise and odour impacts on people who reside nearby.

The dispersal component of council's DMP applications were refused on several grounds, the principal being the possibility that the flying-foxes would relocate to another existing roost in the nearby township of Laidley thereby increasing public tension about flying-foxes there. This possibility was identified as the most likely relocation outcome by the consultant's report which council commissioned and submitted with both of their applications.

Additionally, Queensland Health provided advice that it did not consider that the overall public health risks posed by the roost was sufficient to support the dispersal on the grounds of human health. In this regard Queensland Health provided advice that efforts to disperse a flying-fox roost could lead to an increase rather than diminution of the overall (albeit low) public health risks associated with the roost.

CURRENT ISSUES

Council are continuing to undertake trimming or clearing of certain trees outside of the roost area to prevent flying-foxes from being able to roost in close proximity to the retirement village, the most recent work having been carried out in the week commencing 29 October 2012.

The flying-foxes are currently occupying the gully area adjacent to the retirement village (the core roost area) with approximately 900 Black flying-foxes and 3600 Grey-headed flying-foxes as at 8 November 2012.

The vegetation modification works which council has carried out to date has significantly reduced the risk of flying-foxes spilling over into trees immediately next to the retirement village at those times of the year when flying-fox numbers using the roost can increase up to 30,000 animals. This will reduce noise and odour impacts from the roost on the residents of the retirement village.

Dependant flying-fox young (i.e. they cannot fly and rely on their mothers for food) are currently in the roost. It is expected that the young will not be independent until about January or February of next

Under the *Nature Conservation Act 1992*, a DMP cannot be granted in respect to a protected animal unless the department is satisfied that approved action is humane and will not be likely to result in unnecessary suffering being caused to the animals.

RTI Disclosure

Author
Name: Michael Devery
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Tel No: 3330 5257
Date: 8 November 2012

Cleared by
Name: Geoff Clare
Position: ED, NCS
Tel No: 3330 5390
Date: 9 November 2012

Cleared by
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Position: Director, WMU
Tel No: 3330 5512
Date: 9 November 2012

Cleared by
Name: Tamara O'Shea
Position: A/DDG CSS
Tel No: 3330 6240
Date: 12 November 2012

Recommended:
Name: Andrew Chesterman
DG, DEHP
Tel No: 3330 6298

12.11.12

Hence, while further clearing/trimming work is approved to be carried out between the core roost area and several nearby affected private residences, some of this work will need to be delayed until the young have reached independence.
The department is not in a position to legally issue a DMP for dispersal of a flying-fox roost without an application having been received and assessed. Enquires made to council on 8 November 2012 indicated that an application for a dispersal is not expected to be submitted by them at this point in

A key consideration for the department in assessing an application to disperse the roost is the possibility of the animals relocating to another existing roost near a child care centre at Laidley.
As the Gatton roost is predominantly occupied by federally protected Grey-headed flying foxes, the applicant would also need to refer a proposal to disperse to the Commonwealth Government under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC).
The Commonwealth have advised that should a fresh application be referred to them, it would be assessed under the EPBC Significant Impact Guidelines.

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Not Approved Noted

ents:

CAMPBELL NEWMAN
Premier

Chief of Staff

RTI DL Release

Author
Name: Michael Devery
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Date: 9 November 2012

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Date: 12 November 2012

Recommended:
Name: Andrew Chesterman
DG, DEHP
Tel No: 3330 6298
Date:

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CTS No. 00684/13

Chief of Staff ... OK
Dated 25/1/13
Approved / Not Approved Noted
Further information required
Minister.....
Dated 25/01/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Support for national Garage Sale Trail initiative**

TIMEFRAME

- The national Garage Sale Trail event will be held on 26 October 2013.
- Information sessions for local governments are planned for Queensland in February 2013.
- Interested councils must sign-up for the national event by the end of March 2013.
- Sending letters by the end of January will allow time for interested councils to register for the February information sessions.

RECOMMENDATION

It is recommended that the Minister:

- **sign** the attached letters to local governments promoting the initiative (**attachment 1**)
- **approve** the preparation of a media statement for release closer to the date of the event
- **note** the information provided concerning the Garage Sale Trail initiative
- **note** the department's commitment to help facilitate introductions to possible interested parties in Queensland.

BACKGROUND

- The Garage Sale Trail (GST) is a not-for-profit community initiative that involves mass participation in garage sales nationally on the same day. The initiative aims to promote community cohesion, while reducing waste to landfill and raising money for local communities and charity.
- Profits from the garage sales can either be kept by the seller or donated to charity. GST calculates that around 48% of funds raised through garage sales are subsequently donated to charity, with the remainder being spent in the local community.
- The Garage Sale Trail started in Bondi in 2010 with the theme "Don't Dump It. Sell It". The success of the project and the high level of media coverage saw councils and the New South Wales Government approach GST with proposals and partnership opportunities. More recently schools, community groups and charities have sought to be involved.
- In 2012, 30 local governments participated resulting in 7,700 garage sales being held across Australia. Several Queensland local governments participated, including Bundaberg Regional Council – which also participated in 2011.
- Participating local governments pay a participation fee of $1000 to $15,000 according to population. Once signed up they are provided with a registration website, mobile application, local media coverage and promotion, and publicity material including brochures that are tailored to each locality with a map of all the garage sales in the area. Participating local governments then encourage involvement in their community and assist with promotions.
- The Western Australian Government has actively partnered with GST and subsidises local government involvement. They also promote GST to the local government networks, and participate in media events. GST has advised that the South Australian, New South Wales and Victorian governments are likely to participate in 2013.
- GST has partnership arrangements with ABC National and News Limited to provide community press. In 2012, the event received coverage in 600 newspaper articles.
- The project has received numerous awards, both in Australia and the UK, including the International Green Award.
- Following a meeting in November 2012 with the project's founder, Darryl Nichols, Deputy Director-General, Tony Roberts committed in-kind assistance to facilitate the expansion of the initiative in Queensland, by:

Rec'd - ODG
22 JAN 2013

Author	Cleared by	Cleared by	Recommended:
Name: Ariane Milinovich Position: Principal Policy Officer Tel No: 3330 5177 Date: 14 January 2012	Name: Elisa Nichols Position: Executive Director, Reform and Innovation Tel No: 3330 5988 Date:	Name: Peter Hutchison Position: A/Deputy Director-General, Environmental Policy and Planning Tel No: 3330 5991 Date: 21 January 2013 *Endorsed*	Name: Tony Roberts Acting DG, DEHP Tel No: 3330 6298 Date: 25/1/13

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FOI DL Release

- assisting the spread of information about the initiative via local government and waste networks such as CoMSEQ and the Waste Management Association Australia waste educators working group
- notifying the 370 Queensland schools that have participated in the 'do the right thing, use the right bin' schools waste minimisation program about the program
- using the GST program as a case study for community engagement in developing Queensland's new industry-led waste strategy.

- In return, GST has agreed to provide the department with Queensland data for 2012 and 2013, and identify opportunities for the Queensland Government to help promote activities across the state.
- By participating, councils make the program open to their residents, community groups, schools, libraries and local businesses. The contribution involved is based on population and funds the national media campaign and organisation of the event. **Attachment 2** is a sample information pamphlet intended for smaller councils; pamphlets for medium and large councils have also been provided by GST and can be enclosed with the Minister's letters.

CURRENT ISSUES

- In 2013 the event will be held on Saturday, 26 October. The GST will hold information sessions for local government and other interested organisations in Queensland during February this year.
- ABC Radio in Queensland and Quest Community Newspapers have committed to supporting the program for 2013. There is an opportunity for the Minister to participate in the GST program in the lead up to the event in October 2013.
- GST is seeking expanded partnerships with state and local governments. While the Queensland Government has not committed to contribute financially, it can foster and facilitate the participation of local governments.
- Aside from some minimal staff resources, the Queensland Government's participation will not incur costs.
- Community and environment groups constantly argue for waste strategies to focus on waste avoidance initiatives, which is the preferred end of the waste hierarchy. However, apart from broad education campaigns, it is often difficult for waste strategies to identify effective actions in this area. The partnership with the GST offers a low-cost way for government to promote 'waste avoidance' through a community-based initiative that generates positive media and can form part of a new post-levy waste strategy.
- This approach ties in with the Keep Australia Beautiful and Australian Packaging Covenant partnership announced by you in August 2012 in terms of the government's role as a facilitator rather than a funding source, and the potential for community benefit or participation.

MINISTER'S COMMENTS

Pls prepare letter for Minister for Local Govt as well and look for joint media opportunities in conjunction with my office and his.

RTI DL - Release

ATTACHMENTS

Attachment 1 - Letters to local governments
Attachment 2 - Sample Garage Sale Trail pamphlet for local governments to enclose with letter

Author	Cleared by	Cleared by	Recommended:
Name: Ariane Milinovich Position: Principal Policy Officer Tel No: 3330 5177 Date: 14 January 2012	Name: Elisa Nichols Position: Executive Director, Reform and Innovation Tel No: 3330 5988 Date:	Name: Peter Hutchison Position: A/Deputy Director-General, Environmental Policy and Planning Tel No: 3330 5991 Date: 21 January 2013 *Endorsed*	Name: Tony Roberts Acting DG, DEHP Tel No: 3330 6298 Date:

Prepared by:	Ariane Milinovich	Approved by:	Peter Hutchison
Title:	Principal Policy Officer	Title:	A/Deputy Director-General Environmental Policy and Planning
Division/Region:	Reform & Innovation	Telephone:	3330 5991
Telephone:	3330 5177	Date Approved:	22 January 2013
Date Prepared:	14 January 2013		
Date Received in MO:	MO Clearance by:	Date Cleared:	

Ref CTS 00684/12

[Title] [Firstname] [Lastname]
[Position]
[Organisation]
[Postal Address]
[CITY] QLD [POSTCODE]

DRAFT

Dear [Title] [Lastname]

I am writing to introduce The Garage Sale Trail initiative. The Garage Sale Trail is a national, not-for-profit community initiative that encourages people to consider their reusable household items as a resource and reduce the number of items that end up going to landfill. The coordinator of The Garage Sale Trail is hoping to increase participation in the 2013 national event and is aiming to partner with 15 to 20 Queensland councils this year.

The Garage Sale Trail involves households, schools, community groups, sporting clubs and other not-for-profit or charity organisations all holding a garage sale on the same day. In 2013 this event will be held on Saturday, 26 October. Profits can be kept by the seller or donated to charity.

The Garage Sale Trail started in Bondi in 2010 and has gained momentum since. In 2012, 30 local governments, including some Queensland local governments, participated resulting in 7700 garage sales being held across Australia.

Participating local governments pay a fee scaled according to population. As a participating council The Garage Sale Trail team provide a registration website, mobile application, national and local media coverage and promotion, and publicity material including brochures that are tailored to each locality with a map of all the garage sales in the area. This enables shoppers to visit a number of sales in the same day. Councils are asked to encourage and promote participation throughout the community. Additional information about The Garage Sale Trail partnership arrangements and fee structure is enclosed.

The Department of Environment and Heritage Protection is working with The Garage Sale Trail team to promote the program in Queensland. ABC Radio in Queensland and Quest Community Newspapers have also committed to supporting the program for 2013. I would encourage your council to consider taking part in 2013, whether as a new or a continuing initiative.

The Garage Sale Trail will be holding information sessions in Queensland during February. Please email <darryl@garagesaletrail.com.au> or call sch4p4(6) Perso to inquire about the program or register your interest in attending an information session. Alternatively, contact Ms Tamara Miller, Principal Policy Officer of the Department of Environment and Heritage Protection at <Tamara.Miller@ehp.qld.gov.au> or on telephone 3330 6042.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

Enc

RTI DL Release

Small Councils

Title	Firstname	Lastname	Position	Organisation	Postal address	City	Postcode
Mayor	Peter	Guivarra	Mayor	**Mapoon Aboriginal Shire Council**	PO Box 213	WEIPA	4874
Mayor	Clifford	Harrigan	Mayor	**Wujal Wujal Aboriginal Shire Council**	Wujal Wujal	WUJAL WUJAL	4895
Mayor	Geoff	Morton	Mayor	**Diamantina Shire Council**	Herbert Street	BEDOURIE	4829
Mayor	Trevor	Pickering	Mayor	**Croydon Shire Council**	PO Box 17	CROYDON	4871
Mayor	Julie	Groves	Mayor	**Barcoo Shire Council**	PO Box 14	JUNDAH	4736
Mayor	John	Ferguson	Mayor	**Bulloo Shire Council**	PO Box 46	THARGOMINDAH	4492
Mayor	Eric Charles	Britton	Mayor	**Boulia Shire Council**	Herbert/Burke Streets	BOULIA	4829
Mayor	Wayne	Butcher	Mayor	**Lockhart River Aboriginal Shire Council**	C/- Post Office	LOCKHART RIVER	4871
Mayor	Ernie	Camp	Mayor	**Burke Shire Council**	PO Box 90	BURKETOWN	4830
Mayor	Richard	Tarpencha	Mayor	**Pormpuraaw Aboriginal Shire Council**	C/- Post Office	PORMPURAAW	4871
Mayor	John	Wharton	Mayor	**Richmond Shire Council**	PO Box 18	RICHMOND	4822
Mayor	William	Attwood	Mayor	**Etheridge Shire Council**	PO Box 12	GEORGETOWN	4871
Mayor	Philemon	Mene	Mayor	**Napranum Aboriginal Shire Council**	PO Box 538, Napranum Via Weipa	WEIPA	4874
Mayor	Terry	Munns	Mayor	**Woorabinda Aboriginal Shire Council**	112 Munns Drive	WOORABINDA	4713
Mayor	Stuart	MacKenzie	Mayor	**Quilpie Shire Council**	PO Box 57	QUILPIE	4480
Mayor	Greg	McLean	Mayor	**Hope Vale Aboriginal Shire Council**	Hope Vale	HOPE VALE	4895
Mayor	Belinda	Murphy	Mayor	**McKinlay Shire Council**	PO Box 177	JULIA CREEK	4823
Mayor	Robert	Holness	Mayor	**Kowanyama Aboriginal Shire Council**	PO Box 30	KOWANYAMA	4871
Mayor	Bradley	Wilson	Mayor	**Mornington Shire Council**	C/- Post Office	GUNUNA	4871

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Small Councils

Mayor	Kenny	Bone	Mayor	**Cherbourg Aboriginal Shire Council**	PO Box 4605	CHERBOURG	4605
Mayor	Butch	Lenton	Mayor	**Winton Shire Council**	PO Box 288	WINTON	4735
Mayor	Frederick	O'Keefe	Mayor	**Doomadgee Aboriginal Shire Council**	Sharp Street	DOOMADGEE	4830
Mayor	Dereck	Walpo	Mayor	**Aurukun Shire Council**	39 Kang Kang Road	AURUKUN	4871
Mayor	Greg	Jones	Mayor	**Flinders Shire Council**	PO Box 274	HUGHENDEN	4821
Mayor	Lindsay	Godfrey	Mayor	**Paroo Shire Council**	PO Box 75	CUNNAMULLA	4490
Mayor	Fred	Pascoe	Mayor	**Carpentaria Shire Council**	PO Box 31	NORMANTON	4890
Mayor	Barry	Muir	Mayor	**Blackall-Tambo Regional Council**	PO Box 21	BLACKALL	4472
Mayor	Bernard	Charlie	Mayor	**Northern Peninsula Area Regional Council**	PO Box 6878	CAIRNS	4870
Mayor	Alfred	Lacey	Mayor	**Palm Island Aboriginal Shire Council**	C/- Post Office	PALM ISLAND	4816
Mayor	Errol	Neal	Mayor	**Yarrabah Aboriginal Shire Council**	C/- Post Office	YARRABAH	4871
Mayor	Robert	Chandler	Mayor	**Barcaldine Regional Council**	PO Box 191	BARCALDINE	4725
Mayor	Andrew	Daniels	Mayor	**Cloncurry Shire Council**	PO Box 3	CLONCURRY	4824
Mayor	Napau Pedro	Stephen	Mayor	**Torres Shire Council**	PO Box 171	THURSDAY ISLAND	4875
Mayor	Joe	Owens	Mayor	**Longreach Regional Council**	PO Box 472	LONGREACH	4730
Mayor	Peter	Scott	Mayor	**Cook Shire Council**	PO Box 3	COOKTOWN	4895
Mayor	Denis	Cook	Mayor	**Murweh Shire Council**	PO Box 63	CHARLEVILLE	4470
Mayor	Fred	Gela	Mayor	**Torres Strait Island Regional Council**	PO Box 501	THURSDAY ISLAND	4875
Mayor	Donna	Stewart	Mayor	**Balonne Shire Council**	PO Box 201	ST GEORGE	4487

RTI DL Release

Medium Councils

Title	Firstname	Lastname	Position	Organisation	Postal address	City	Postcode
Mayor	Don	Waugh	Mayor	**North Burnett Regional Council**	PO Box 390	GAYNDAH	4625
Mayor	Graeme	Scheu	Mayor	**Goondiwindi Regional Council**	Locked Mail Bag 7	INGLEWOOD	4387
Mayor	Rodger	Bow	Mayor	**Hinchinbrook Shire Council**	PO Box 366	INGHAM	4850
Mayor	Franklin	Beveridge	Mayor	**Charters Towers Regional Council**	PO Box 189	CHARTERS TOWERS	4820
Mayor	Robert	Loughnan	Mayor	**Maranoa Regional Council**	PO Box 42	MITCHELL	4465
Mayor	Ron	Carige	Mayor	**Banana Shire Council**	PO Box 412	BILOELA	4715
Mayor	Bill	Lowis	Mayor	**Burdekin Shire Council**	PO Box 974	AYR	4807
Mayor	Graeme	Lehman	Mayor	**Somerset Regional Council**	PO Box 117	ESK	4312
Mayor	Tony	McGrady	Mayor	**Mount Isa City Council**	PO Box 815	MOUNT ISA	4825
Mayor	Anne	Baker	Mayor	**Isaac Regional Council**	PO Box 97	MORANBAH	4744
Mayor	Bill	Shannon	Mayor	**Cassowary Coast Regional Council**	PO Box 887	INNISFAIL	4860
Mayor	Peter	Maguire	Mayor	**Central Highlands Regional Council**	PO Box 21	EMERALD	4720

RTI DL Release

Large Councils

Title	Firstname	Lastname	Position	Organisation	Postal address	City	Postcode
Mayor	Wayne	Kratzmann	Mayor	**South Burnett Regional Council**	PO Box 336	KINGAROY	4610
Mayor	Raymond	Brown	Mayor	**Western Downs Regional Council**	PO Box 551	DALBY	4405
Mayor	Jennifer	Whitney	Mayor	**Whitsunday Regional Council**	PO Box 104	PROSERPINE	4800
Mayor	Peter	Blundell	Mayor	**Southern Downs Regional Council**	PO Box 26	WARWICK	4370
Mayor	Steve	Jones	Mayor	**Lockyer Valley Regional Council**	PO Box 82	GATTON	4343
Mayor	John	Brent	Mayor	**Scenic Rim Regional Council**	PO Box 25	BEAUDESERT	4285
Mayor	Rosa Lee	Long	Mayor	**Tablelands Regional Council**	PO Box 573	ATHERTON	4883
Mayor	Ron	Dyne	Mayor	**Gympie Regional Council**	PO Box 155	GYMPIE	4570
Mayor	Gail	Sellers	Mayor	**Gladstone Regional Council**	PO Box 29	GLADSTONE	4680
Mayor	Mal	Forman	Mayor	**Bundaberg Regional Council**	PO Box 3130	BUNDABERG	4670
Mayor	Gerard	O'Connell	Mayor	**Fraser Coast Regional Council**	PO Box 1943	HERVEY BAY	4655
Mayor	Margaret	Strelow	Mayor	**Rockhampton Regional Council**	PO Box 1860	ROCKHAMPTON	4700
Mayor	Deirdre	Comerford	Mayor	**Mackay Regional Council**	PO Box 41	MACKAY	4740
Mayor	Karen	Williams	Mayor	**Redland City Council**	PO Box 21	CLEVELAND	4163
Mayor	Paul	Antonio	Mayor	**Toowoomba Regional Council**	PO Box 3021 - Village Fair	TOOWOOMBA	4350
Mayor	Bob	Manning	Mayor	**Cairns Regional Council**	PO Box 359	CAIRNS	4870
Mayor	Paul	Pisasale	Mayor	**Ipswich City Council**	PO Box 191	IPSWICH	4305
Mayor	Jenny	Hill	Mayor	**Townsville City Council**	PO Box 1268	TOWNSVILLE	4810
Mayor	Pam	Parker	Mayor	**Logan City Council**	PO Box 3226	LOGAN CITY DC	4114
Mayor	Mark	Jamieson	Mayor	**Sunshine Coast Regional Council**	Locked Bag 72	SUNSHINE COAST MAIL CENTRE	4560
Mayor	Allan	Sutherland	Mayor	**Moreton Bay Regional Council**	PO Box 159	CABOOLTURE	4510

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Large Councils

Mayor	Tom	Tate	Mayor	**Gold Coast City Council**	PO Box 5042	GOLD COAST MC	9729
Lord Mayor	Graham	Quirk	The Right Honourable the Lord Mayor of Brisbane	**Brisbane City Council**	G P O Box 1434	BRISBANE	4001

RTI DL Release

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CTS No. 00705/13

Chief of Sta OK
Dated 1 / 2 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 04 / 02 / 13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Response to Deb Frecklington MP, Assistant Minister for Finance, Administration and Regulatory Reform regarding red tape reduction efforts**

RECOMMENDATION

It is recommended that the Minister:

- **sign** the attached letter (**Attachment 1**)
- **note** the substantial activity occurring within the Department of Environment and Heritage Protection (EHP) in relation to red tape reduction and other regulatory activities.

BACKGROUND

- A letter has been received from the Assistant Minister for Finance, Administration and Regulatory Reform seeking ongoing commitment to, and assistance with, the government's red tape reduction efforts.

CURRENT ISSUES

- The department is undertaking a range of activities (**Attachment 2**) under the government's red tape reduction agenda and is assisting the Queensland Office of Best Practice Regulation (OBPR) to establish the regulatory burden reduction baseline and portfolio targets by mid-2013.
- EHP has begun collating information to reduce and simplify business reporting requirements in response to a recent December 2012 request from Queensland Treasury and Trade (QTT). The department will respond to QTT by 30 April 2013, as requested.
- EHP is also coordinating a number of reports to QTT, the Department of Premier and Cabinet (DPC) and OBPR intended to capture progress on red tape reduction initiatives and government election commitments. These reports are:
    1. 90 Day Red Tape Reduction Report
    2. Other Red Tape Reduction Report
    3. Six Month Action Plan (July - December 2012)
    4. Six Month Action Plan (January - June 2013)
    5. Government Commitments Report
- Reports 1 and 2 list only red tape reduction initiatives, while reports 3, 4 and 5 are a mixture of red tape reduction initiatives and government election commitments. There is some overlap between all of these reports.
- Reports 1 and 2 are specifically referred to within the proposed reply as these two initiatives are referred to by the Assistant Minister for Finance, Administration and Regulatory Reform. Of the 33 red tape reduction measures listed in these reports 14 have been delivered.

Major Red Tape Reduction Initiatives:

- Initiatives such as the Greentape Reduction Project have estimated savings of $11.7 million for business. As an example, the reform is estimated to save an individual applicant an average of $20,000 in application preparation costs, 68 days in processing time and 150 pages in avoided application materials.
- Another Greentape Reduction Initiative involving the removal of low risk environmentally relevant activities (ERAs) is estimated to create savings to business of $6.18 million. In particular, this initiative will reduce the range of activities regulated as prescribed low risk ERAs not regulated in

Rec'd - ODG 29 JAN 2013

RTI DL Release

Author	Cleared by	Cleared by	Cleared by	Recommended:
Name: Eleanor Velasquez Position: Principal Policy Officer, Regulatory Reform Tel No: 3330 5956 Date: 21 January 2013	Name: Laurie Hodgman Position: A/g Director, Environment Policy and Legislation Tel No: 3330 5896 Date: 25 January 2013	Name: Elisa Nichols Position: A/ Executive Director, Reform and Innovation Tel No: 3330 5988 Date: 25 January 2013	Name: Tony Roberts Position: Deputy Director General, Environmental Policy and Planning Tel No: 3330 5990 Date: sch4p3(3) 31/1/13	Name: Andrew Chesterman Director General EHP Tel No: 3330 6298 Date: 31.1.13

other states (e.g. motor vehicle workshops, boilermakers, small-scale manufactures and metal works, etc.) and reduce the fee unit for small sewage treatment plants.

- The repeal of the industry waste levy provided a nil levy rate with an approximate savings to business of $7 million per month.
- A quick emergency response tool has also been developed for the licensing of temporary emissions in appropriate circumstances in response to an emergent event as part of the department's response to the Queensland Floods Commission of Inquiry.
- The Mining and Other Legislation Bill introduced in November 2012 provides administrative and other financial relief to miners of opals and gemstones and other precious stones.
- A new Code of Environmental Compliance has been created for ERA 63 – Sewage Pumping Stations. This change is expected to result in savings of $20,000 to $30,000 per application by removing the need to apply for a development approval.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 - Letter to Ms Deb Frecklington MP outlining EHP's commitment to regulatory reform
- Attachment 2 - Summary of Red Tape Reduction and Government Commitment Reports

Author	Cleared by	Cleared by	Cleared by	Recommended:
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Hon Andrew Powell MP
Minister for Environment and Heritage Protection

QUEENSLAND GOVERNMENT

Ref CTS 00705/13

4 FEB 2013

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Mrs Deb Frecklington MP
Assistant Minister for
Finance, Administration and Regulatory Reform
GPO Box 611
BRISBANE QLD 4001

Dear Mrs Frecklington Deb .

Thank you for your letter of 21 December 2011 concerning the Queensland Government's commitment to reduce red tape by 20% by 2018.

I would like to take this opportunity to assure you that the Department of Environment and Heritage Protection is committed to and has been proactive in responding to the implementation of the Government's red tape reduction framework being progressed by the Office of Best Practice Regulation (OBPR). A significant number of red tape reduction initiatives have already been delivered and the department will continue to assist the OBPR in setting of departmental reduction targets and in responding to identified review priorities as determined by the government. The department is also engaging with OBPR concerning the assessment of departmental Regulatory Impact Statements.

Thirty-three initiatives are identified as 90 Day Red Tape Reduction Initiatives and red tape related reforms outside the 90 Day Red Reduction Initiative and the first Six Month Action Plan (July-December 2012). Significant red tape related reforms are also identified under the first and second Six Month Action Plans. The department maintains internal databases of all government commitments and red tape reduction initiatives and reports regularly to Queensland Treasury and Trade (QTT) and the Department of Premier and Cabinet (DPC) to assist in maintaining the accuracy and completeness of their databases for reporting on red tape reduction progress.

Notable delivered initiatives include the repeal of the industry waste levy with approximate savings to business of $7 million per month. Industry discussions have commenced to develop a new waste strategy for Queensland as part of providing industry with certainty on its requirements and a reduction in regulatory costs and burden associated with waste management.

Other delivered initiatives include a new Code of Environmental Compliance for Environmentally Relevant Activity (ERA) 63–Sewage Pumping Stations. Expected savings are $20,000 to $30,000 per application by removing the need to apply for a development approval. A quick emergency response tool has been developed for the licensing of temporary emissions in appropriate circumstances in response to an emergent event as part of the department's response to the Queensland Floods Commission of Inquiry. The November 2012 Mining and Other Legislation Bill has also been delivered providing for administrative and other financial relief to miners of opals and gemstones and other precious stones.

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Further burden reduction will be realised with the imminent 31 March 2013 implementation of the Greentape Reduction Project, a significant initiative of my department in streamlining environmental regulatory and administrative approval processes. The estimated savings from this initiative to both business and government are $11.7 million per annum. As an example, the reform is estimated to save an individual applicant an average of $20,000 in application preparation costs, 68 days in processing time and 150 pages in avoided application materials. Another Greentape Reduction Initiative, resulting in the removal of regulated low risk ERAs requiring business to respond with licensing requirements, is estimated to create savings to business of $6.18 million.

The department is also progressing the recent QTT request to map all departmental reporting requirements and identify where these can be removed, reduced in frequency or better aligned to other business reporting cycles. The department will provide its response to QTT by 30 April 2013, as requested. I appreciate your efforts to ensure that reporting requirements within government are also as streamlined as possible so that these reforms can be monitored in an efficient manner.

We look forward to further working cooperatively with the OBPR, QTT and DPC in meeting the government's commitment to reduce regulatory burden in Queensland.

I hope this information is of assistance to you. Should you have any further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

RTI DL Release

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CTS No. 00757/13

Chief of Staf
Dated

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

ation re

Minister for Environment and Heritage Protection

Minister
Dated 01/13

SUBJECT: Meeting with community representatives regarding crocodile risk in the Fitzroy River

RECOMMENDATION

It is reco mended that the Minister:

orse the proposed responses set out below to concerns raised by Fitzroy River user group prese atives (the representatives) and the Local Member for Rockhampton, Bill Byrne MP at a meeti on Monday 14 January 2013 regarding crocodile management in the river

rse Department of Environment and Heritage Protection wildlife management officers to meet the representatives on a quarterly basis regarding crocodile management in the freshwater ection of the Fitzroy River.

BACKGROUND

A number of user groups which undertake water based activities such as rowing, paddle boarding, water skiing and regattas within a 25km length of the freshwater section of the Fitzroy River above the barrage (which the user groups generally refer to as the 'recreational area'), have raised concerns about estuarine crocodile risk.

These groups include the Rockhampton Fitzroy Rowing Club (RFRC), the Rockhampton Water Ski Club, Emu Park Surf Lifesavers Club and Rockhampton Grammar School Rowing Club (RGSRC)

The RFRC advises that approximately 180 members use the river seven days a week for rowing activities, while the RGSRC advised that 150 rowers from the school rowed on the river up to seven days week and many parents were very concerned about the safety of the children

The freshwater section of the Fitzroy River, which runs upstream for approximately 50km from the barrage in the city of Rockhampton to Yaamba and beyond (refer to Attachment 1), is known as estuarine crocodile habitat and it would not be feasible to exclude crocodiles from that part of the river. Crocodiles have been confirmed by the Department of Environment and Heritage Protection in that part of the river referred to by the user groups as the recreational area on several occasions and crocodiles are known to inhabit the river further upstream.

The situation on the Fitzroy River is somewhat unique in that a number of user groups, including schools, arrange for water based activities to be undertaken on a daily basis in a water body, where a crocodile risk always exists, without any special precautions.

The crocodile population density in the Fitzroy River is considered to be low. The last formal survey conducted by the department in November 2009, as a component of the populated east coast survey, revealed the presence of four crocodiles over the course a 94km survey of the river (including both the fresh and saltwater sections), with two crocodiles observed in the saltwater section and a further two observed well upstream in the freshwater section above the recreational area.

CURRENT ISSUES

At the meeting of 14 January 2013, the representatives stated that they were not seeking to have the freshwater section void of all crocodiles, but wished to have any crocodile of over two metres in length removed on an ongoing basis from the 25km of the river, which they refer to as the recreational area.

Approximately 6km of the recreational area falls within the existing mapped Crocodile Urban Management Area, from which any crocodile of two metres or greater length is targeted for capture

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and removal, unless the animal is determined to be passing through or is within known crocodile habitat (none of the freshwater component of the mapped Crocodile Urban Management Area is regarded as known crocodile habitat).

If the department's crocodile management approach was varied to remove all crocodiles of two metres or greater length from the additional 19km of the freshwater section, as sought by the representatives, it would not be likely to result in the removal of many crocodiles given the low population density. However, removal of crocodiles from an expanded area may impact on the survivability of the local crocodile population.

More importantly, it would not reduce the need for members of the user groups or the department to be vigilant against the possibility of a crocodile attack.

In this regard, it was revealed at the meeting of 14 January 2013 that none of the user groups, including the RGSRC, had factored into their risk management planning the possibility of an encounter with a crocodile, despite being aware that crocodiles were present in the river.

The representatives and Mr Byrne asked that the Fitzroy River be included in the crocodile management pilot program being implemented over the local government areas from Townsville through to Cairns. The departmental representatives advised that this request would be given consideration. The basis on which the locations to which the pilot was being applied was the significantly higher number of human/crocodile interactions in that part of the state

A key request from the representatives was for an arrangement to be established for the department to provide ongoing updates on crocodile presence in the 50km freshwater section from the barrage upstream to Yaamba.

The representatives advised that this would enable them to pass this information to user group nd, particularly parents, so that they could make informed decisions about themselves or their c ˙dren participating in water based activities.

agreed that the department would conduct crocodile surveys on a six month basis over the m section upstream to Yaamba and advise the representatives of the findings. This would be viewed in 12 months.

also agreed that ongoing meetings would be held between local departmental wildlife agement officers and the representatives on a quarterly basis to ensure a strong communication ow between parties regarding crocodile management.

At the meeting, Mr Byrne indicated a desire to withdraw from being the conduit with the community on t ˙ issue. It is proposed that the department communicates directly with community esentatives to convey the proposed response and negotiate further actions. This will also assist building relationships, which all participants agreed was desirable at the meeting

Proposed Actions

Vessel based surveys will be conducted by the department over the 55km length of the freshwater component on the Fitzroy River from the barrage upstream to Yaamba on a six monthly basis with the community representatives informed of findings, with a review in 12 months

The department will continue the existing highly responsive approach to crocodile sightings in the Fitzroy River, which includes management of the existing Crocodile Urban Management Area which covers that part of the river adjacent to built up areas.

The representatives and the Local Member will be advised that it is not proposed to include the Fitzroy River in the current crocodile management pilot program which is being rolled out for the four local government areas from Townsville north to Cairns. They will also be advised to factor into their risk management planning, the possibility of an encounter with a crocodile

RTI Disclosure

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Date:

CONSIDERATIONS

Budget: There will be an increased cost associated with conducting six monthly surveys of the freshwater section of the Fitzroy River and increased engagement with the community representatives, but these will not be significant. This can be accommodated within the existing budget.

MINISTER'S COMMENTS

ATTACHMENTS

Attachment 1 – Proximity map for crocodile issues in the Fitzroy River

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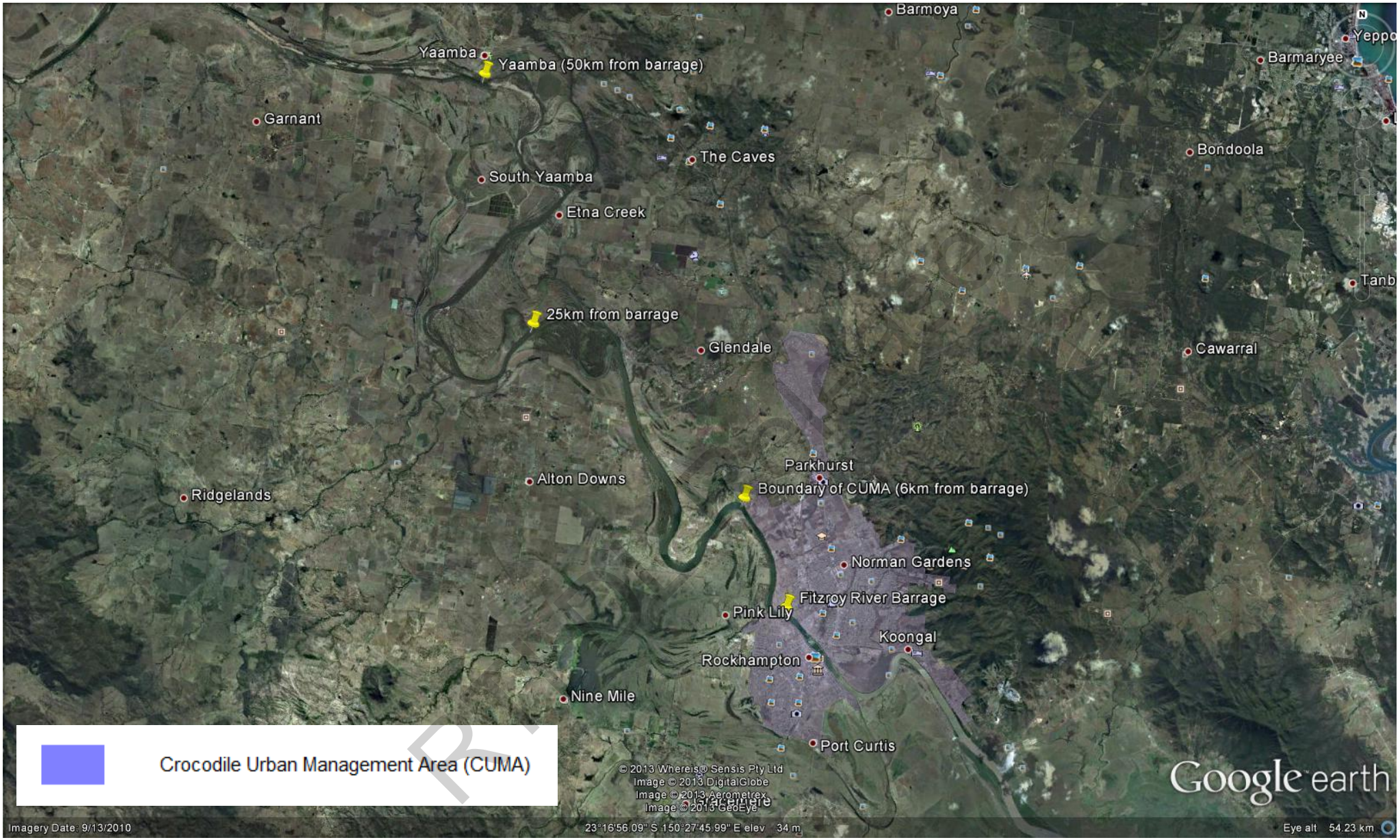

Attachment 1. Proximity map for crocodile issues in the Fitzroy River.

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CTS No. 00776/13

Chief of Staff ..... OK
Dated 29 / 1 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 29/01/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Nature Refuges – Signing of nature refuge agreement for Koolewong Nature Refuge**

RECOMMENDATION

It is recommended that the Minister:

- **sign** (where noted) the nature refuge agreement for Koolewong Nature Refuge (Attachment 1), to enable the proposed nature refuge to be declared in the relevant regulation and payments to be made to the landholder.
- **sign** the accompanying congratulatory letter (Attachment 2) and certificate to the owner of Koolewong Nature Refuge (Attachment 3).

BACKGROUND

- Through the Nature Refuges Program, the Tenures and Covenants Unit (TCU) negotiates legally-binding nature refuge agreements over freehold and leasehold land. As at 16 January 2013 there are 440 nature refuges protecting over 3.35 million hectares of high conservation value land.
- The proposed Koolewong Nature Refuge is located approximately 12.5 kilometres north north-west of Maleny (regional context shown in Protected Area plan inset in schedule 4 of agreement) and covers about 43 hectares. It provides habitat for the vulnerable koala (southeast Queensland bioregion) and numerous other threatened species, and forms part of a landscape scale corridor.

CURRENT ISSUES

- The nature refuge agreement for Koolewong Nature Refuge has been signed by the landholder and now requires signing by the Minister to become legally binding, to allow the new nature refuge to be declared in the relevant regulation and payments to be made to the landholder.
- The landholder of Koolewong Nature Refuge was successful in obtaining $192,617 (GST inclusive) under round two of the Koala Nature Refuges Program (KNRP). KNRP, under the Koala Response Strategy, aims to increase the extent and quality of koala habitat in south east Queensland.

Preferred Action after signing by the Minister:

- Ministerial and Executive Correspondence Unit will:
  - post one copy of the nature refuge agreement with the congratulatory letter to the landholder for their records.
- The Tenures and Covenants Unit will:
  - collect and retain one copy of the nature refuge agreement for their records.
  - collect and frame the certificate and provide to the landholder.
  - register the nature refuge agreement on land title as per section 134 of the *Nature Conservation Act 1992* (the Act).
  - process payments for Koolewong Nature Refuge in accordance with the nature refuge agreement.

Rec'd - ODG
25 JAN 2013

CONSIDERATIONS (Remove section if not required)

- *Budget:*

Funding for Koolewong Nature Refuge is provided through the department's Koala Nature Refuges Program.

- *Consultation:*

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	Name: Geoff Clare Position: ED, Nature Conservation Services Tel No: 3330 5390 Date: 23 January 2013		25/1/13

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Relevant parties have been notified of and, where relevant, have consented to the proposed Koolewong Nature Refuge, in accordance with the Act. All necessary approvals have been obtained from the Department of Natural Resources and Mines in relation to mineral resource rights and tenure.
The nature refuge agreement for signature has resulted from negotiations between the state and the landholder.

sch3(7) Information subject to legal professional privilege

- *Legislation:*

Section 45 of the Act provides for the Minister to enter into nature refuge agreements over an area, which forms an agreement to declare a nature refuge over the area.

MINISTER'S COMMENTS

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ATTACHMENTS

- Attachment 1 – Nature refuge agreement (in duplicate) for the proposed Koolewong Nature Refuge
- Attachment 2 – Congratulatory letter for landholder of Koolewong Nature Refuge
- Attachment 3 – Certificate for landholder of Koolewong Nature Refuge
- Attachment 4 sch3(7) Information subject to legal professional privilege

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Minister

Dated

CTS No. 00870/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

Minister for Environment and Heritage Protection

SUBJECT: Minister's visit to Mon Repos Conservation Park – EHP turtle monitoring

TIMEFRAME

Minister Powell will be visiting Mon Repos in late January and requires this brief prior to the visit. The Minister's office requested this brief by COB Thursday 24 January 2013.

RECOM NDATION

It mended that the Minister:

te that the Department of Environment and Heritage Protection (EHP) is leading an annual turtle onitoring program at Mon Repos, which incorporates training for volunteers.

BACKGROUND

Mon Repos, on the Woongarra Coast outside Bundaberg, has been the focal point for developing marine turtle research and conservation in Australia since the 1970s. It is a major nesting site for loggerhead turtles, which make up 97 per cent of the total, and to a much lesser extent, flatback and green turtles.

Monitoring and recording turtle activity and incorporating the information in research has been led by Dr Col Limpus, who is currently part of EHP's Threatened Species Unit.

The annual monitoring program, which runs from December to March, engages volunteers who receive training in turtle biology, handling animals and recording information. The trained volunteers undertake monitoring activities on other nesting sites across Queensland, as contribution to the broader turtle program.

The Mon Repos information centre is run by the Department of National Parks, Recreation, Sport and Racing (NPRSR) with extensive support from community volunteers, and provides nightly guided tours to observe nesting turtles. As at 22 January 2013, some 15,000 visitors have participated in tours this nesting season.

CURRENT ISSUES

More than 350 nesting loggerheads have been recorded so far this season, which is some 5 per cent greater than last year, but some 25 per cent less than the two years prior to that.

There will be almost 180 volunteers from the community and academia participating in the program this year. There will also be an additional 60 Indigenous people participating as part of the department led and Commonwealth funded Dugong Indigenous Management Project, aimed at enhancing Indigenous involvement in sustainable turtle and dugong management.

The expanding urban development of the Woongarra Coast is creating an altered light horizon along the coast that will discourage turtles from nesting on this coast and increase hatchling mortality, if it is not managed from a turtle conservation perspective.

The management of coastal lighting is primarily the re onsibility of local government and NPRSR staff have been taking the lead in the public relation campaign, "Cut the Glow", to restore the Woongarra Coast to a more suitable environment r good turtle breeding.

RTI DL Release

Rec'd - ODG
24 JAN 2013

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Chief of Staff ..... OK
Dated 29 / 1 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 29 / 01 / 13

CTS No. 01107/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: ***Indigenous Sea Country Management* Grants Program – Progress Update**

RECOMMENDATION

It is recommended that the Minister:

- **note** that 48 applications for the *Indigenous Sea Country Management* Grants Program (the Program) were received totalling over $7 million.
- **note** the change to the timeframes associated with the Program (Attachment 1).
- **note** the Dashboard Analysis provided for the Program (Attachment 2)
- **note** that announcement of QuickStart projects is on track for April 2013.

BACKGROUND

- The $1.95 million Program is funded by the Australian Government's Caring for our Country initiative and administered by the Queensland Department of Environment and Heritage Protection (EHP).
- QuickStart applications and SteadyStart Expressions of Interest (EOI) under the Program closed on Friday 21 December 2012.

CURRENT ISSUES

- 29 QuickStart applications were received totalling almost $4.8 million and 19 SteadyStart EOIs were received totalling almost $2.25 million (48 submissions in total).
- The amount of funding sought may change as EHP works with applicants to obtain further detail on the project budgets.
- EHP has sought nominations from five organisations for representation on the Assessment Panel: the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC); the Great Barrier Reef Marine Park Authority (GBRMPA); EHP; the Department of National Parks, Racing, Sport and Recreation; and Girringun Aboriginal Corporation for the Sea Country Leadership Network comprising Traditional Owners.
- The Sea Country Leadership Network was proposed to form a Review Panel for this process. However, there is uncertainty about the creation of this group and, as such; the submission of recommendations under the QuickStart stream will not be passed through a Review Panel.
- The timeframes noted by the Minister on 19 November 2012 (CTS 17339/12) have been revised to take into consideration this change, along with the Indigenous Sea Country Management Program Steering Committee's involvement in the ratification of assessment criteria and the endorsement of recommendations for funding (Attachment 1).
- A Dashboard Analysis has been prepared for the Program to graphically present data, predominantly relating to QuickStart applications (Attachment 2). A Dashboard Analysis will be prepared for SteadyStart applications following the 31 March 2013 deadline for their full submissions.
- Opportunity for announcement of QuickStart applications is on track for April 2013 and announcement of SteadyStart applications is on track for late June 2013.
- Terms of Reference for the Assessment Panel are currently being drafted, with the Assessment Panel likely to be convened in Cairns in March 2013.
- The Assessment Panel will assess applications against criteria, including value for money, scale of project/impact of activities, collaboration/Indigenous involvement, along with the core objectives of the program.

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- Assessment against these criteria will result in a merit list of projects from which EHP, in consultation with the Commonwealth through the Indigenous Sea Country Management Program Steering Committee, may allocate up to $1 million to QuickStart projects, with remaining funds allocated to SteadyStart projects.
- EHP has commenced contacting the 19 SteadyStart applicants to identify the level of assistance required by these organisations to complete a full application form.
- EHP is engaging with DSEWPAC at officer level to keep them informed of progress.

PROPOSED ACTION

- That the Minister notes the Recommendations of this briefing note.

MINISTER'S COMMENTS

Pls work with EA in Min Office to lock in times in diary for announcement

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ATTACHMENTS

Attachment 1 - Revised timeframes for the *Indigenous Sea Country Management* Grants Program
Attachment 2 - Dashboard Analysis for the *Indigenous Sea Country Management* Grants Program
Attachment 3 – CTS 17339/12

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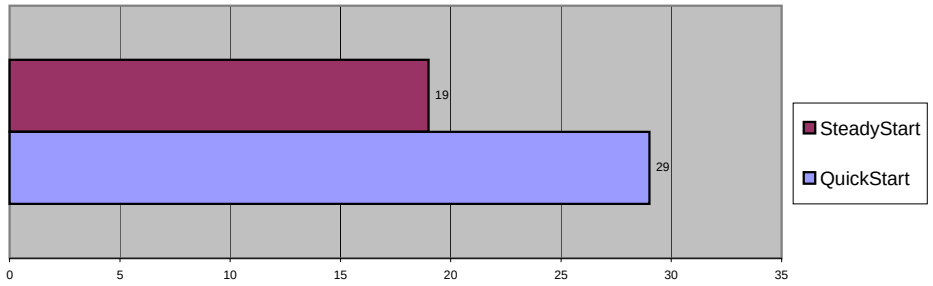
INDIGENOUS SEA COUNTRY MANAGEMENT GRANTS PROGRAM
DASHBOARD REPORT - 22 JANUARY 2013

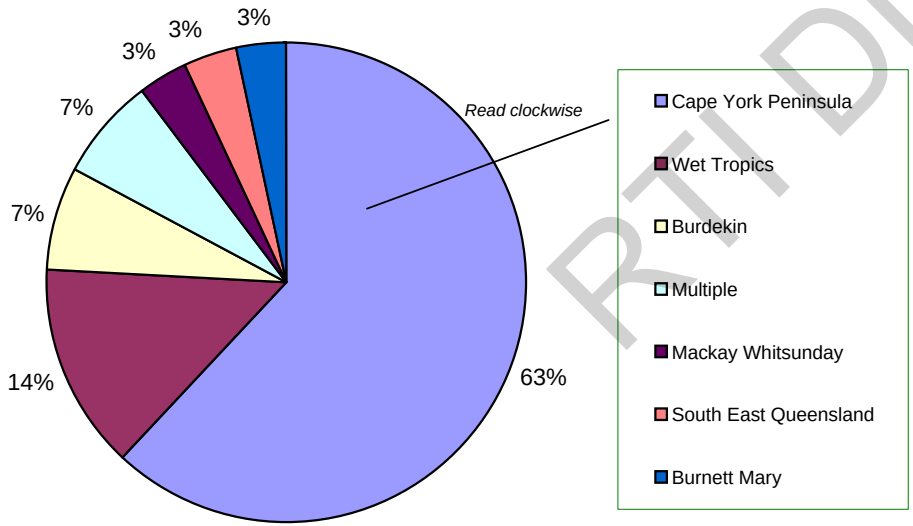
COMMENTARY

1. 49 applications (including QuickStart applications and SteadyStart EOIs) were received totalling $7.038 million.
2. All QuickStart applicants will require followup to seek additional information or clarification on submissions.
3. QuickStart funding amounts may change as a result of follow up communication with applicants seeking further detail on budget breakdowns.
4. SteadyStart applications are in progress with final applications due by 31 March 2013.

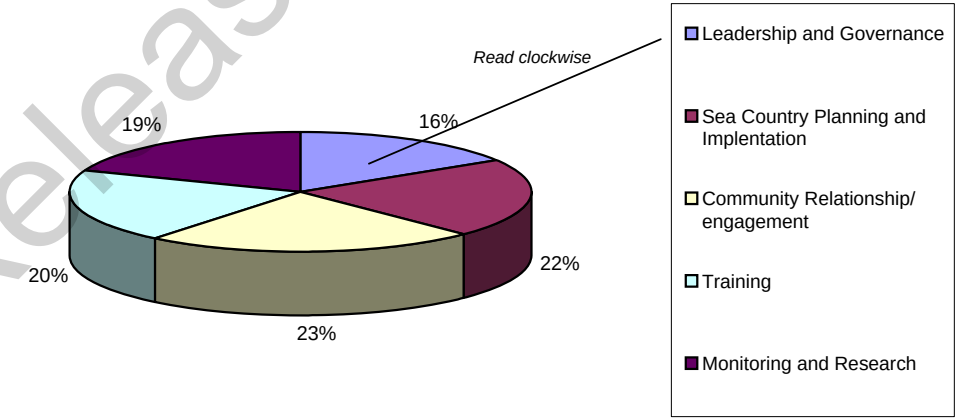
QUICKSART VS STEADYSTART



QUCKSTART APPLICATIONS BY NRM REGION

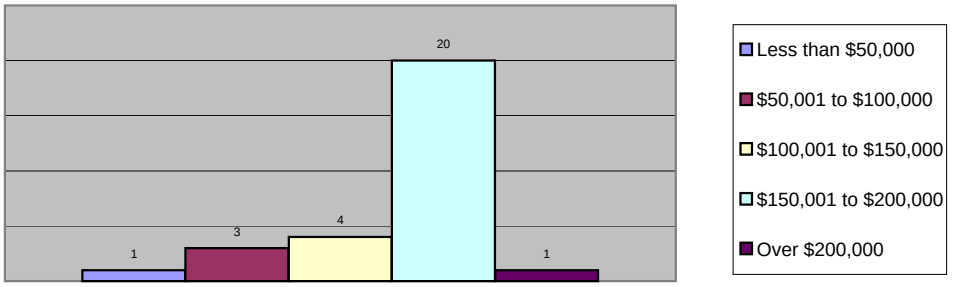


QUICKSTART APPLICATIONS BY PRIORITY AREA



Note 1: 19 applicants addressed all five themes - these have been taken into consideration in the figures above.
Note 2: Some applications include activities which address multiple categories.

QUICKSTART APPLICATIONS BY DOLLAR AMOUNT (ex GST)



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Chief of Staff

Dated 25/1

Approved

Further i

Minister

Dated 01/13

CTS No. 01192/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

Minister for Environment and Heritage Protection

SUBJECT: The sale of Ecofund Queensland Pty Ltd and transfer of the Balance the Earth Trust

TIMEFRAME

Noting of this brief is required as soon as possible due to the time constraints associated with the sale of Ecofund.

RECOMMENDATION

It is recommended that the Minister:

note that the Public Trustee of Queensland has agreed to take on Trusteeship of the Balance the Earth Trust.

note that the Ecofund sale process is on track pending receipt of final bids and contract negotiations however timeframes for gaining final approval are very tight once final bids are received.

sign the letter to the Treasurer providing advance notice on proposed arrangements for expediting approval of a recommended bid and seeking approval to transfer the Trust.

BACKGROUND

sch3(2)(1)(c) Cabinet matter - Budgetary process

On 13 November 2012, the Treasurer wrote to you stating that the primary objective is for an orderly exit from the shareholding and for it to be achieved by March of 2013. The Treasurer also stipulated that the final decision to accept or reject specific offers will be “one for Government”.

sch3(2)(1)(c) Cabinet matter - Budgetary process

CURRENT ISSUES

Sale process

Ecofund has engaged Ernst & Young to approach the market for a buyout deal.

The following table outlines the key milestone dates:

DATE	MILESTONE
15-Nov-12	**Release Investment Fl er and market soundin to be in**
20-Nov-12	**Release Information Memorandum (sub ect to Confidentialit A reement**
14-Dec-12	**Receive non-bindin indicative offers**
17-Dec-12	**Selection of shortlisted bidders / data room opens / due dili ence starts**
29 Jan - 1 Feb 13	**Mana ement Presentations to shortlisted bidders**
29-Jan-13	**Draft share SPA rovided to shortlisted bidders**
8-Feb-13	**Final offers due**
15-Feb-13	**Execution of Share Sale and Purchase A reement**
1-Mar-13	

RTI DL Release

Rec'd - ODG
24 JAN 2013

Author
Name: Andrew Duncan
Position: Project Manager
Tel No:3330 5309
Date: 21 January 2013

Cleared by
Name: Geoff Clare
Position: ED NCS
Tel No: 3330 5390
Date: 23 January 2013

Cleared by
Name: Tamara O’Shea
Position: A/DDG CSS
Tel No: 3330 6240
sch4p3(3
24.01.13

Recommended:
Name: Tony Roberts
A/DG, DEHP
Tel No: 3330 6298

The sale process is on track with five indicative offers received (in the value of $0-$7million) and entities are currently conducting data analysis and due diligence.
Ernst and Young are confident that an offer or offers will be received on 8 February 2013 although there is no indication on price.
The Department of Environment and Heritage Protection has sought expert legal guidance from the external firm, HopGoodGanim, on the SSA drafting and SSA negotiations with the emphasis being on the least possible residual risk born by the seller (the state).
This may drive the offer price down if potential purchasers view this as overly onerous or non commercial. However, Treasury has provided a clear indication the company should be sold on an as is where is' basis, even if it does impact on market interest and the warranties and clauses in the contract represent this clear sentiment with the objective of an orderly divestment.

Balance the Earth Trust

This trust was created by the previous government and its future role in relation to this government's policies has not as yet been established. This will in part depend on the results of reviews already committed to and in train, including the review of environmental offset policies.
Ecofund has committed to conducting the administrative tasks of handing over website content and access, trust policies, branding, Public Funds Management Committee documents, minutes and notification of banks and taxation authorities.
In the Treasurer's conditions of approval for Ecofund to act as Trustee, the Shareholder and the Treasurer must approve any deed amendment. A letter seeking the Treasurer's approval is Attachment 1.
After assessing multiple different trusteeship structures the department approached the Public Trustee of Queensland to manage the Trust.
The Public Trustee of Queensland is a government organisation with the necessary skills, knowledge, resources and legislative power to effectively carry out the Objects of the Trust

Ecofund equity injection request

The Ecofund Chief Executive and Chair of the Board of Directors wrote to the shareholder and Director General of the department on 17 January 2013 indicating that if the SSA was not signed by 15 February 2013 and there was no commitment of an equity injection by the state ($500,000 -$1 illion) prior to 15 February 2013 the Board will take action to wind the company up
Treasury has indicated that it is not willing to provide any equity injection. Nor is the department either willing or in a position to do so.
Hence if there are no viable bids action will be taken to wind the company up

MINISTER'S COMMENTS

ATTACHMENTS
Attachment 1 - Letter to the Treasurer
Attachment 2 - Letter from the Public Trustee of Queensland

RTI DL Release

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Name: Tony Roberts
A/DG. DEHP
Tel No: 3330 6298

The Public Trustee
ABN 12 676 939 467 p: 1300 360 044 www.pt.qld.gov.au
444 Queen Street Brisbane Qld 4000
GPO Box 1449 Brisbane Qld 4001

21 January 2013

Ms Tamara O'Shea
Deputy Director – General
Conservation and Sustainability Services
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001

Phone: 07 32139281
Fax: 07 32139182
Officer: Steve Forster
Email: Steve.Forster@pt.qld.gov.au
Ausdoc: Ausdoc: DX239

Our Reference: **BALANCE THE EARTH TRUST**

Your Reference: Andrew Duncan

Dear Ms O'Shea

I refer to our recent meeting in relation to the above Trust with the view to the Public Trustee being considered for the role of Trustee of the Trust in lieu of Ecofund Queensland Pty Ltd. Thank you for the opportunity for the Office to review the Trust Deed and provide you with an estimate of our costs to assume the role of Trustee for the time being until a final decision is made on the future viability of continuing the Trust. We advise as follows:

RTI DL Release

1 Current Management of the Fund

Notwithstanding the change of trustee, the existing Trust Deed would remain in place and the new trustee would be bound to comply with its terms, remaining accountable and responsible for the conduct of the Trust. Whilst the Trustee is autonomous in its decision making it is noted that there are two other Committees which have input on how payments of capital and income should be made in dealing with funds in the Public Fund. The Trustee will require further clarification and information on the appointment of these Committees, their functions and the manner in which it would be intended that they progress referrals to the Trustee.

2 Eligibility of the Public Trustee

It is noted that under clause 7.1 the Trustee must be two or more individuals or a company or a body corporate. Clause 7.2 refers to a board of directors. The Public Trustee is a corporation sole, does not have "a board of directors" and therefore may not fit this description. To remove any doubt, it would be desirable that the Trust Deed be amended to enable the Public Trustee to be appointed to the role as the Trustee prior to his appointment.

3 Management Fees

The Public Trustee's charging in relation to the management of the Trust would comply with the terms prescribed in the Trust Deed under clause 16. Sections 601TDA – 601TDF of the

Corporations Act 2001 set out the terms regulating these charges.

Under this legislation, the trustee company has the option of charging a "capital commission and an income commission" or a "management fee" together with a "common fund administration fund fee" and "fees for the preparation of returns etc" as defined in these sections of the Act. Given the current circumstance with this Trust, the Public Trustee would charge either the rates prescribed by the legislation or an hourly rate for services a set by its Gazetted Notice (presently $206.00 per hour), whichever is the greater. The Deed would need to be varied accordingly.

Once a final decision is made on the future viability and conduct or otherwise of the Trust; and if that decision is to continue the Trust, the Office will commit to review its charges for the management of the Trust, providing the Department with a formal estimate in that regard.

4 Winding up of Trust

It should be noted that clause 18 – relating to winding up of the Trust effectively does not empower the Trustee to wind up the Trust at his discretion or even upon the advice of any other party. It is a clause which contemplates what is to happen when the Trust is wound up (that is the distribution of any funds or property then remaining in the Trust) rather than providing the Trustee with a discretion to move to wind up the Trust. Without being overly technical the High Court (in a case called *Bathurst City Council v PWC Properties Limited*) observed that the central feature of a charitable trust is continuity and indefiniteness of duration.

There may be good reasons for winding up a Trust such as this – to which clause 18 of the Trust Deed is directed at. Without being exhaustive these include where the charitable purpose for which the fund was established has already been fulfilled, where the fund left is insufficient for the purpose, the trust property is unsuitable for the purpose and various other technical reasons (often ordered by court).

5 Action Plan

There are a number of issues which would need to be addressed before replacing the existing trustee. The Public Trustee's office would need to undertake a due diligence of the Fund and its management to date and would need to resolve any issues arising from the matters outlined above. However due to time constraints these will not be finalised before the proposed appointment. As a result the Public Trustee's appointment as Trustee would of necessity be conditional upon these matters being completed before the appointment becomes unconditional. Should the Department wish to continue with the appointment of the Public Trustee as Trustee for the Balance the Earth Trust, further discussions on the finalisation of documentation and the due diligence review can proceed at the earliest opportunity.

I look forward to hearing from you in the near future.

Yours faithfully

sch4p3(3) Prejudice the protection

Steve Forster
Director Estate and Trust Management

RTI DL Release

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

QUEENSLAND GOVERNMENT

CTS 01192/13

25 JAN 2013

Level 13
400 George Street Brisbane 4000
GPO Box 2454 Brisbane
Queensland 4001 Australia
Telephone +61 7 3239 0844
Facsimile +61 7 3224 2496
Email environment@ministerial.qld.gov.au

The Honourable Tim Nicholls MP
Treasurer and Minster for Trade
GPO Box 611
BRISBANE QLD 4001

RTI DL Release

I write to you in relation to the divestment process of Ecofund Queensland Pty Ltd (Ecofund) and to gain approval to transfer the Balance the Earth Trust out of the company.

sch3(2)(1)(c) Cabinet matter - Budgetary process

sch3(7) Information subject to legal professional privilege

The sale contract is due to be executed on 15 February 2013 and for settlement to occur during the first week of March 2013. In order to expedite this process, I propose to write to you as soon as a final preferred bid is identified seeking your urgent approval for a sale contract to be executed. This is likely to be on or about 11 February

I would like to highlight that it is possible that the best bid could be less than the current equity value of the company. It is my view, and I understand that of your department, that this scenario should not preclude a sale proceeding. This is based on the clear intent of this government to divest itself of the company and have it operate in the private sector.

I also flag with you that should there be no viable bids arising from this process, it is intended to commence actions to wind up the company without delay, with a view to this process being completed by May. The Ecofund Chief Executive and Chair of the Board of Directors wrote to the shareholder on 17 January 2013 indicating that this action would be necessary to avoid the risk of the company becoming insolvent - unless there was a commitment to an additional equity injection. Neither of our departments support investing further in the company and hence the intent to wind it up in the unlikely event that a sale cannot be negotiated.

In relation to the Balance the Earth Trust, the Treasurer's *conditions of approval* for Ecofund state that "the Trustee may not amend the Trust Deed without prior approval of the shareholder and Treasurer". I seek your approval to make the appropriate changes to the Deed for the Trust to be retained as per the government's instructions.

I propose that the Trustee of the Balance the Earth Trust be transferred to the Public Trustee of Queensland. The Public Trustee of Queensland is a government organisation with the necessary skills, knowledge, resources and legislative power to effectively carry out the Objects of the Trust.

This trust was created by the previous government and its future role in relation to this government's policies has not as yet been established. This will in part depend on the results of reviews already committed to, including the review of environmental offset policies. Until the future role of the trust is clarified, it is intended that its activities be minimal.

There are time constraints in retracting the Trust prior to the SSA being provided to specific bidders by 29 January 2013 and your timely response would be greatly appreciated.

Should you have any further questions, please do not hesitate to contact my Chief of Staff, Mr Troy Collings on 3239 0801.

Yours sincerely

Mi ister for Environment and Heritage Protection

RTI DL Release

CTS No. 01238/13

Chief of Staff ..... OK
Dated / /
Approved Not Approved Noted
Further information required
Minister.....
Dated 29/01/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Communication package for release of draft regulations for marine mammal protection**

TIMEFRAME

- It is requested that this brief is noted as soon as possible, due to the announcement of proposals occurring Friday 25 January 2013.

RECOMMENDATION

It is recommended that the Minister:
note the communication package produced for the release of the draft marine mammal regulation.

BACKGROUND

- On Friday 25 January the Minister will announce the release of draft marine mammal regulations.

CURRENT ISSUES

- The announcement of the draft regulations will be coupled with a release a range of communication material to facilitate consultation on the draft material.
- A communication strategy has been prepared (Attachment 1) which summarises the key communications messages for the release and how those messages will be delivered.
- The strategy sets out the following actions:
  - A Media release is to be issued about the announcement (Attachment 2, but to be approved through media processes).
  - New website material on the Department of Environment and Heritage Protection website which includes text announcing the new round of consultation, inviting submissions and explaining the key elements of the proposal (Attachment 3, to be approved through web approval processes).
  - Documents to be placed on the department's website including a copy of the draft regulations, a guide to the regulations (Attachment 4) and a Questions and Answers document on the proposed changes and the consultation process (Attachment 5).
  - A letter to be sent from the Director responsible for marine mammals to key parties involved in whale watching, and marine mammal conservation. Letter provided as Attachment 6 and list of parties as Attachment 7 as provided in previous brief to the Minister CTS 18452/12 (Attachment 8).

RTI DL Release

Rec'd - ODG
24 JAN 2013

Author	Cleared by	Cleared by	Recommended:
Name: Andrew Mullens Position: Director KCU Tel No: 3330 6172 Date: 24 January 2013	Name: Geoff Clare Position: ED NCS Tel No: 3330 5390 Date: 24 January 2013	Name: Tamara O'Shea Position: A/DDG, CCS Tel No: 3330 6240 sch4p3(3) Date: 28.01.13	Name: Tony Roberts A/DG, DEHP Tel No: 3330 6298 Date: 24/1/13

RTI DL Release

ATTACHMENTS

- Attachment 1 - Communication strategy for release of draft marine mammal legislation
- Attachment 2 – Proposed media release, to receive approval via media processes
- Attachment 3 – Copy of text to be placed on EHP website
- Attachment 4 – The guide to the draft regulations on marine mammals to be placed on the EHP website
- Attachment 5 – the Questions and Answers document to be placed on the EHP website
- Attachment 6- Draft letter to send to key parties involved in whale watching and marine mammal conservation (as previously provided)
- Attachment 7 – list of key parties proposed to receive letter about announcement (as previously provided).
- Attachment 8 – CTS 18452/12

Author	Cleared by	Cleared by	Recommended:
Name: Andrew Mullens Position: Director KCU Tel No: 3330 6172 Date: 24 January 2013	Name: Geoff Clare Position: ED NCS Tel No: 3330 5390 Date: 24 January 2013	Name: Tamara O'Shea Position: A/DDG, CCS Tel No: 3330 6240 Date:	Name: Tony Roberts A/DG, DEHP Tel No: 3330 6298 Date:

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CTS No. 19248/12

Chief of Staff ..... OK
Dated 2 / 1 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 14/01/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **The Australian Sugar Milling Council (ASMC) position regarding mill by-products**

TIMEFRAME

- The current deferral of the regulated requirement for sugarcane growers in reef catchments to account for mill by-products when calculating nutrient rates ends on 31 December 2012.
- Advice to the ASMC outlining the department's position will be provided early in the New Year.

RECOMMENDATION

- **note** that the ASMC's October 2011 proposal (**Attachment 1**) outlining a staged phase-in of measures to improve the management of mill by-products and its nutrient content will not be delivered by the ASMC.
- **note** that the ASMC does not propose any alternative measures, and that a departmental response will be developed in January.

BACKGROUND

- Approximately 2.3 million wet tonnes of mill by-products (mill mud) and 200,000 wet tonnes of mill ash are produced annually in Queensland. These by-products contain approximately 8,500 tonnes of total nitrogen and 5,300 tonnes of total phosphorus.
- Mill mud is being applied at rates of up to 300 wet tonnes per hectare, meaning that nutrients may be applied above crop requirements, increasing the risk of nutrient loss to the reef.
- There is currently a Beneficial Use Agreement (BUA) in place allowing the use of mill mud in certain situations, including as a soil ameliorant and conditioner for agricultural land, which expires 31 March 2015.
- On 16 May 2012, Minister Powell met with Dominic Nolan, CEO of ASMC, to discuss a second deferral of the requirement under the Reef Regulations for cane growers in regulated catchments to account for nutrients in mill-mud when calculating nutrient application rates.
- On 8 June 2012, a letter from the Minister to Mr Nolan (**Attachment 2**) expressed support for a further extension of the deferral end date from 30 June 2012 until 31 December 2012, to allow ASMC additional time to refine their October 2011 proposal (**Attachment 1**). This proposal aimed, via a staged approach, to reduce the overall application rates of mill mud applied on farms and also phase-in the requirement for cane growers to account for mill mud in nutrient application rates.
- Few mills have acted to meet these requirements, but Mackay Sugar has done so successfully. Trucks delivering mill mud from Mackay Sugar mills have been converted to apply between 50 to 80 wet tonnes of mill mud per hectare. At application rates under 100 wet tonnes per hectare, growers comply with the regulated method, and are not required to make any deductions from their conventional forms of bag fertiliser

CURRENT ISSUES

- The 2012 cane crush has now finished, meaning mill mud will not be generated again until the start of the 2013 season in March/April in the Burdekin district and May/June 2013 in other districts. The cane industry will require advice regarding the requirement to account for mill mud in nutrient application rates prior to March 2013.
- On **16 November 2012**, Reef Water Quality (RWQ) staff met with Jim Crane (ASMC) to determine the status of the proposal put forward by ASMC in October 2011 (**Attachment 1**) and to discuss the proposed approach beyond the 31 December deferral end-date. Mr Crane advised that he believed it would be necessary to further defer the commencement of the proposal.

Rec'd - ODG
21 DEC 2012

Author	Cleared by	Cleared by	Recommended:
Name: Scott Robinson Position: Director, Reef Water Quality Tel No: 3330 5031 Date: 14 December 2012	Name: Peter Hutchison Position: Executive Director, Environment and Water Quality, Environmental Policy and Planning Tel No: 3330 5991 Date:	Name: Tony Roberts Position: Deputy Director General, Environmental Policy and Planning Tel No: 3330 599 sch4p3 Date: 17/12/12	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 24.12.12

RTI DL Release

- The department advised that before considering any further deferrals, information regarding the progress made by the industry to address the mill mud application issues would need to be provided.
- A follow up meeting was held on 4 December 2012 during which Mr Crane advised RWQ staff that ASMC no longer supports their earlier proposal for the following reasons:
  - ASMC has made little progress implementing the proposal, and
  - there was little grower confidence in the proposed fertiliser deduction rates, given the technical difficulties associated with accurately determining the nitrogen content of the mud.
- Mr Crane suggested that the matter was complicated by the belief by much of the cane community that the Reef Regulations were no longer in force, therefore removing a driver for change. He expressed concern that imposing additional requirements, and potentially cost, on the cane industry would see mill mud diverted from cane to other non-regulated crops such as bananas, achieving little gain, and potentially increasing the risk with respect to water quality impacts
- Mr Crane advised that the industry had no alternative proposal.
- No new approaches can be implemented by 31 December 2012, and enforcing the regulatory requirements may compromise the government's current commitment to pursue non-regulatory solutions for the cane industry.
- An agreed alternative needs to be arrived at by March 2013, and proposals will be developed early in January.
- New research is expected to provide additional information in January about the relative importance of phosphorus as a reef pollutant.

MINISTER'S COMMENTS

Keep me posted. If necessary I am happy to meet with ASMC and canegrowers.

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ATTACHMENTS

- Attachment 1 – ASMC mill by-product proposal from October 2011
- Attachment 2 – Letter from Minister Powell to Mr Dominic Nolan (ASMC)

Author	Cleared by	Cleared by	Recommended:
Name: Scott Robinson Position: Director, Reef Water Quality Tel No: 3330 5031 Date: 14 December 2012	Name: Peter Hutchison Position: Executive Director, Environment and Water Quality, Environmental Policy and Planning Tel No: 3330 5991 Date:	Name: Tony Roberts Position: Deputy Director General, Environmental Policy and Planning Tel No: 3330 5990 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

AUSTRALIAN Sugar Milling COUNCIL

11 October 2011

The Hon Vicky Darling MP
Minister for Environment
Queensland Government
GPO Box 2454
BRISBANE QLD 4001

Dear Minister

Thank you once again for the opportunity to meet with you last Thursday. We welcome your interest in our industry and were pleased to be able to provide you with a brief overview of current issues - both challenges and opportunities.

The sugar industry is one of Queensland's oldest, having started commercial operations in the 1860s. It is fair to say that sugar has been a cornerstone of many regional communities along coastal Queensland for a very long time and remains so today.

As we indicated at the meeting, the issue around treatment of milling by-products in the regulations is complex and a solution in the short term is not obvious. During the period of time that the deferral has been in place, there has been a significant effort by the milling companies to develop and trial alternative distribution approaches and uses.

This work will continue and it has a high priority; there is little point, however, moving to a changed approach in the use of these milling by-products that is not tested, proven and sustainable.

The key issues continue to be the consistency of the by-products, their variable nutrient content, the cost of transporting material to farms (more than 70% of the product is water) and the fact that a solution for one mill area might not be the best fit for others.

To provide some certainty, the Milling Council is proposing a phased approach to the requirement for growers to include the nutrient value of the milling by-products in the nutrient calculator required by the regulations.

Details of the proposal are set out on the attachment for your information. As agreed, we will initiate discussions regarding this with the reef policy unit of your department.

Once again thank you for your time and assistance with this challenging issue and I look forward to continuing to work with you across a range of areas in your department.

Yours sincerely

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Dominic V Nolan
Chief Executive Officer

RTI DL Release

ABN: 44 010 779 496 Australian Sugar Milling Council
IBM Building Level 3 / 348 Edward St Brisbane GPO Box 945 Brisbane Qld 4001 Australia
P +61 7 3231 5000 F +61 7 3229 2113 E asmc@asmc.com.au
www.asmc.com.au

Attachment

The proposal

Nutrient contained in applications of less than 100 tonnes per hectare is not required to be considered under the regulation. The phase in approach is proposed as follows:

2012 - The nutrient value of any additional mud applied over a rate of 200 tonnes per hectare to be included in the calculator

2013 - The nutrient value of any additional mud applied over a rate of 150 tonnes per hectare to be included in the calculator

2014 - As per the regulation, with the nutrient value of any additional mud applied over a rate of 100 tonnes per hectare to be included in the calculator

The amount of nutrient contained in any one load of mud is variable and there is no capacity to bring about any significant change to the variability in the short term. One approach to reasonably assessing the nutrient available in mill mud would be to use the "typical analysis" of mill mud referenced in the General Approval of a resource for Beneficial Use - Sugar mill by-products DERM Permit No. ENBU01236210 reproduced in the table below. This table was compiled based on analysis conducted on more than 200 samples of mill mud collected during the 2009 crushing season in three different cane growing regions.

Under the proposed phase-in, for 2012 if a grower had mud applied at a rate of 250 tonnes per hectare, there would be a requirement to include N at a rate of 70kg/ha and P at 72kg/ha in their calculation. If the rate was 225 tonnes per hectare, this would result in the inclusion of N at 35kg/ha and P at 36kg/ha. In 2013, if mud was applied at 250 tonnes per hectare, the inclusion would be N at 140kg/ha and P at 144kg/ha.

This approach would, in large part, overcome the immediate concern that growers have with regard to the amount of nutrient actually available in any load of mill mud; it also maintains a compelling reason, as well as an appropriate timeframe, for mills to progress their search for sustainable alternative methods of dealing with milling by-products without having their entire production at risk over the next two years.

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Typical analysis range of mill mud

			Indicative tonnes/hectare - mud mixture			
			25	50	75	100
Content	% as dry product	% as wet product	kg/ha			
N*	1.0 – 1.7	0.22 – 0.37	35	70	105	140
P	1.0 – 1.9	0.22 – 0.41	36	72	108	144
K	0.16 – 0.59	0.03 – 0.13	10	20	30	40
S	0.13 – 0.15	0.03	3.5	7	10.5	14
Ca	2.1 – 3.7	0.46 – 0.81	72	144	216	288
Mg	0.39 – 0.68	0.09 – 0.15	13	26	39	52

Hon Andrew Powell MP
Member for Glass House
Ref CTS 06190/12

Queensland Government

Minister for Environment and Heritage Protection

8 JUN 2012

Mr Dominic Nolan
Chief Executive Officer
Australian Sugar Milling Council
GPO Box 945
BRISBANE QLD 4001

RECEIVED
13 JUN 2012
BY: .....

Dear Mr Nolan

Thank you for meeting with me on 16 May 2012 to discuss industry and regulatory issues, including the reef protection program. I appreciate your commitment to achieving good production and environmental outcomes to protect the health of the Great Barrier Reef.

I confirm my support for extending the deferral of the commencement of the regulatory requirement for cane growers in regulated catchments to account for mill-mud nutrients to 31 December 2012. I am advised that the Director-General of the Department of Environment and Heritage Protection is making the necessary adjustment to the statutory arrangements. This will give certainty for the forthcoming crush and allow time to better address the mill-mud issues you raised, such as developing localised solutions to best address the runoff risks associated with mill-mud application. It will also allow more time to refine your proposal for a staged phase-in of the requirement to account for mill-mud nutrients, which I support in principle.

As I mentioned, the government will consult industry and support transition to a co-regulatory best management practice (BMP) scheme for all Queensland sugar growing areas, with the reef modules fitting within a whole of supply chain, industry-led BMP scheme. As you observed, such models work better with legislative backing and a clear understanding of the respective roles and responsibilities of industry and government.

While the BMP scheme is developed, the regulations will remain in place, will be administered in accord with the government's preferred policy approach and will be adjusted as the BMP scheme comes into effect. This will ensure a smooth transition for industry without causing concern about heavy-handed enforcement or about risks to Reef water quality. I encourage industry to take the initiative in developing the sugarcane BMP scheme in cooperation with my department and other stakeholders so that the reef modules can be delivered expeditiously.

I look forward to working with you to deliver the Premier's commitments that Queensland would have the world's most environmentally responsible sugar industry and that the Great Barrier Reef would be properly protected. Should you have further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

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Queensland 4001 Australia
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Email environment@ministerial.qld.gov.au

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CTS No. 00823/13

Chief of Staff ... OK
Dated 21/1/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 21/01/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Departmental response to Australian Sugar Milling Council's (ASMC) position on management of mill by-products (e.g. mill mud).**

TIMEFRAME

- The department's response to the milling industry is required by 31 January 2013 as the deferral of regulatory requirements for mill mud use ended on 31 December 2012.

RECOMMENDATION

It is recommended that the Minister:

- **discuss** with ASMC the industry's need to commit to, and implement actions to improve management of mill by-products
- **approve** the proposed approach, including developing new conditions under the Beneficial Use Approval, to ensure action is taken to improve mill mud management
- **note** the need for the Director-General to extend, for an additional 12 months until 31 December 2013, the deferral of the regulatory requirement for cane growers to account for mill mud.

BACKGROUND

- The requirement for cane growers in regulated catchments to account for mill mud nutrients when calculating nutrient application rates was deferred until 31 December 2012. Growers, government and industry staff require advice on regulatory requirements as soon as possible.
- CTS 19248/12 (**Attachment 1**) described preliminary advice from ASMC that industry no longer supported its earlier proposal to meet regulatory requirements via a staged approach.
- Another deferral will be required as the milling industry is yet to put in place the necessary infrastructure to support growers to meet requirements. If regulatory requirements are not deferred, a government-led campaign to encourage adoption of the full nutrient calculation method would be needed. This is not in line with the government's commitment to non-regulatory solutions.
- The department has granted a Beneficial Use Approval (BUA) under the *Waste Reduction and Recycling Act 2011*, which allows the use of mill mud as a soil ameliorant and conditioner until 31 March 2015. The BUA is subject to producers (mills) and receivers (growers) complying with certain conditions, including record keeping, mill mud management plan (mills only) and transport and storage systems that prevent loss to the environment.
- A BUA can be: a) amended or b) cancelled if BUA conditions are not complied with or mill mud use or disposal causes environmental harm. The department, with appropriate industry stakeholder consultation, can introduce additional conditions for the BUA through amendment, cancellation, or after expiration of the current BUA.
- Continued inaction by industry to deliver a system that supports appropriate mill mud application and minimises loss of nutrients to the reef will impact on progress towards Reef Plan water quality targets and hinder individual growers' efforts to demonstrate best management practice.

CURRENT ISSUES

- The milling industry's failure to implement an alternative mill mud strategy conflicts with previous agreements to defer regulatory requirements and challenges the cane industry's commitment to implement an industry-led Best Management Program that provides a credible alternative to government regulation.
- Given the unofficial nature of the ASMC advice (refer to CTS19248/12, **Attachment 1**), it is proposed that the Minister invites Mr Dominic Nolan, CEO of ASMC, to discuss ASMC's position.
- Once the ASMC position is confirmed, it is proposed that regulatory requirements be deferred for an additional 12 months, with the following conditions:

Rec'd - ODG
17 JAN 2013

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Jean Erbacher Position: Project Manager, Reef Water Quality Tel No: 3330 5031 Date: 15 January 2013	Name: Peter Hutchison Position: Executive Director, Environment and Water Quality, Environmental Policy & Planning Tel No: 3330 5991 Date: 17 January 2013	Name: Elisa Nichols Position: A/Deputy Director General, Environmental Policy and Planning Tel No: 3330 5990 Date: 17.1.13 Endorsed	Name: Tony Roberts A/DG, EHP Tel No: 3330 6298 Date: 17/1/13

1. From March 2014 the department will, in consultation with industry, review the BUA before its expiry in April 2015 to consider if the BUA should continue and what additional conditions should apply. Potential new conditions, which would be developed further with technical experts, would only apply when mill mud is applied at more than 100 tonnes per hectare, and be in addition to those in the existing BUA, are likely to include:
   - restrictions on mill mud application in areas where soil phosphorus levels pose a risk to reef water quality
   - requirement for mill mud users to account for nutrients in mill mud when calculating nutrient rates
2. Expectation that industry will commit to a plan of action by June 2013 and provide a report on progress to the department by March 2014.

- ASMC is likely to express concern regarding the:
  - cost-burden and technical difficulties in adopting the proposal
    Response: Mackay Sugar has successfully implemented a mill mud management system at three mills that complies with the regulatory requirements and meets the above conditions.
  - inclusion of proposed conditions within the BUA will also place requirements on non-regulated catchments and industries
    Response: This proposal ensures an equitable and long-term response across the state and industries to minimise the risk of environmental harm.
  - difficulty in accurately determining nitrogen content of mill mud
    Response: The proposed approach does not require the determination of the nitrogen or phosphorus content of mill mud. If mill mud is applied below 100 tonnes per hectare, growers will not be required to account for the nutrients in mill mud when calculating nutrient application rates. A reduction in the volume applied per hectare, and a restriction on application on land already saturated with phosphorus, will allow the resource to be spread over more cane land, resulting in more nutrients being taken up by the crop and less lost to the environment.
  - lack of evidence about the impact of phosphorus on reef water quality.
    Response: Updated Reef Plan science on the impacts of phosphorus and nitrogen will be released in early 2013 and taken into consideration when developing the new BUA conditions. The new conditions will also need to account for management of impacts on freshwater systems where excess phosphorus is a known problem.
- This proposal will encourage action by industry within the next 12 months but also provides a way forward for government if there is no, or token, industry progress. Lack of industry progress by June 2013 may:
  - require the department to assess industry's performance against the current BUA and expedite the introduction of new BUA conditions before April 2015
  - hinder industry and Queensland Government efforts to seek Australian Government support (via Reef Rescue) to improve mill mud management in priority areas, e.g. through new equipment or extension activities.

CONSIDERATIONS

- *Budget*: development of a new BUA could be supported by realignment of 2013-14 RWQ funds. Development of procedures relating to phosphorus restrictions could be developed within existing Reef Water Quality and Department of Science, Information Technology, Innovation and Arts arrangements.
- *Consultation:*
  - WWF will likely be concerned about lack of action to date, the associated ability to meet reef water quality targets, and impacts on the reef from continued deferral or regulatory requirements.
  - Growers with high levels of phosphorus in their soils may be concerned about restricted mill mud access, whilst other growers will benefit from being able to access mill mud for the first time.

MINISTER'S COMMENTS

Liaise with Office Mgr to arrange meeting.

ATTACHMENTS

- Attachment 1 – CTS19248/12_Min BN_ASMC position regarding mill by-products

Author	Cleared by	Cleared by	Recommended:
Name: Jean Erbacher Position: Project Manager, Reef Water Quality Tel No: 3330 5031 Date: 15 January 2013	Name: Peter Hutchison Position: Executive Director, Environment and Water Quality, Environmental Policy & Planning Tel No: 3330 5991 Date: 17 January 2013	Name: Elisa Nichols Position: A/Deputy Director General, Environmental Policy and Planning Tel No: 3330 5990 Date:	Name: Tony Roberts A/DG, EHP Tel No: 3330 6298 Date:

File Ref: (Remove if N/A)

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MILESTONE REPORT

TO CREATE A MUD BLENDING AND APPLICATION PROCESS THAT WILL ENABLE GROWERS TO SIGNIFICANTLY REDUCE THE QUANTITIES OF MILL MUD BEING APPLIED TO CANE LAND

Release

Milestone Achievements for Project

TO CREATE A MUD BLENDING AND APPLICATION PROCESS THAT WILL ENABLE GROWERS TO SIGNIFICANTLY REDUCE THE QUANTITIES OF MILL MUD BEING APPLIED TO CANE LAND.

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1. The Development and Installation of Mud Applicators

1.1. Background

Filter mud and mud/ash mixtures are valuable sources of nutrients for agriculture in sugar districts. Mill mud has traditionally been spread on the field using single axle dump trucks with a nominal 12 tonne haulage capacity. These trucks spread the mud on the field by raising the tipper on the truck and using a paddle in the truck tail gate to distribute the mud in an ad-hoc manner. The trucks are driven over the field at 2.4m swaths applying mud to the field at a nominal rate of 150 tonnes of wet mud per hectare (t/ha), but infield measurements show large variability in application rates of between 0 to 300t/ha.

Photo 1 - is an example of the distribution into the paddock when mud is applied via the methods and rates as described above. Examples of the inconsistency in mud application and the exposure of mud to possible run off is quite evident in this photo. It must be noted that in the vast majority of cases, mill mud is worked into the soil by the grower soon after delivery thus reducing any exposure to run off.

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Photo 1

The inconsistency shown in photo 1 is mostly as a consequence of the design of the mud spreader used in this type of application and the need for the truck driver to drive in a consistent manner.

This project sought to address these and other issues of spreading mill mud via the following means.

- Improve the use of mill mud by developing truck spreaders to enable mill mud to be spread evenly over the field at a rate of 50t/ha which will be a reduction of 66% on current practices. Develop truck based spreaders which apply the mud product in a banded application over a swath that suits three rows of cane.
- Allow the use of these trucks in a controlled traffic farming systems where row spacing is typically between 1.7 and 2 metres. The spreaders will also be suitable for row spacings narrower than 1.7 metres.

1.2. Spreader Design and Development

Consolidated Plastics and Epoxy QLD Pty Ltd were engaged to design and fabricate the applicators to be fitted onto the back of the existing mud truck fleet. The brief details of the design included the following:

- The ability to spread across three rows;
- The ability to control the rate at differing row spacings;
- Control of the rate to a minimum of 50 tonnes of wet mud per hectare;
- Must not add excessive weight to the back of the truck; and
- Applicators must be able to be fitted onto existing truck bodies and use the existing truck hydraulic components with minimum truck modifications.

Following lengthy design deliberations the prototype design was agreed, which included the following components.

- An auger fitted to the existing mud paddle shaft to distribute mud from within the truck body to openings on the side of the spreader and in the middle of the spreader;
- Slide chute openings that would only be opened when distribution is required;
- Incorporate three (3) rotating vane distributors below each opening that would disperse the mud to the correct locations; and
- An hydraulic oil flow controller to enable the operators to match the speed of the auger and vane distributors to best suit the row spacing and mud quality.

Photo 2 - is of a truck with tail gate open exposing the distribution auger. The slide opening is also highlighted.

Photo 3 - highlights the rotating vane distributor with the tail gate closed for distribution.

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Photo 2 – distribution auger and slide opening with tail gate open

Photo 3 – rotating vane distributor with the tail gate in the distribution position

Distribution of mud using the banded applicators commenced on 8 June 2010, with one truck in operation.

Extensive tests were conducted on application rates, application consistency and row width suitability and minor modifications to the applicator were conducted to improve the distribution system.

Upon validation, installation commenced on the second truck and this truck commenced operation on 18 June and the third truck on 28 June.

Photo 4 - is of the banded applicator in operation.

Photo 5 - highlights the layout of mud into the centre of the cane row after application has been completed.

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Photo 4 – applicator in operation

Photo 5 – at completion of the banded application

This method of application has greatly reduced the risk of mud run-off due to:

1) Mud has been placed in the centre of the row which is elevated;
2) No mud is distributed onto the wheel tracks where the ground is more likely to have been compacted and is therefore more prone to water run off; and
3) Mud is incorporated into the soil soon after application when planting occurs.

Further adding to the effectiveness of this method of application is the fact that mud is spread at an application rate of 50t/ha as compared to 150t/ha using the traditional broadcast methods. A reduction of 66% in application rate also equates to a reduction of 66% of nutrient quantities being applied through mill mud on a per hectare basis.

Grower acceptance of the banded application method of mud distribution is high with now more than 35% of growers in the Mackay Sugar area requesting this method of application. Mackay Sugar has decided to implement banded application across all farms as at the start of the 2011 season.

2. Improvements to Mud Quality

As confirmed by BSES laboratory analysis of mud, mud/ash blends and ash product samples randomly taken from our three mills in 2009, MSL produces homogeneous mud and ash product with fairly uniform nutrient (NPK) levels (see **Appendix 1** for results).

Whilst this testing confirmed nutrient levels available to the plant to be satisfactory at the reduced application rates, inconsistency in product quality and rates of delivery were of concern. The quality concerns centered on inconsistent moisture levels in the mud and mud/ash products. It had been determined that inconsistent moisture levels would inhibit the ability for the applicator to provide products at an acceptable flow rate.

Investigations were conducted at all three Mackay Sugar factories to determine the requirements needed to address improved control around filter stages with the target of improving the consistency of mud and mud/ash being delivered to the mud storage bins under varying output loads.

The scope of work included the installation of equipment to measure the individual water spray flow on each filter, total return filtrate flows, re-circulated filtrate flow, final export mud weight (tonnes per hour), mud bin level and final mud conveyor water addition flow.

Mackay Sugar allocated sch4p4(7)(1)(c towards the implementation of the necessary works and these works were completed prior to the start of the 2010 season.

3. Tracking and Analysis Software

AgDat is a spatial data recording and reporting system that can accept data from a variety of sources. These sources include a desktop application used by mill and productivity services staff, a web based application used by growers, AgDat remote recording devices, harvester GPS tracking devices and mud truck GPS tracking units.

An AgDat 'data recording event' consists of two components:

(1) The data about what happened (what was applied, how much was applied, when it was applied); and

(2) A spatial representation of the land that the event relates to (viz. where the mud was placed).

The AgDat Interpolator application was developed based on techniques that had been used to interpret harvested areas from GPS tracking of harvesters. Some modifications were needed for mud orders as harvested areas typically deal with interpreting the area cut by only one vehicle at a time. Single mud and ash orders may be filled by a number of different trucks.

A summary of the steps used in the processing the data is as follows:

1. Locations and sensor status for all trucks is sent to AgDat Interpolator in near real time.
2. When mud is delivered to a farm, an event request is sent to AgDat Interpolator to create a nutrient application event with the relevant data derived from the data for a particular farm.
3. AgDat Interpolator calculates the area that is affected from the GPS locations that were generated when the mud truck was in an unload state for all vehicles that visited that farm during the specified period. The process involves creating areas for each unload for each truck, combining those areas into a single area for all unloads, and 'cleaning' that area representing the area that mud was spread.

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4. The spatial area over which the mud order was spread and the data about the order are then passed to AgDat as a data recording event, and inserted into the AgDat database as a nutrient application.

Figure 1 - depicts the raw positional reports, tracks and area of mud applied as generated from AgDat Interpolator.

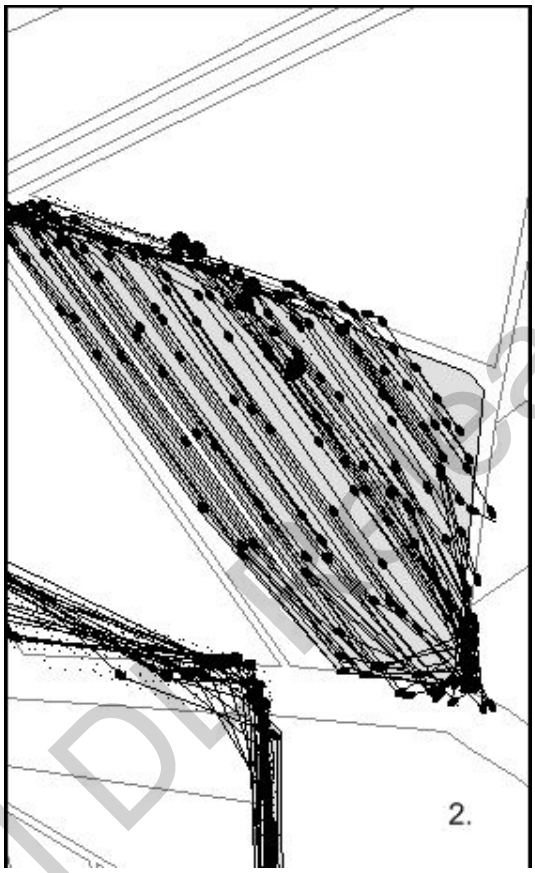

Figure 1 - positional data, tracks and area of mud applied as generated from AgDat Interpolator

RTI Database

The data generated from the Interpolator is passed into the AgDat database and the data generated from the ordering process are used to create the data recording event and are available for the relevant users on either the web or desktop applications **(Figure 2)**.

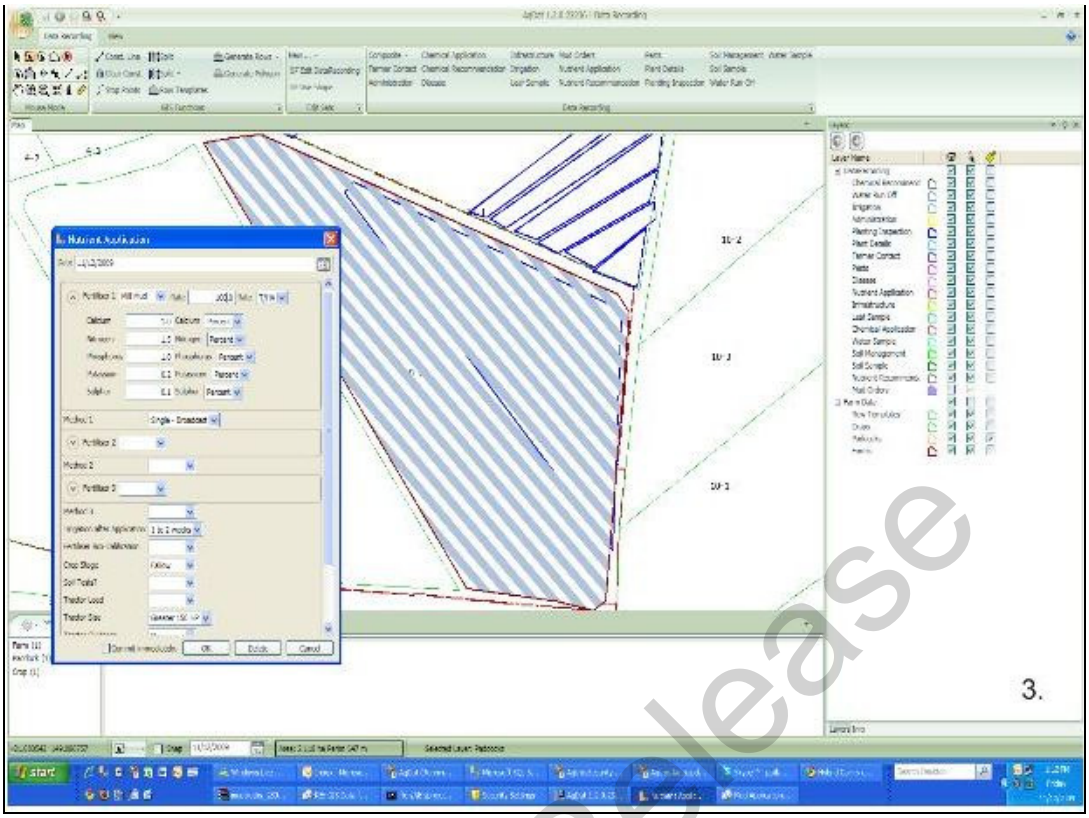

Figure 2 - AgDat data

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4. Service and Maintenance

Agtrix has been a long term supplier of GIS software to the sugar industry in Australia with an on-going commitment to provide maintenance and support for their software packages. This is achieved through a licensing fee when installing the Agdat software components. The licensing fee entitles the user to support as well as provision to upgrades and product improvement.

Mackay Sugar has given a commitment to provide mill mud and mud/ash products to its growers via the 3 row banded application method developed as part of this project. Given the storage restrictions imposed on mill mud, the delivery of mud and mud/ash products away from the sugar mill has to be maintained at a rate that does not allow the cessation of the processing activities within the sugar mill.

To achieve this goal it is essential that the equipment used on the back of truck applicator is well maintained and is operational during the delivery periods. Mackay Sugar and its haulage contractors will provide maintenance and service to the applicators to ensure minimum downtime in their operations.

Appendix 1

MARIAN MUD / ASH

ANALYSIS REQUIRED:	Moisture, N, C, Ca, Mg, P, K, S, Cu, Zn, Fe, Mn, Na.

SAMPLE IDENTIFICATION	LAB No	Moisture %	N %dm	C %dm	Ca %dm	Mg %dm	P %dm	K %dm	S %dm	Na %dm
Marian Mill 5am sample	2070	74.57	1.00	25.6	2.085	0.570	1.010	0.576	0.139	0.081
Marian Mill 9am sample	2071	77.54	1.33	31.7	2.155	0.485	1.060	0.469	0.149	0.055
Marian Mill 1pm sample	2072	78.38	1.34	30.8	2.115	0.502	1.045	0.462	0.143	0.057
Marian Mill 4pm sample	2073	77.53	1.16	29.8	2.395	0.605	1.220	0.598	0.152	0.074
Marian Mill 7pm sample	2074	74.18	1.06	26.5	2.145	0.538	1.034	0.575	0.140	0.080
Marian Mill Daily Composite Mud, 9/9/09	2413	58.46	1.093	30.0	1.993	0.456	0.948	0.453	0.123	0.051
Marian Mill Daily Composite Mud, 10/9/09	2414	55.23	1.362	33.5	2.339	0.498	1.101	0.384	0.130	0.035
Marian Mill Daily Composite Mud, 11/9/09	2415	62.49	1.238	32.4	2.221	0.501	1.046	0.416	0.134	0.044
Marian Mill Daily Composite Mud, 12/9/09	2416	55.66	0.957	26.7	1.694	0.485	0.810	0.633	0.116	0.079
Marian Mill Daily Composite Mud, 13/9/09	2417	51.08	1.075	28.7	1.851	0.471	0.904	0.498	0.116	0.069
Marian Mill Daily Composite Mud, 14/9/09	2418	49.81	0.988	27.5	1.783	0.534	0.806	0.688	0.144	0.104
Marian Mill Daily Composite Mud, 15/9/09	2419	59.45	1.190	28.1	2.208	0.512	1.053	0.471	0.135	0.085
Marian Mill Weekly Composite Mud 22/9/09	09/2502	79.11	1.128	29.5	2.505	0.621	1.250	0.523	0.170	0.108
Marian Mill Weekly Composite Mud 26/9/09	2503	75.52	0.840	23.0	2.062	0.577	0.915	0.661	0.158	0.093
Marian Mill Weekly Composite Mud 3/10/09	2504	77.64	1.120	28.9	2.499	0.570	1.178	0.553	0.164	0.083
Marian Mill Weekly Composite Mud 10/10/09	2505	76.95	1.005	28.9	2.373	0.589	1.046	0.612	0.171	0.096
Marian Mill Weekly Composite Mud 17/10/09	2506	75.79	0.880	26.4	2.313	0.600	1.079	0.662	0.165	0.097
Marian Mill Weekly Composite Mud 24/10/09	2507	82.09	1.498	36.5	3.181	0.570	1.444	0.283	0.150	0.031

SAMPLE IDENTIFICATION	LAB No	Cu mg/kg dm	Zn mg/kg dm	Fe mg/kg dm	Mn mg/kg dm
Marian Mill 5am sample	2070	28.6	91.5	9450	1240
Marian Mill 9am sample	2071	28.7	104.5	7100	1380
Marian Mill 1pm sample	2072	28.2	96.5	6500	1120
Marian Mill 4pm sample	2073	29.5	94.5	9450	1100
Marian Mill 7pm sample	2074	28.0	90.5	7800	1130
Marian Mill Daily Composite Mud, 9/9/09	2413	26.4	82.0	6000	922
Marian Mill Daily Composite Mud, 10/9/09	2414	31.5	94.3	6970	958
Marian Mill Daily Composite Mud, 11/9/09	2415	31.0	94.6	6440	1089
Marian Mill Daily Composite Mud, 12/9/09	2416	27.0	77.0	8430	894
Marian Mill Daily Composite Mud, 13/9/09	2417	29.6	83.1	7618	925
Marian Mill Daily Composite Mud, 14/9/09	2418	31.1	83.2	8427	1033
Marian Mill Daily Composite Mud, 15/9/09	2419	30.0	85.0	7392	1035
Marian Mill Weekly Composite Mud 22/9/09	2502	28.8	93.8	7230	985
Marian Mill Weekly Composite Mud 26/9/09	2503	29.7	85.7	8194	991
Marian Mill Weekly Composite Mud 3/10/09	2504	30.6	100.7	7740	1035
Marian Mill Weekly Composite Mud 10/10/09	2505	28.9	94.8	7450	1027
Marian Mill Weekly Composite Mud 17/10/09	2506	31.1	100.1	8958	1064
Marian Mill Weekly Composite Mud 24/10/09	2507	30.1	110.9	6118	1026

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FARLEIGH MUD

SAMPLE IDENTIFICATION	LAB No	Moisture %	N %dm	C %dm	Ca %dm	Mg %dm	P %dm	K %dm	S %dm	Na %dm
Farleigh Mill 5am sample	09/2060	79.59	1.69	37.4	3.120	0.395	1.550	0.306	0.145	0.023
Farleigh Mill 9am sample	2061	79.96	1.70	37.5	3.580	0.445	1.755	0.294	0.150	0.020
Farleigh Mill 1pm sample	2062	78.12	1.55	35.6	2.910	0.515	1.535	0.354	0.142	0.022
Farleigh Mill 4pm sample	2063	76.88	1.43	35.2	2.840	0.458	1.635	0.381	0.134	0.028
Farleigh Mill 7pm sample	2064	79.42	1.71	37.3	3.420	0.410	1.885	0.218	0.138	0.019
Farleigh Mill Daily Composite Mud, 9/9/09	2459	80.16	1.632	36.1	2.560	0.305	1.501	0.222	0.146	0.020
Farleigh Mill Daily Composite Mud, 10/9/09	2460	80.42	1.635	37.0	2.575	0.394	1.464	0.259	0.154	0.016
Farleigh Mill Daily Composite Mud, 11/9/09	2461	83.94	1.527	37.3	2.612	0.461	1.542	0.200	0.135	0.016
Farleigh Mill Daily Composite Mud, 12/9/09	2462	81.15	1.530	36.0	2.924	0.442	1.564	0.237	0.139	0.014
Farleigh Mill Daily Composite Mud, 13/9/09	2463	79.84	1.627	36.8	2.836	0.428	1.719	0.251	0.145	0.011
Farleigh Mill Daily Composite Mud, 14/9/09	2464	80.49	1.584	36.2	2.717	0.447	1.762	0.179	0.140	0.013
Farleigh Mill Daily Composite Mud, 15/9/09	2465	80.35	1.748	35.5	3.103	0.514	1.977	0.223	0.150	0.017
Farleigh Mill Composite Mud 16/9/09-22/9/09	2498	81.18	1.669	37.0	2.739	0.396	1.691	0.208	0.139	0.017
Farleigh Mill Composite Mud 23/9/09-29/9/09	2499	79.68	1.653	36.6	2.855	0.424	1.669	0.226	0.139	0.023
Farleigh Mill Composite Mud 30/9/09-6/10/09	2500	80.73	1.577	37.2	2.682	0.386	1.601	0.227	0.133	0.022
Farleigh Mill Weekly Composite Mud, 7/10-13/10	2412	61.80	1.648	36.8	2.798	0.400	1.705	0.244	0.138	0.014
Farleigh Mill Composite Mud 14/10/09-20/10/09	2501	80.43	1.550	34.3	2.809	0.400	1.592	0.253	0.135	0.026

SAMPLE IDENTIFICATION	LAB No	Cu mg/kg dm	Zn mg/kg dm	Fe mg/kg dm	Mn mg/kg dm
Farleigh Mill 5am sample	09/2060	27.2	112.0	5250	1450
Farleigh Mill 9am sample	2061	28.5	113.0	5300	1430
Farleigh Mill 1pm sample	2062	28.2	100.0	7900	1350
Farleigh Mill 4pm sample	2063	22.5	109.5	7600	1090
Farleigh Mill 7pm sample	2064	27.8	119.0	6100	1360
Farleigh Mill Daily Composite Mud, 9/9/09	2459	29.4	120.3	8260	1715
Farleigh Mill Daily Composite Mud, 10/9/09	2460	42.8	129.2	6996	1198
Farleigh Mill Daily Composite Mud, 11/9/09	2461	23.2	108.1	7545	1466
Farleigh Mill Daily Composite Mud, 12/9/09	2462	23.1	112.6	6515	1327
Farleigh Mill Daily Composite Mud, 13/9/09	2463	20.7	115.4	5688	1207
Farleigh Mill Daily Composite Mud, 14/9/09	2464	22.6	136.0	6713	1525
Farleigh Mill Daily Composite Mud, 15/9/09	2465	31.3	126.5	7710	1463
Farleigh Mill Composite Mud 16/9/09-22/9/09	2498	27.4	128.9	7356	1570
Farleigh Mill Composite Mud 23/9/09-29/9/09	2499	27.5	134.6	6877	1457
Farleigh Mill Composite Mud 30/9/09-6/10/09	2500	24.0	125.4	5780	1444
Farleigh Mill Weekly Composite Mud, 7/10-13/10	2412	25.5	145.0	8905	1816
Farleigh Mill Composite Mud 14/10/09-20/10/09	2501	28.5	123.4	8035	1384

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RACECOURSE MUD

SAMPLE IDENTIFICATION	LAB No	Moisture %	N %dm	C %dm	Ca %dm	Mg %dm	P %dm	K %dm	S %dm	Na %dm
Racecourse Mill 4.55am sample	2065	80.90	1.53	32.6	3.532	0.637	1.635	0.163	0.138	0.021
Racecourse Mill 8.50am sample	2066	80.15	1.44	32.5	3.350	0.633	1.550	0.185	0.130	0.020
Racecourse Mill 1.30pm sample	2067	78.49	1.43	32.3	3.660	0.685	1.660	0.195	0.138	0.022
Racecourse Mill 5.15pm sample	2068	79.36	1.64	33.2	3.570	0.625	1.618	0.188	0.149	0.018
Racecourse Mill 7pm sample	2069	79.79	1.68	32.6	3.485	0.584	1.652	0.164	0.149	0.015
Racecourse Mill Daily Mud, 9/9/09	2472	80.25	1.543	34.2	2.971	0.531	1.617	0.225	0.148	0.020
Racecourse Mill Daily Mud, 10/9/09	09/2473	78.25	1.563	34.0	3.265	0.625	1.652	0.216	0.161	0.020
Racecourse Mill Daily Mud, 11/9/09	2474	80.06	1.564	34.7	2.907	0.587	1.502	0.214	0.151	0.029
Racecourse Mill Daily Mud, 12/9/09	2475	77.64	1.495	32.0	3.817	0.605	1.793	0.226	0.154	0.018
Racecourse Mill Daily Mud, 13/9/09	2476	76.38	1.374	30.7	2.862	0.525	1.462	0.256	0.143	0.026
Racecourse Mill Daily Mud, 14/9/09	2477	79.01	1.532	34.5	3.168	0.555	1.602	0.257	0.153	0.023
Racecourse Mill Daily Mud, 15/9/09	2478	79.29	1.608	32.6	3.284	0.584	1.544	0.159	0.146	0.016
Racecourse Mill Composite Mud 16/9/09-22/9/09	2489	79.23	1.482	34.0	2.813	0.520	1.301	0.194	0.133	0.021
Racecourse Mill Composite Mud 23/9/09-29/9/09	2490	80.97	1.519	34.6	3.258	0.601	1.553	0.192	0.134	0.017
Racecourse Mill Composite Mud 30/9/09-6/10/09	2491	79.14	1.389	34.2	2.952	0.523	1.399	0.219	0.136	0.021
Racecourse Mill Composite Mud 7/10/09-13/10/09	2492	79.05	1.355	33.2	3.156	0.543	1.463	0.225	0.129	0.022
Racecourse Mill Composite Mud 14/10/09-20/10/09	2493	79.42	1.390	34.5	3.247	0.578	1.575	0.197	0.130	0.023

SAMPLE IDENTIFICATION	LAB No	Cu mg/kg dm	Zn mg/kg dm	Fe mg/kg dm	Mn mg/kg dm
Racecourse Mill 4.55am sample	2065	27.8	88.5	5750	1220
Racecourse Mill 8.50am sample	2066	28.0	96.5	6600	1250
Racecourse Mill 1.30pm sample	2067	29.0	108.5	7000	1350
Racecourse Mill 5.15pm sample	2068	35.5	98.5	6500	1460
Racecourse Mill 7pm sample	2069	38.2	98.1	6040	1510
Racecourse Mill Daily Mud, 9/9/09	2472	30.2	103.5	6454	1272
Racecourse Mill Daily Mud, 10/9/09	2473	33.6	109.7	6857	1268
Racecourse Mill Daily Mud, 11/9/09	2474	31.6	106.9	7232	1197
Racecourse Mill Daily Mud, 12/9/09	2475	28.7	135.7	6935	1156
Racecourse Mill Daily Mud, 13/9/09	2476	24.5	102.6	6147	1236
Racecourse Mill Daily Mud, 14/9/09	2477	27.0	96.7	5664	1345
Racecourse Mill Daily Mud, 15/9/09	2478	29.3	97.2	5710	1320
Racecourse Mill Composite Mud 16/9/09-22/9/09	2489	26.7	106.6	6230	1299
Racecourse Mill Composite Mud 23/9/09-29/9/09	2490	29.2	106.7	5780	1322
Racecourse Mill Composite Mud 30/9/09-6/10/09	2491	30.7	102.6	5960	1300
Racecourse Mill Composite Mud 7/10/09-13/10/09	2492	27.6	100.2	5850	1311
Racecourse Mill Composite Mud 14/10/09-20/10/09	2493	29.3	104.6	5980	1307

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sch4p3(3) Prejudice the pro

CTS No. 17197/12

Chief of Sta[illegible]K
Dated 22/1/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 22/01/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: ***Code of Practice—Care of sick, injured or orphaned protected animals in Queensland***

RECOMMENDATION

It is recommended that the Minister:

- **note** the reviewed and updated *Code of Practice—Care of sick, injured or orphaned protected animals in Queensland* (Attachment 1) prepared under the *Nature Conservation Act 1992* has been endorsed by the A/Deputy Director-General, Conservation and Sustainability Services (CSS) (CTS No. 17199/12 – Attachment 6), and a reference to the *Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection* has been added as requested by the Director-General;
- **approve** the making of the code by gazettal notice (Attachment 2) by the A/Deputy Director-General, CSS under section 174A of the *Nature Conservation Act 1992*, with the code taking effect upon gazettal; and — further info req'd. See over.
- **approve** the media statement to be released upon gazettal of the code (Attachment 5). — ok but release deferred till further info provided.

BACKGROUND

- The previous *Code of Practice—Care of orphaned, sick or injured protected animals by wildlife care volunteers* was identified as needing review by the Department of Environment and Heritage Protection's Wildlife Management staff, as well as Queensland's peak wildlife care representative body – the Queensland Wildlife Rehabilitation Council (QWRC) – on the grounds that it was no longer consistent with current best practice in wildlife rehabilitation and lacked clarity.
- Following review, a new *Code of Practice—Care of sick, injured or orphaned protected animals in Queensland* (the code) has been prepared, aimed at providing better guidance to licensed wildlife carers and leading to improved welfare and conservation outcomes for sick, injured and orphaned protected animals through the clear articulation of best practice standards and guidelines.

CURRENT ISSUES

- The new code contains updated mandatory standards and best practice guidelines, including minimum standards for enclosure sizes, to promote best practice wildlife care.
- The new enclosure size standards have been endorsed by QWRC as being necessary to achieve adequate rehabilitation outcomes.
- To allow wildlife rehabilitators sufficient time to comply with the new standards, the new enclosure sizes will be phased in over a 24-month transition period, allowing individuals to upgrade existing facilities if necessary.
- A Preliminary Impact Assessment (PIA) and Regulatory Principles Checklist (RPC) for the new code were prepared by the department for consideration by Queensland Treasury and Trade, which advised that a Regulatory Assessment Statement (RAS) was not required, as there would be no significant impacts to the community, business or government associated with the new code.
- Once gazetted, the code will be made publicly available in departmental offices, as required under section 174A of the *Nature Conservation Act 1992*, and published on the department's website for ease of access.
- A communication plan (Attachment 3) has been prepared, outlining how the new code will be communicated to stakeholders, including via public notice (Attachment 4) and proposed media

Rec'd - ODG
21 JAN 2013

Author	Cleared by	Cleared by	Recommended:
Name: Deb Hotchkis Position: A/Senior Conservation Officer Tel No: 3330 5249 Date: 18 December 2012	Name: Ilze Brieze Position: Manager, Wildlife Strategy Tel No: 3330 5259 Date: 10 January 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 18 January 2012	Name: Tony Roberts A/Director-General, EHP Tel No: 3330 6298 Date: 31/1/13
	Name: Andrew Mullens Position: A/ Director, Koala Conservation Tel No: 3330 6172 Date: 18 January 2013	Cleared by Name: Tamara OShea Position: A/DDG, CSS Tel No: 3330 6240 Date: 21 January 2012 *Endorsed.*	

RTI DLRelease

statement (Attachment 5).

- A code of practice is deemed to be subordinate legislation for the purposes of the *Statutory Instruments Act 1992*. Accordingly, an approved code of practice must be tabled in Parliament within 14 sitting days of gazettal.
- The code has been updated to cross reference the flying-fox damage mitigation code, which prescribes the requirements regarding shooting flying-foxes for crop protection, including euthanasia. Although macropods are also subject to authorised shooting, under commercial and recreational wildlife harvesting licences and damage mitigation permits, the code has not been updated to cross reference these activities for the following reasons:
  - there are no state codes of practice governing these activities; licence and permit holders in Queensland are required to comply with the relevant national code of practice (commercial and non-commercial) for the humane shooting of kangaroos and wallabies;
  - the national codes specify that any pouch young or young at foot associated with target (shot) females must be humanely euthanased; and
  - including a reference to macropod shooting in the wildlife rehabilitation code could create a false expectation that animals injured or orphaned as a result of these activities should be taken into care rather than euthanased.

CONSIDERATIONS

- *Consultation:* The code review was subject to extensive stakeholder consultation, involving the Royal Society for the Prevention of Cruelty to Animal, Queensland Wildlife Rehabilitation Council, Department of Agriculture, Fisheries and Forestry and individual wildlife rehabilitators and wildlife care groups across the state. A total of 51 public submissions were received and considered during the review process.
- *Legislation:* Under section 174A of the *Nature* Conservation Act 1992, the chief executive may, by gazettal notice, make codes of practice for protected wildlife. This power is delegated to the A/Deputy Director-General, CSS.
- *Key Communication Messages:* Communication plan attached (Attachment 3); draft public notice attached (Attachment 4); draft media release attached (Attachment 5).

MINISTER'S COMMENTS

Whilst keen to deliver 'best practice' outcomes and despite peak organisation support I am concerned at the regulatory/cost implications of rehabilitators – particularly Volunteers. Before approval granted I would like to see a Summary of submissions particularly those received from individual rehabilitators. tf.

ATTACHMENTS

- Attachment 1: Draft 'Code of Practice—Care of sick, injured or orphaned protected animals in Queensland'
- Attachment 2: Gazettal notice
- Attachment 3: Communication plan
- Attachment 4: Public notice
- Attachment 5: Media statement
- Attachment 6: CTS 17199/12 (Review of the Code of Practice—Care of orphaned, sick or injured protected animals by wildlife care volunteers)

Author Name: Deb Hotchkis Position: A/Senior Conservation Officer Tel No: 3330 5249 Date: 18 December 2012	**Cleared by** Name: Ilze Brieze Position: Manager, Wildlife Strategy Tel No: 3330 5259 Date: 10 January 2013	**Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 18 January 2012	**Recommended:** Name: Tony Roberts A/Director-General, EHP Tel No: 3330 6298 Date:
	Name: Andrew Mullens Position: A/ Director, Koala Conservation Tel No: 3330 6172 Date: 18 January 2013	**Cleared by** Name: Tamara OShea Position: A/DDG, CSS Tel No: 3330 6240 Date: 21 January 2012 *Endorsed.*	

RTI DL Release

sch4p3(3) Prejudice the

Chief of Staff OK
Dated 4/3/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 28/03/13

CTS No. 01357/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: ***Code of Practice – Care of sick, injured or orphaned protected animals in Queensland*** **– additional information requested by the Minister**

RECOMMENDATION

It is recommended that the Minister:

- **note** the attached summary of submissions received during the consultation phase of the review of the *Code of Practice – Care of orphaned sick or injured protected animals by wildlife care volunteers*, which raised issues with associated cost implications (Attachment 1).
- **approve** the making of the code by gazettal notice by the A/Deputy Director-General, Conservation and Sustainability Services (A/DDG CSS) under section 174A of the *Nature Conservation Act 1992,* with the code taking effect upon gazettal.

BACKGROUND

- The Minister was informed via previous briefing note (CTS 17197/12 – Attachment 2) that the revised *Code of Practice – Care of sick, injured or orphaned protected animals in Queensland* had been endorsed by the A/DDG CSS, and was asked to approve the making of the code by gazettal notice by the A/DDG CSS under the *Nature Conservation Act 1992.*
- In considering the previous briefing note, the Minister requested further information on the regulatory/cost implications of the new code of practice, specifically a summary of submissions received during consultation on the review of the code, with a focus on those received from individual rehabilitators.

CURRENT ISSUES

- A submissions analysis summary is attached for the Minister's information.
- The summary focuses on disease testing and housing requirements as other aspects of the new code (such as veterinary treatment, provision of food, etc.) did not attract specific comment in relation to potential costs and also do not increase the requirements beyond those already outlined under the existing code such that additional costs are likely to be incurred.
- The housing requirements outlined in the new code include mandatory minimum enclosure sizes, which may require some carers to upgrade or alter their existing facilities. The new requirements will be phased in over a two year period for carers with existing facilities.
- The summary identifies that two submissions raised the issue of potential costs associated with disease testing of rehabilitated amphibians prior to release; this issue has been addressed in the draft code.
- The summary also identifies that 17 submissions raised the issue of the new housing requirements; many of the comments made have been addressed in the draft code.

Thank you.

Rec'd - ODG
- 1 MAR 2013

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Deb Hotchkis Position: A/Senior Conservation Officer Tel No: 3330 5249 Date: 27 February 2013	Name: Wade Oestreich Position: A/ED NCS Tel No: 3330 5390 Date: 27 February 2013	Name: Tamara O'Shea Position: A/DDG CSS Tel No: 3330 6240 Date: sch4p3(3) F 28.02.13	Name: Andrew Chesterman Director-General, EHP Tel No: 3330 6298 Date: 1.3.13

MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1 – Submissions summary analysis
- Attachment 2 – CTS 17197/12

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Deb Hotchkis Position: A/Senior Conservation Officer Tel No: 3330 5249 Date: 27 February 2013	Name: Wade Oestreich Position: A/ED NCS Tel No: 3330 5390 Date: 27 February 2013	Name: Tamara O'Shea Position: A/DDG CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman Director-General, EHP Tel No: 3330 6298 Date:

CTS No. 01552/13

sch4p3(3) Prejudice

Chief of Staff ... OK
Dated 20/03/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 20/03/13

Department of Environment and Heritage Protection
MINISTER BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Proposed "gifts" to the state for addition to the Daintree National Park, World Heritage area**

TIMEFRAME

- Approval of this brief is required as soon as possible in order to facilitate the timely settlement of these "gift" proposals.

RECOMMENDATION

It is recommended that the Minister:

- **approve** Rainforest Rescue's "gift" proposal of 1.02 hectares of land described as Lot 76 Rosewood Road, Cow Bay (lot 76 on RP737398) for addition to Daintree National Park (Attachment 1).
- **approve** the "gift" proposal of Lot 9 on SP245712 which is 7.66 hectares of freehold land located in Miallo in the Cairns Regional Council area for addition to Daintree National Park (Attachment 2).
- **approve** the dedication, as additions to Daintree National Park, of nine freehold properties totalling 12.28 hectares, shaded in purple on the attached map (Attachment 1), that are currently owned and managed by Department of National Parks, Recreation, Sport and Racing (NPRSR).
- **note** that Director General of the Department of National Parks, Recreation, Sports and Racing supports the action (Attachment 3).

BACKGROUND

- sch3(2)(1)(c) Cabinet matter - Budgetary process
- The Buy-back Program sought to acquire and protect land north of the Daintree River, consolidating the World Heritage Listed Daintree National Park and resolving, what was deemed to be, inappropriate subdivisions approved in the 1980s. The Daintree Buy-Back Program was finalised in March 2012.

CURRENT ISSUES

Rainforest Rescue's Donation of Lot 76 to the state

- Rainforest Rescue is a not-for-profit organisation identifying and acquiring land to protect its conservation values. It has contributed to the protection of the World Heritage Listed Daintree National Park by purchasing 19 freehold lots using donated funds over the past decade.
- Lot 76 Rosewood Road, Cow Bay (lot 76 on RP737398) is 1.02 hectares and is dominated by remnant vegetation classified as of-concern under the *Vegetation Management Act 1999* and has an endangered biodiversity status. It has high environmental values and provides essential habitat for the endangered cassowary. The property adjoins Daintree National Park and is situated near seven other properties purchased by Rainforest Rescue, five of which are nature refuges.
- Rainforest Rescue would like to gift this property, once purchased, to the Queensland Government, on the condition and assurance that the property will be protected in perpetuity. Rainforest Rescue also requests that the state covers the conveyancing and transfer costs for the property. This cost will be covered by the general state acquisition budget held by the department.
- Rainforest Rescue will purchase the property then, after settlement, the title will be transferred to the state for addition to Daintree National Park.

Rec'd - ODG
15 MAR 2013

RTI DL Release

Author Name: Melissa Green Position: Project Officer, TCU Tel No: 3330 5537 Date: 11 March 2013	**Cleared by** Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 11 March 2013	**Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 14.08.13	**Recommended:** Name: Andrew Chesterman Position: DG, EHP Tel No: 3330 6298 Date: 15.3.13
Cleared by Name: Ashley Williams Position: A/Manager, TCU Tel No: 3330 5337 Date: 11 March 2013	**Cleared by** Name: Wade Oestriech Position: A/ED, NCS Tel No: 3330 5390 Date: 14 March 2013		

sch4p3(3)

Donation of Lot 9 to the state

- Lot 9 on SP245712 is a 7.66 hectare freehold block situated south of the Daintree River at Miallo, which is a small township within the Cairns Regional Council area. Its western boundary adjoins Daintree National Park providing great connectivity for management of the land, as well as for wildlife including the endangered southern cassowary (*Casuarius casuarius johnsonii*).
- The private owner of Lot 9 on SP245712 is willing to surrender the lot to the state in accordance with a Cairns Regional Council Development Approval application. Condition 6 (Land Use) of the decision notice, dated 11 November 2011, stipulates that the proposed lot 9 must be used solely for conservation and national park purposes.

Approval for nine freehold lots to be gazetted as Daintree National Park

- sch3(2)(1)(c) Cabinet matter - Budgetary process
- Land bought through the Daintree Buy-back Program was assessed according to its biodiversity values, its connectivity to the Daintree National Park and any known existing wildlife corridors. All land acquired was on the premise that it was suitable for addition to the existing Daintree National Park.
- Lots 54 on RP739766; 315 on RP739001; 472 on RP742052; 469 on RP742051; 81 on RP738146; 51 on RP738160; 63 on RP738161; 120 on RP738161; and 288 on RP738996 totalling 12.28 hectares were all acquired in late 2011–early 2012 and are now awaiting gazettal into Daintree National Park.
- All lots contain remnant vegetation with high conservation values. They provide good corridors for wildlife and connectivity to Daintree National Park, as well as for improved management of the park.

CONSIDERATIONS

- These proposed additions are supported by NPRSR (CTS 00683/13 - Attachment 3).
- *Budget*: Rainforest Rescue has requested that by accepting Lot 76 as a "gift" the state will pay for the conveyancing and any other associated costs with the transfer. This is estimated to be about $2,000 which will be covered from the state's land acquisitions budget held by the department.
- *Legislation:* Section 29 of the *Nature Conservation Act 1992*, allows the Governor-In-Council to dedicate a specified area of state land as a protected area by regulation.
- *Key Communication Messages:* Communication implications – positive. In return for the "gift" of Lot 76, Rainforest Rescue requests recognition that the outcome has been achieved through the support of Rainforest Rescue, Humane Society International and the Foundation for National Parks and Wildlife.

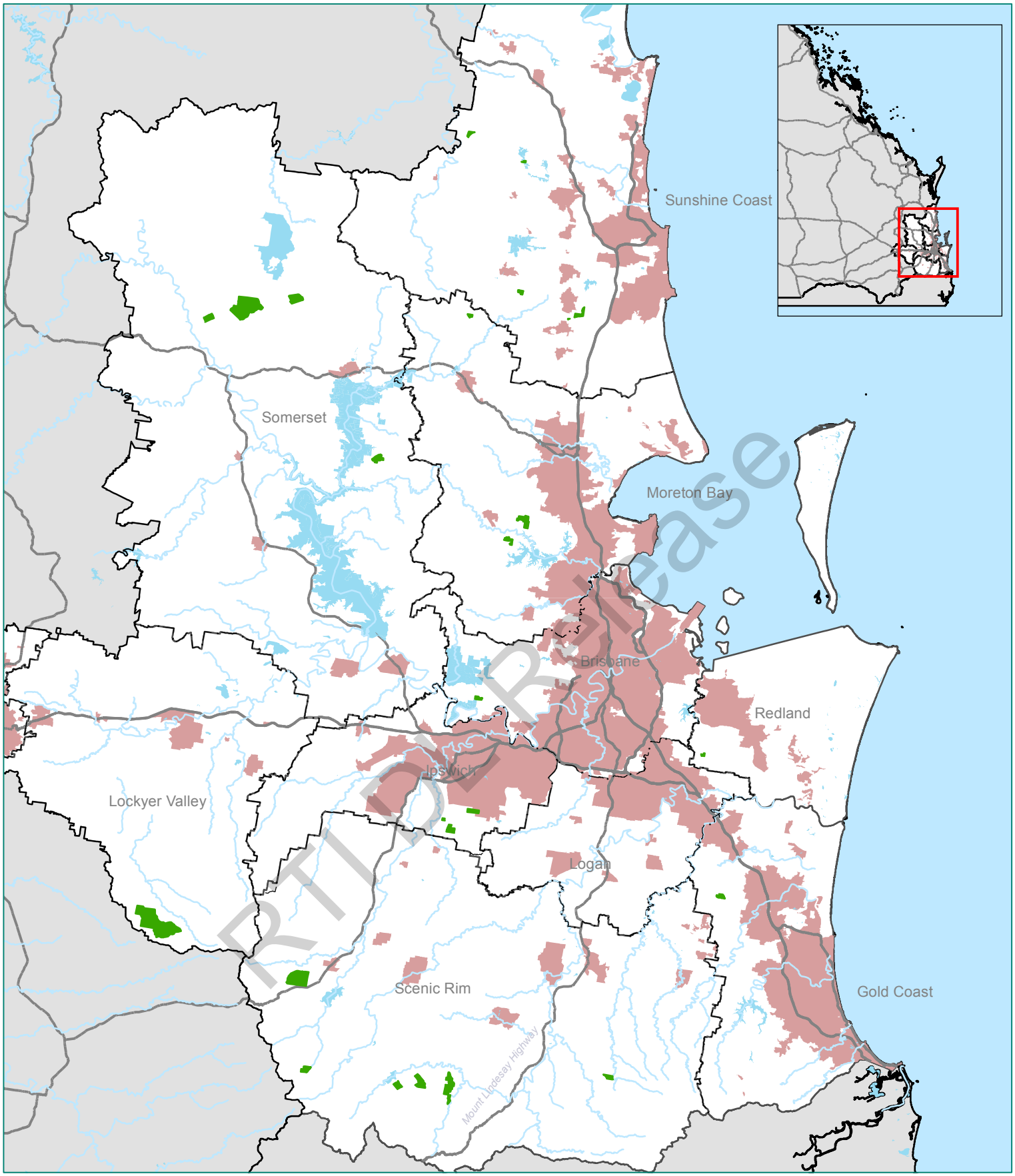
RTI DL Release

MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1 – Locality Map showing Lot 76 on RP737398 and the nine freehold properties.
- Attachment 2 – Locality Map showing Lot 9 on SP245712.
- Attachment 3 – NPRSR approved briefing note (CTS 00683/13)

Author Name: Melissa Green Position: Project Officer, TCU Tel No: 3330 5537 Date: 11 March 2013	**Cleared by** Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 11 March 2013	**Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	**Recommended:** Name: Andrew Chesterman Position: DG, EHP Tel No: 3330 6298 Date:
Cleared by Name: Ashley Williams Position: A/Manager, TCU Tel No: 3330 5337 Date: 11 March 2013	**Cleared by** Name: Wade Oestriech Position: A/ED, NCS Tel No: 3330 5390 Date: 14 March 2013		



RTI Release

Legend

- Properties requiring inspection
- Urban Footprint
- Rivers
- Waterbodies
- Major Roads

Koala Habitat Program
Property Field Inspections

NOT FOR PUBLIC RELEASE

1:993,353

0 5 10 20 30 km

N

ACCURACY STATEMENT
Due to varying sources of data, spatial locations may not coincide when overlaid.

DISCLAIMER
Whilst all care is taken in the preparation of this map, neither EHP nor its staff accept any responsibility for any loss or damage which may result from inaccuracy or omission.

COORDINATE SYSTEM:

MAP PRODUCTION
04 February 2013
Koala Conservation Unit,
Nature Conservation Services,
Department of Environment and Heritage Protection.

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Department of Environment and Heritage Protection 2013

Queensland Government

VERSION: KHP_field_inspect_Arc10.0_20130204 (wheelerm)

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CTS No. 01716/13

Chief of S ...OK
Dated 3 / 2 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 13 / 2 / 13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Koala Habitat Program – negotiations with landowners of top ranked properties**

RECOMMENDATION

It is recommended that the Minister:
endorse the commencement of negotiations with landowners for top ranked properties under the Koala Habitat Program.

BACKGROUND

- The Koala Habitat Program is an initiative under the *Investing to protect our koala policy*, providing funding of $22.5 million over three years for the purchase of properties for rehabilitation for koala habitat.
- Expressions of interest from south east Queensland landowners were sought between 14 August and 31 October 2012 and 161 applications were received.

CURRENT ISSUES

- A detailed desktop analysis of the properties has now been completed in accordance with the endorsed assessment process (Attachment 3 - CTS 18241/12).
- The analysis has produced a short list of the top ranked properties that will now undergo field inspections and valuations.
- The top ranked properties are spread across the eligible local government areas with the exception of Logan.
- Details of the properties, including size, location and area suitable for rehabilitation are attached (Attachments 1 and 2).
- While all the shortlisted properties have good potential for koala habitat, there are a number that have demonstrated some additional benefits, including:
  - The property at Mount Cotton joins a state government owned property that is currently being rehabilitated for koala habitat. This property also joins Venman Bushland National Park, creating further connectivity for both properties to protected estate; and
  - A property in the Lockyer Valley that is over 2000 hectares, sizeable enough to be its own habitat patch.
- A number of applications have been received where properties either share boundaries or contribute to consolidating existing protected habitat, such as the properties in the Scenic Rim cluster that are within 500 meters of each other and join Mount Barney National Park.
- The valuations will be used to establish a fair purchase price, and determine the number of top ranked properties that can be purchased within this financial year's budget and will also establish a reserve list to be used where applicants withdraw or negotiations are unsuccessful, such as failure to agree on a purchase price.
- Once field inspections and valuations have been completed, purchase recommendations will be submitted for approval.
- The department will review implications of the severe weather events of January 2013 prior to contacting property owners or conducting field inspections where properties may have been affected.

Rec'd - OLG
12 FEB 2013

RTI Out Release

Author	Cleared by	Cleared by	Recommended:
Name: Catherine George Position: Team Leader, KP&O Tel No: 3330 5313 Date: 5 February 2013	Name: Andrew Mullens Position: A/Director, KCU Tel No: 3330 5393 Date: 6 February 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 8 February 2013 **Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 12 February 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 12-2-13

MINISTER'S COMMENTS

Pls provide regular updates on progress of negotiations and valuations.

HF

ATTACHMENTS

- Attachment 1 - List of top ranked properties
- Attachment 2 - Map of top ranked properties
- Attachment 3 - CTS 18241/12 - Koala Habitat Program - property assessment process

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Catherine George Position: Team Leader, KP&O Tel No: 3330 5313 Date: 5 February 2013	Name: Andrew Mullens Position: A/Director, KCU Tel No: 3330 5393 Date: 6 February 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 8 February 2013 **Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 12 February 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

Attachment 1 – Property Assessment

Assessment stage	Status	Details
Initial eligibility check	Completed	Initial assessment has ensured properties: • Are be in one of the 10 eligible south east Queensland local government areas (being Sunshine Coast, Moreton Bay, Brisbane, Redland, Logan, Gold Coast Ipswich, Scenic Rim, Lockyer Valley and Somerset) ; • Have more than 10 hectares designated as suitable for rehabilitation for koala habitat; and • Are outside the urban footprint, according to the *South East Queensland Regional Plan*.
Detailed desktop assessment	Underway	Properties will undergo a detailed desktop assessment by a panel to assess: • Connectivity – the degree to which the property facilitates koala movement among habitat patches or across the landscape; • Security of adjacent habitat – the degree to which adjacent habitat is protected though regulatory measures (such as national park); • Threats – the likelihood of koalas being killed or injured on or in proximity to the property; • Management considerations – such as topography, infrastructure removal and access roads; and • Proportion of the property that is suitable for rehabilitation.
Field inspections	Commencing in January 2013	Field inspections will review: • Active threats to koala survival in the vicinity of the property; • Consistency with Koala Habitat Values mapping; • Management considerations to confirm desktop assessment and identify considerations that could not be established through a desktop assessment. Examples include weeds present, fire management issues, infrastructure or rubbish removal or access.

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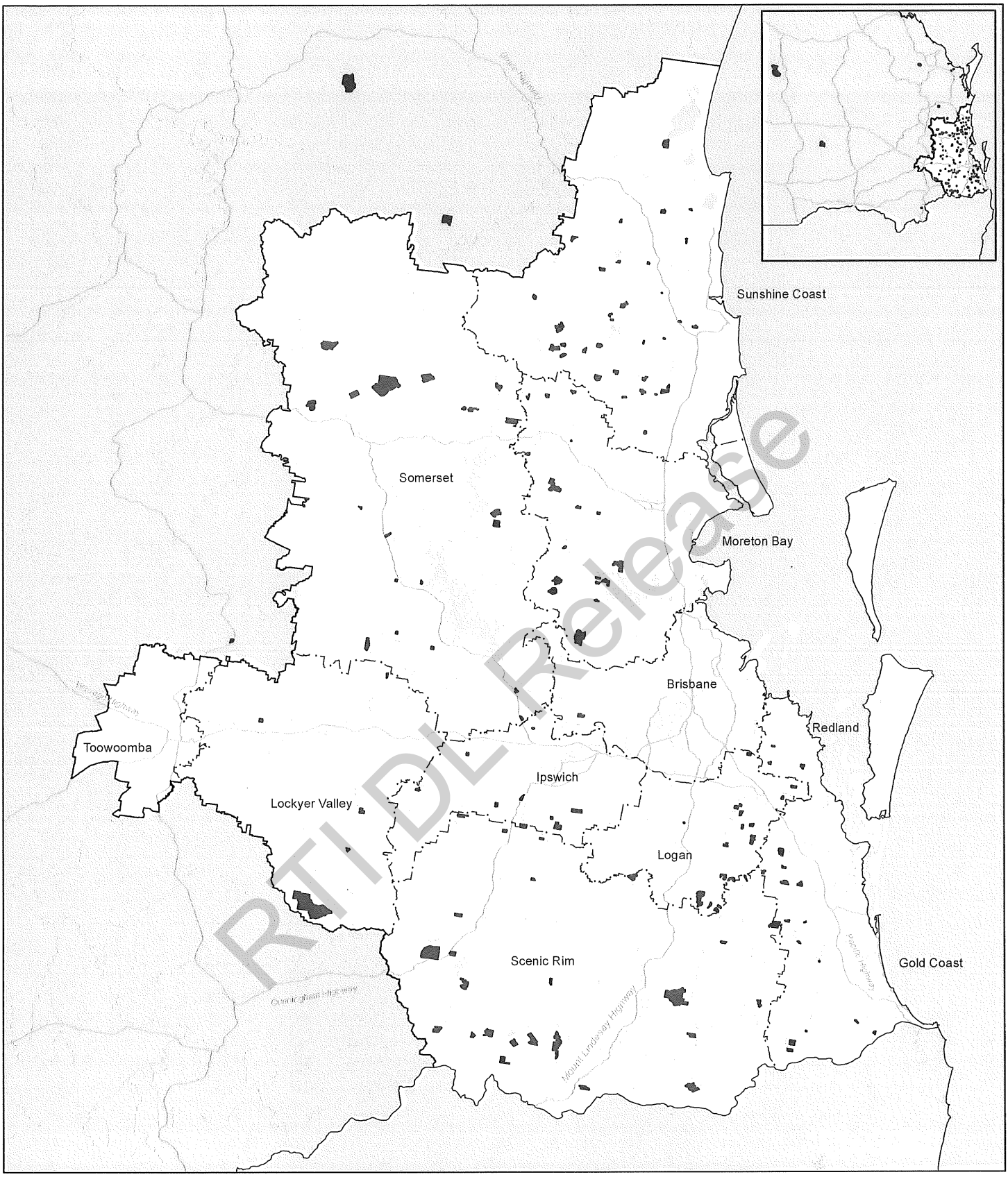

RTI DL Release

Legend

Eligible for further assessment

- Yes
- No

- LGA boundary
- Major road
- Urban Footprint
- Waterbodies
- Rivers

SEQ
Koala Habitat Program

NOT FOR PUBLIC RELEASE

1:1,172,601

0 5 10 20 30 km

N

ACCURACY STATEMENT
Due to varying sources of data, spatial locations may not coincide when overlaid.

DISCLAIMER
Whilst all care is taken in the preparation of this map, neither EHP nor its staff accept any responsibility for any loss or damage which may result from inaccuracy or omission.

COORDINATE SYSTEM: GCS GDA 1994
HORIZONTAL DATUM: GDA 1994

MAP PRODUCTION
30 November 2012
Koala Conservation Unit,
Nature Conservation Services,
Department of Environment and Heritage Protection.

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Department of Environment and Heritage Protection 2012

Queensland Government

VERSION: KHP_assessment_EOI_20121130 (preceh)

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CTS No. 18241/12

Chief of Sta... OK
Dated 20/12/12
Approved Not Approved Noted
Further information required
Minister.....
Dated 20/12/12.

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Koala Habitat Program – property assessment process**

RECOMMENDATION

It is recommended that the Minister:

- **endorse** the assessment process for property assessment under the Koala Habitat Program.
- **note** that the department has received a total of 161 applications.

BACKGROUND

- The Koala Habitat Program is an initiative under the *Investing to protect our koalas* policy, providing funding of $22.5 million over three years for the purchase of properties for rehabilitation for koala habitat.
- Expressions of interest from south east Queensland landowners were sought between 14 August and 31 October 2012.

CURRENT ISSUES

- There was a strong response to the first round of the Koala Habitat Program with the Department of Environment and Heritage Protection receiving 161 applications.
- Properties are now being assessed against defined criteria to ensure that the Queensland Government gets maximum value for money out of this program.
- The proposed assessment process consists of three stages of assessment (initial eligibility check, detailed desktop analysis and field inspections). Details of the assessment stages and criteria are attached (Attachment 1).
- Properties have been reviewed against the initial eligibility and a map showing the location of 94 properties eligible for detailed desktop assessment and 67 ineligible properties is attached (Attachment 2).
- Those 94 eligible properties are now undergoing detailed desktop assessment to rank the properties, in order of their competitiveness, with field inspections and independent valuations being conducted on the top 20 properties.
- Conducting field inspections and valuations on only top ranked properties will reduce costs and labour and ensures a streamlined process.
- Valuations will then be used to establish the number of top ranked properties that can be purchased within the financial year's budget and a reserve list to use where applicants withdraw or negotiations are unsuccessful, such as if a purchase price cannot be agreed.
- The key dates for the next seven months, including Ministerial opportunities and approvals are:

Task	Date	Minister's opportunities and approvals
Detailed desktop assessment	December 2012	• Briefing note on results of the assessment and approval to proceed to initial negotiations
Initial discussions with landholders, including valuations and field inspections	January – March 2013	• Nil
Finalise valuations and field inspections	March 2013	• Briefing note to Minister detailing purchase recommendations and requesting approval to proceed to purchase negotiations and proceed to purchase if negotiations are successful.

Rec'd - ODG
18 DEC 2012

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Catherine George Position: A/Manager Tel No: 3330 5313 Date: 30 November 2012	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 17 December 2012	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 17.12	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 18.12.12
Cleared by Name: Wade Oestreich Position: Director, KCU Tel No: 3330 5393 Date: 13 December 2012			

Purchase negotiations with landowners and enter into conditional contracts subject to conveyanacing checks.	April to May 2013	• Nil
Contract becomes unconditional and funding committed.	June 2013	• Briefing note on successful purchases • Media statement

CONSIDERATIONS

- *Communications:* As a result of media releases, and associated promotion, 163 enquiries were received, including 81 as a result of newspaper coverage and 15 from radio coverage. Additionally, local governments assisted with promotion, including identification of suitable properties and correspondence to property owners. A number of agents in the property industry also assisted with promotion of the program.
- *Election Commitment:* The Koala Habitat Program is an initiative under the *Investing to protect our koalas* policy.

MINISTER'S COMMENTS

Excellent

RTI DL Release

ATTACHMENTS

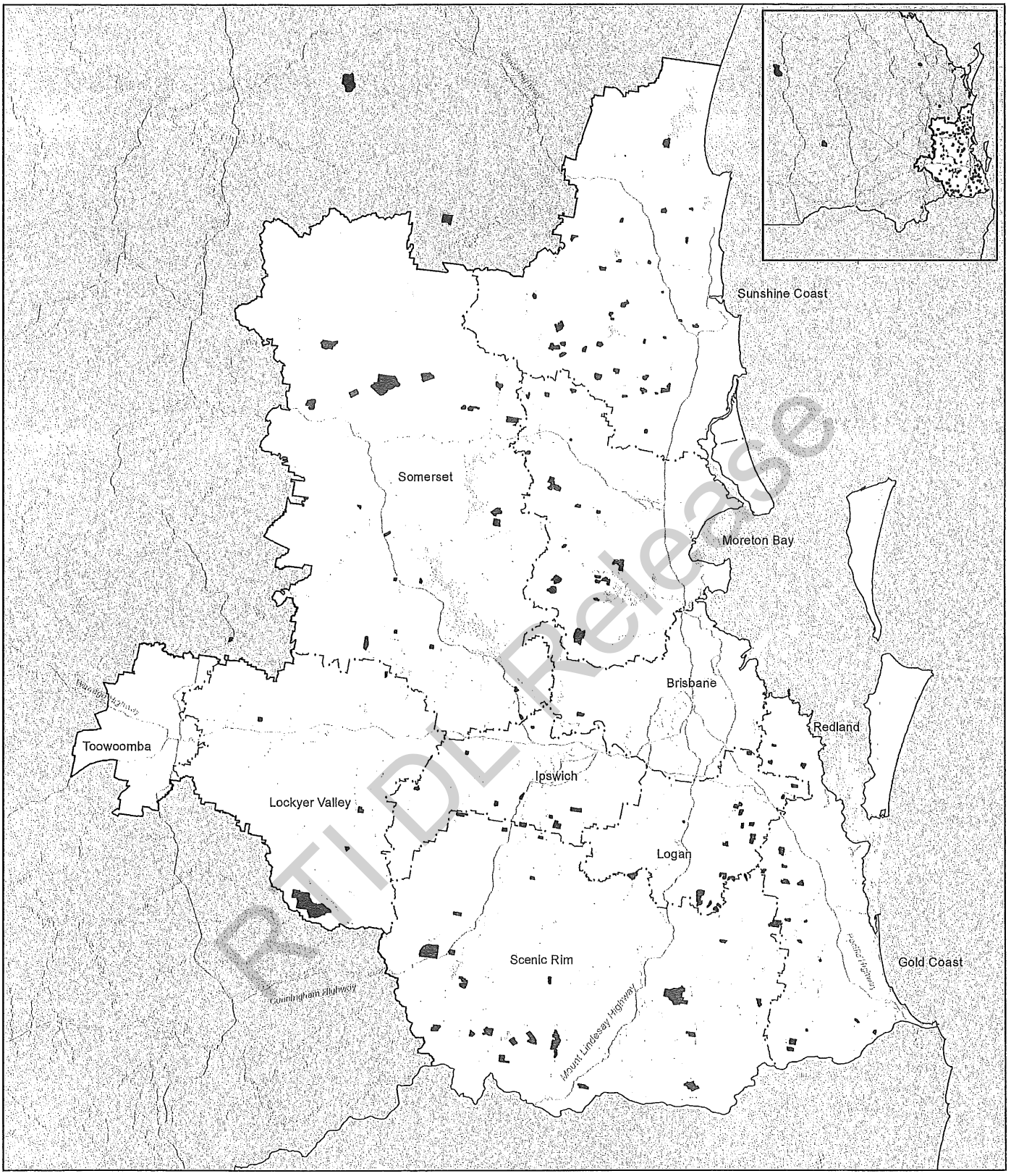
- Attachment 1 – assessment process
- Attachment 2 – map of property location and initial eligibility status

Author Name: Catherine George Position: A/Manager Tel No: 3330 5313 Date: 30 November 2012	**Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 17 December 2012	**Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	**Recommended:** Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
Cleared by Name: Wade Oestreich Position: Director, KCU Tel No: 3330 5393 Date: 13 December 2012			

Attachment 1 – Property Assessment

Assessment stage	Status	Details
Initial eligibility check	Completed	Initial assessment has ensured properties: • Are be in one of the 10 eligible south east Queensland local government areas (being Sunshine Coast, Moreton Bay, Brisbane, Redland, Logan, Gold Coast Ipswich, Scenic Rim, Lockyer Valley and Somerset) ; • Have more than 10 hectares designated as suitable for rehabilitation for koala habitat; and • Are outside the urban footprint, according to the *South East Queensland Regional Plan*.
Detailed desktop assessment	Underway	Properties will undergo a detailed desktop assessment by a panel to assess: • Connectivity – the degree to which the property facilitates koala movement among habitat patches or across the landscape; • Security of adjacent habitat – the degree to which adjacent habitat is protected though regulatory measures (such as national park); • Threats – the likelihood of koalas being killed or injured on or in proximity to the property; • Management considerations – such as topography, infrastructure removal and access roads; and • Proportion of the property that is suitable for rehabilitation.
Field inspections	Commencing in January 2013	Field inspections will review: • Active threats to koala survival in the vicinity of the property; • Consistency with Koala Habitat Values mapping; • Management considerations to confirm desktop assessment and identify considerations that could not be established through a desktop assessment. Examples include weeds present, fire management issues, infrastructure or rubbish removal or access.

RTI DL Release



RTI DL Release

Legend

Eligible for further assessment

- Yes
- No

- LGA boundary
- Major road
- Urban Footprint
- Waterbodies
- Rivers

SEQ Koala Habitat Program

NOT FOR PUBLIC RELEASE

1:1,172,601

0 5 10 20 30 km

N

ACCURACY STATEMENT
Due to varying sources of data, spatial locations may not coincide when overlaid.

DISCLAIMER
Whilst all care is taken in the preparation of this map, neither EHP nor its staff accept any responsibility for any loss or damage which may result from inaccuracy or omission.

COORDINATE SYSTEM: GCS GDA 1994
HORIZONTAL DATUM: GDA 1994

MAP PRODUCTION
30 November 2012
Koala Conservation Unit,
Nature Conservation Services,
Department of Environment and Heritage Protection.

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Department of Environment and Heritage Protection 2012

Queensland Government

VERSION: KHP_assessment_EOI_20121130 (preceeds)

sch4p3(3) Prejudice

Chief of Staff ... OK
Dated 9 / 3 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 12/02/13.

CTS No. 01897/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Clean Up Australia Day event at Beerburrum on 3 March 2013.**

RECOMMENDATION

It is recommended that the Minister:

- **note** that the Litter and Illegal Dumping Unit is supporting a Clean Up Australia Day event at the Beerburrum Forest on Sunday 3 March 2013.

BACKGROUND

- The Litter and Illegal Dumping Unit (LIDU) is conducting a project to strategically target and address littering and illegal dumping in Queensland hotspots where it has been a long-term and frequent problem.
- The pilot hotspot project is currently being conducted in the Beerburrum Forest operated by HQPlantations Pty Ltd, with the learnings from this pilot to be implemented at other illegal dumping hotspots in Queensland.

CURRENT ISSUES

- Illegal dumping has been a problem at Beerburrum for at least twenty years but the problem has exacerbated over the past five years due to population growth in the area, closing of several local landfills, changes to landfill fees and reduction in waste collection services.
- HQPlantations Pty Ltd is a private company with a ninety-nine year lease to grow exotic and native timber plantations on state government land located at Beerburrum.
- The illegal dumping hotspot project uniquely brings together compliance, community engagement and education activities to influence behaviour change in local communities.
- As part of the pilot project, HQ Plantations will undertake a Clean Up Australia Day event on 3 March 2013 with the support of the LIDU.
- Invitations to participate in clean up activities will be sent to more than forty recreational and environmental groups that use the forest.
- It is intended that, apart from cleaning up areas within the forest, the event will highlight the problem of illegal dumping, enable the diverse stakeholders to meet and to gain a better understanding of each other, and provide an opportunity for these various stakeholders to take responsibility for various areas of the forest.
- A proactive campaign to attract volunteers is being implemented with possible media interest.
- Volunteers will meet at the HQPlantations' oval and be ferried to various sites in the forest such as Wild Horse Lookout.
- The event on 3 March 2013 will possibly be preceded by a bus tour for media and community representatives of particular dumping hotspots in the forest.
- It is proposed that the event be followed by an enforcement blitz on illegal dumping.
- Since commencing this project, 27 investigations have been opened including:
  - eight compliance actions, with compliance notices requiring cleaning up of the waste, penalty infringement notices or show cause letters;
  - four cases referred to Queensland Police due to criminal aspects of the cases such as arson;
  - 15 matters under active investigation.
- As at 5 February 2013, none of the cases have required escalation to prosecution.

Rec'd - ODG
-7 FEB 2013

RTI DL Release

CONSIDERATIONS

Author	Cleared by	Cleared by	Recommended:
Name: John Monico Position: Manager Tel No: 3330 5408 Date: 05/02/13	Name: Rod Goodbun Position: Dir Sustainability Outcomes Tel No: 3330 5865 Date: 05/02/13	Name: Tamara O'Shea Position: A/DDG Conservation and Sustainability Ser sch4p3(3) P Tel No: 3330 6240 Date: 06.02.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 7.2.13 Endorsed via email.

- *Budget*: Approximately $7500 has been identified from the LIDU budget to support this hotspot project. Please note that this amount includes an allowance for rubbish removal that may not be required if either the Moreton Bay or Sunshine Coast Regional Councils agree to remove the rubbish collected on the Clean Up day for free.
- *Consultation:* Tim Moore, Communication Services, EHP, Michael Robinson, Regional Manager Coastal, HQPlantations, Pierre Mare, Operations Manager, Beerburrum HQPlantations.
- *Key Communication Messages:* Illegal dumping in the Beerburrum forest poses a number of risks including safety risks to forestry workers and recreational users; fire hazards; and environmental damage from weeds and toxic materials. Communication Services is currently preparing media releases and associated material.

MINISTER'S COMMENTS

I will also attend. Please provide details.

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: John Monico Position: Manager Tel No: 3330 5408 Date: 05/02/13	Name: Rod Goodbun Position: Dir Sustainability Outcomes Tel No: 3330 5865 Date: 05/02/13	Name: Tamara O'Shea Position: A/DDG Conservation and Sustainability Services Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

sch4p3(3) Prejudice the

Chief of Staf OK
Dated 8 / 2 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 08/02/13

CTS No. 01986/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Queensland Conservation Council Core Funding – Final 2012-13 Payment**

TIMEFRAME

- Approval of this brief is urgent as payment to the Queensland Conservation Council (QCC) for its second and final payment for 2012-13 was due on 1 January 2013.

RECOMMENDATION

It is recommended that the Minister:

- **approve** that the department pay $75,000 (ex GST) (Invoice Number 1072 dated 1 December 2012 – Attachment 1) to the QCC for Core Funding for the period 1 January 2013 to 30 June 2013.
- **note** the options outlined below for the source of this funding.
- **advise** the preferred course of action.

BACKGROUND

- A current contract is in place between the former Environmental Protection Agency, now the Department of Environment and Heritage Protection (EHP), on behalf of the State Government, and the QCC to contribute $150,000 (ex GST) annually towards its core funding.
- This contract expires on 30 June 2013 and the Minister has indicated approval to renegotiate an extension to this contract for a further five years to 2018.

CURRENT ISSUES

- On 14 December 2012, the Director-General EHP wrote to the Director-General, Department of Natural Resources and Mines (DNRM) seeking the return of $75,000 as its contribution towards the contract with the QCC (CTS 18748/12 – Attachment 2), recognising the previous funding arrangements shared between business groups under the former Department of Environment and Resource Management.
- A response was received on 5 February 2013 advising that these funds would not be returned to EHP (CTS 01949/13 – Attachment 3).
- EHP understands that the Minister will liaise with Minister Cripps directly to seek the return of these funds.
- In the meantime, EHP offers three alternative options for consideration with regard to payment of this invoice:
  - Option One: the Director-General's reserve could fund the $75,000 and be reimbursed this amount should DNRM return the funds;
  - Option Two: $25,000 from the 2012-13 allocation for funding to Non-Government Conservation Groups (as yet unallocated) could contribute to the $75,000. The balance, $50,000, could be sourced from funds that are currently being held by the QCC (approximately $60,000) for special projects funding, which was allocated in the 2011-12 financial year. EHP has previously advised the QCC that this funding may be recalled should appropriate projects not be identified for funding from this allocation;
  - Option Three: A combination of the options above with $25,000 coming from the DG's reserve and $50,000 from funds that are currently being held by the QCC for special projects.
- EHP recommends Option Three above and requests that the Minister endorse EHP to pay Invoice 1072 as soon as possible, given EHP's contractual arrangement with the QCC.
- This preferred option acknowledges that the QCC is currently carrying costs which it reasonably will be incurring given the contract currently in place.

Author	Cleared by	Cleared by	Recommended:
Name: Angela Siggery Position: PPO, SO Tel No: 3330 5827 Date: 06 February 2013	Name: Rod Goodbun Position: Director, SO Tel No: 3330 5865 Date: 06 February 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 07 February 2013 Endorsed	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 8 February 2013 Sda for DG

RTI DL Release

- EHP contributes $256,000 per year to DNRM for support of the Murray Darling Basin Authority, and these funds could be withheld in 2013-14 in recognition of the funding gap for QCC (note the 2012-13 contribution has been paid to DNRM).

CONSIDERATIONS

- *Consultation:* Tony Roberts, Deputy Director-General, Environmental Policy and Planning

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 – Queensland Conservation Council Invoice Number 1072 dated 1/12/2012
- Attachment 2 - CTS 18748/12 – Letter from DG EHP to DG DNRM
- Attachment 3 - CTS 01949/13 – Reply letter from DG DNRM to DG EHP

Author	Cleared by	Cleared by	Recommended:
Name: Angela Siggery Position: PPO, SO Tel No: 3330 5827 Date: 06 February 2013	Name: Rod Goodbun Position: Director, SO Tel No: 3330 5865 Date: 06 February 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: February 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: February 2013

Queensland Conservation

9 / 10 Thomas Street
West End Qld 4101
Ph: 07 3846 7833
Fx: 07 3846 6965

ABN 89 717 887 219

Tax Invoice

Invoice #: 00001072

Date: 1/12/2012

Bill To:

Kate De Courcy
Executive Officer to the Deputy Director-General
Conservation and Sustainability Services Division
Department of Environment & Heritage Protection
GPO Box 2454
Brisbane QLD 4001

Description	Amount	Code
Core Funding for Queensland Conservation Council for the period 1 January 2013 to 30 June 2013	$82,500.00	GST

RTI DL Release

Terms: Net 30

Please remit by direct deposit to :-
BSB 633-000
Account 128999919

GST:	$7,500.00
Total Inc GST:	**$82,500.00**
Amount Applied:	$0.00
Balance Due:	**$82,500.00**

Queensland Government

Department of
Environment and Heritage Protection

Ref CTS 18748/12

14 DEC 2012

Mr Dan Hunt
A/Director-General
Department of Natural Resources and Mines
PO Box 15216
CITY EAST QLD 4002

Dear ~~Mr Hunt~~ Dan

You may be aware that in July 2011, the former Department of Environment and Resource Management (DERM) engaged in a funding agreement with the Queensland Conservation Council (QCC) to provide core funding for their operations for the period 1 July 2011 to 30 June 2013. A copy of this agreement is enclosed for your information.

The current agreement was preceded by an initial funding agreement that commenced in January 2008 before DERM was established. This initial agreement was between the then Department of Natural Resources and Water, the then Environmental Protection Agency and QCC. This agreement was still in place when these departments merged into DERM in 2009. A copy of the initial agreement is also enclosed for your information.

Under the initial and current agreements QCC receives an annual contribution of $150,000 with funds being provided in two six monthly instalments of $75,000. For the historic reasons outlined above the DERM budget allocation to pay QCC was split between the environmental arm of the department and the Land and Indigenous Services (LIS) division. In the recent MOG the $75,000 held by LIS was transferred to the Department of Natural Resources and Mines (NRM).

Having the allocated funds for this agreement split across our two departments is not an ideal situation given the QCC is primarily now a department of Environment and Heritage Protection (EHP) stakeholder.

Officer level contact with NRM since July this year sought to ascertain the preferred approach in managing remaining payments under the agreement with QCC. Confirmation that payments

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ABN 46 640 294 485

RTI DL Release

due under the agreement would continue to be shared by both departments until completion was sought, however no confirmation of this has been received.

Given payment for the period 1 July – 31 December 2012 was significantly overdue and with no resolution, my department has now paid the full invoice of $75,000. A further and final invoice for the period 1 January 2012 – 31 July 2013 is due on 1 January 2013. The final invoice for $75,000 due on 1 January 2013 will complete the current agreement with QCC.

As the $75,000 now held by NRM was allocated for this agreement I am seeking your agreement to pay the final invoice in full when it is received in January 2013 or to transfer the funds to EHP for it to make the remaining payment.

Should you have any further enquiries, please contact Mr Rod Goodbun, Director Sustainability Outcomes of the department on telephone 3330 5865.

Yours sincerely

Andrew Chesterman
Director-General

Enc

RTI DL Release

Queensland Government

Department of
Natural Resources and Mines

31 JAN 2013

Your Ref: CTS 18748/12
Our Ref: CTS 19586/12

Mr Andrew Chesterman
Director-General
Department of Environment and Heritage Protection
PO Box 2454
BRISBANE QLD 4001

Dear Mr Chesterman

Thank you for your letter of 14 December 2012 concerning funding for the Queensland Conservation Council (QCC) for the period of 1 July 2011 to 30 June 2013.

I am of the understanding that no agreement was reached between the Department of Natural Resources and Mines (DNRM), and the Department of Environment and Heritage Protection (DEHP) that the annual contribution of $150 000 to the QCC would be the joint responsibility of these two departments.

Given that QCC is primarily a DEHP stakeholder and the current budget constraints across the Queensland Government, I regretfully wish to advise that DRNM has made the difficult decision to not pay the outstanding invoice of $75 000.

Thank you for bringing this matter to my attention. Should you have any further enquiries, please contact, Ashley Bacon, Executive Officer, Policy and Program Support, Department of Natural Resources and Mines on telephone 3898 0477.

Yours sincerely

DAN HUNT
Director-General
Natural Resources and Mines

01949/13

Rec'd - ODG
- 5 FEB 2013

Director-General
Department of Natural Resources and Mines
PO Box 15216
City East
Queensland 4002 Australia
Telephone +61 7 3237 1336
Facsimile +61 7 3237 1317

RTI DL Release

CTS No. 02110/13

sch4p3(3) Prejudice the

Chief of Staff OK
Dated 12/2/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 12/2/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Joint Ministers' briefing - Scientific Review of Protected Areas**

TIMEFRAME

- The briefing is scheduled for 12 February 2013.

RECOMMENDATION

It is recommended that the Minister:

- **note** the matters that are proposed for discussion at the joint briefing.

BACKGROUND

- You wrote to the Hon Steve Dickson MP, Minister for National Parks, Recreation, Sport and Racing, requesting a joint briefing of the scientific review of protected areas being undertaken as part of the review of the *Nature Conservation Act 1992* (NCA).
- Given that protected areas on Cape York Peninsula are within scope of the review, the Hon Glen Emes MP, Minister for Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs and Minister Assisting the Premier, will also attend.

CURRENT ISSUES

- Given your calling of the meeting, it is suggested that you are the appropriate chair for the meeting. A proposed meeting agenda is at **Attachment 1**.

Scientific review methodology - overview

- The methodology proposes criteria for the assessment (retrospective and future) of a range of values for protected areas, in addition to the traditional focus on biodiversity preservation and ecosystem services. An overview of the methodology is at **Attachment 2** and a supporting decision-making tool is at **Attachment 3**.
- Departmental staff have had limited input into the development of the methodology and the briefing provides a trigger point for considered analysis.
- At this time the department has no standout concerns with the methodology. It is worth noting that it is intended as decision support tool rather than a decision making process. For example if the government were to wish to have 20% of the current protected area estate in the proposed new regional park tenure the methodology could help define which 20% this should be to achieve optimal outcomes.
- The methodology is also intended to be useful to guide future acquisitions. This is where it interfaces most directly with your responsibilities and a key point to clarify is the relative focus on public use vs conservation values in future acquisitions.

Scientific review methodology – administrative implications

- The meeting will discuss the scope and timing of the review in addition to resourcing issues including the respective roles of departments. Significant scientific capability, particularly with respect to biodiversity/ecosystem values, is present in the Department of Environment and Heritage Protection (EHP).
- Specifically, the expected timing for the completion of the review, in the context of the current review of the NCA, requires clarification given it may lead to re-classification of protected area tenures.

RTI DL Release

Rec'd - ODG
11 FEB 2013

Author	Cleared by	Cleared by	Recommended:
Name: Nick Weinert Position: Manager, Nature Conservation Tel No: 3330 5818 Date: 7 February 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 8 February 2013	Name: Tamara O'Shea Position: DDG, CSS Tel No: 3330 6240 Date: 11/02/13 sch4p3	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 11.2.13

File Ref: (Remove if N/A)

Scientific review methodology – other implications and key issues

- As noted above, the methodology is intended to be applicable to the assessment of lands added to the existing protected area estate since 2001 (including areas purchased but not yet gazetted) and future acquisition.
- Significantly, this includes areas jointly purchased with the Australian Government under the National Reserve System (NRS) and via other means on Cape York Peninsula.
- The Queensland Government is subject to contractual obligations that require for properties funded through the NRS to be acquired, gazetted and managed as national park.
- Breach of these contractual obligations would require negotiation with the Australian Government with respect to alternative arrangements or refund of Commonwealth funds. Details of properties purchased through the NRS and still actively reported against this program are at **Attachment 4**.
- A number of additional properties (see **Attachment 5**) are currently the subject of NRS funding applications. Successful applications could generate a public expectation that properties be purchased, gazetted and managed in accordance with contractual terms outlined above.

Funding arrangements – management of the protected area estate

- Ministers may take the opportunity to discuss ongoing funding arrangements for the management of protected areas which is a key issue currently impeding the delivery of the election commitment to purchase further protected areas.
- The $17.2M election commitment (funding held by EHP) is understood to be for acquisition of new protected areas and not intended to fund maintenance. It is all currently allocated as capital funding.
- All management funding for the QPWS estate was allocated to NPRSR in the MOG. This has historically comprised a mixture of base, limited life specials for activities like pest management initiatives, commonwealth funding and revenues from commercial and private user fees.
- The Balance the Earth Trust has contributed to the purchase of two properties (see Attachment 4) but not been a source of funds for management to date. Its potential role in the future funding of both protected area acquisitions and management is subject to further policy work, including the current review of the environmental offsets policy. It has not attracted any significant philanthropic contributions and there is little prospect of it doing so in the future given its association with government.

CONSIDERATIONS (Remove section if not required)

- *Budget*: There are departmental resourcing implications resulting from its involvement in the proposed review of protected areas.
- *Election Commitment:* The Queensland Government's 'Environments for the Future' election commitment (administered by EHP) includes $17.2 million over three years for protected area estate acquisitions.
- Further, election commitments administered by the Department of National Parks, Recreation, Sport and Racing pledge to open national parks for the enjoyment of all Queenslanders and to deliver improved access for both tourists and the wider Queensland community.

MINISTER'S COMMENTS

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Nick Weinert Position: Manager, Nature Conservation Tel No: 3330 5818 Date: 7 February 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 8 February 2013	Name: Tamara O'Shea Position: DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

ATTACHMENTS

- Attachment 1 – Meeting agenda
- Attachment 2 – An assessment of protected area values (methodology overview)
- Attachment 3 – Assessing protected area values – A decision-making tool
- Attachment 4 – Table of properties funded through NRS
- Attachment 5 – Table of properties currently the subject of NRS applications

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Nick Weinert Position: Manager, Nature Conservation Tel No: 3330 5818 Date: 7 February 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 8 February 2013	Name: Tamara O'Shea Position: DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

CTS No 02801/13

sch4p3(3) Prejudice the

Chief of Staf OK
Dated 24 / 2 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 27 / 02 / 13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Draft model for a single national list of threatened species**

TIMEFRAME

- Approval of this brief is required by 4 March 2013 to allow timely input into the Standing Council on Environment and Water (SCEW) Senior Officials Committee (SOC) processes.

RECOMMENDATION

It is recommended that the Minister:

- **note** the SCEW process to create a harmonised national threatened species list
- **note** that the Department of the Premier and Cabinet (DPC) will be concurrently briefed on this initiative
- **approve** the recommended position to be presented at a SOC meeting on 15 March 2013.

BACKGROUND

- The Australian Government committed to developing a single list of threatened species and ecological communities based on recommendations from an independent review of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) that found inconsistencies and inefficiencies between jurisdictions, in the listing of species and communities.
- sch4p4(1)(1)(a) Damage relations with other governments
- Queensland currently has a Memorandum of Understanding with the Australian Government that provides alignment of state and national listing processes (**Attachment 2**). It has not yet achieved total alignment and it can not be assumed that species listed by Queensland and not federally, are not worthy of a national listing.

CURRENT ISSUES

- The endorsement of the shared assessment model has been tabled as an agenda item at the SOC meeting on 15 March 2013. The SCEW meeting is scheduled for 11 April 2013 in New Zealand.
- Ministerial endorsement of the proposed position is required prior to the SOC meeting.
- A brief is also being provided to DPC to gauge the level of support for the proposed approach.
- Generally the arrangement will provide for the Australian Government to lead listings of a species that occurs across more than one jurisdiction allowing states to lead listings for species that occur only within their jurisdiction.
- The intention is that all states, territories and the Australian Government will retain lists relative to their legislation and these lists will relate to each other and be represented through a single national portal.

RTI DL Release

Rec'd - ODG
21 FEB 2013

Author	Cleared by	Cleared by	Recommended:
Name: Sally Egan Position: Manager – Threatened Species Strategy Tel No: 07 33305453 Date: 15 February 2013	Name: Geoff Clare Position :Executive Director - NCS Tel No: 07 33305390 Date: 15 February 2013	Name: Tamara OShea Position: A/DDG – Conservation & Sustainability Services Tel No: 07 3330 6240 Date: Name: Tony Roberts Position: DDG – Environmental Policy & Planning Tel N sch4p1330 5990 Date: 20/2/13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 22.2.13

File Ref: (Remove if N/A)

- The components of the model in brief are as follows:
  - categories will be based on the International Union for the Conservation of Nature (IUCN) standards
  - only native species will be eligible for listing
  - listing decisions will be informed by robust scientific assessment to be undertaken by persons with relevant appropriate expertise
  - nominations will be accepted from any person
  - information on the nomination process will be made available to the public
  - legislation or formal policy will be in place in each jurisdiction for reciprocal listing arrangements
  - species will be reviewed by the most appropriate jurisdiction as required
  - considerations will be based on eligibility – no social or economic factors to be taken into account
  - each species will be assessed at the full extent of its range within Australia
  - all available data that supports the assessment and listing decision will be shared between jurisdictions
  - Australian Government, State and Territory listings will be made publically available on a national list portal
  - jurisdictions can voluntarily apply for an accreditation for their listings process and will be regularly audited for consistency to the application of standards.
- No detail of an accreditation scheme is yet available other than it will be voluntary. Queensland can endorse the model but still choose not to become accredited under the model. Change to legislation and formal policy will likely be required for Queensland to comply with the accreditation scheme which is highly EPBC Act focused.
- An assessment of the proposed model suggests that it will provide no efficiency gains over and above the existing Memorandum of Understanding.
- The model fails to boldly commit to a significant relinquishing of power by any jurisdiction and effectively retains the status quo whereby a decision by any jurisdiction can further exacerbate the existing misalignment.
- Given that legislation and policy change is required and there is no guarantee that the model will improve efficiency and alignment between federal and state environmental approval processes, Queensland may choose not to seek accreditation, even if it endorses the model.

CONSIDERATIONS

- *Budget*: Resources (primarily human) will be required to amend legislation and formal policy if the model is adopted and Queensland chooses to seek accreditation under the Shared Assessment Model.
- sch4p4(1)(1)(a) Damage relations with other governments
- *Legislation:* Amendments may be required in the *Nature Conservation Act 1992* to provide for agreed listing categories.
- *Key Communication Messages:* the key message from endorsing the model is that the Queensland government is working collaboratively with the Australian Government to reduce red tape associated with species listing. In effect, no efficiency gain will be realised with the current proposed model however.
- *Election Commitment:* The initiative could be seen by the public as a move to address duplication between Federal and State approval processes.

MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1 – Draft Model for a single national list of threatened species
- Attachment 2 – Memorandum of Understanding in relation to alignment of threatened species lists

Author	Cleared by	Cleared by	Recommended:
Name: Sally Egan Position: Manager – Threatened Species Strategy Tel No: 07 33305453 Date: 15 February 2013	Name: Geoff Clare Position :Executive Director - NCS Tel No: 07 33305390 Date: 15 February 2013	Name: Tamara OShea Position: A/DDG – Conservation & Sustainability Services Tel No: 07 3330 6240 Date: Name: Tony Roberts Position: DDG – Environmental Policy & Planning Tel No: 07 3330 5990 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

RTI DL Release

sch4p3(3) Prejudice the pro

Chief of Staff .....
Dated 4 / 3 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 05/03/13

CTS No. 02819/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Koala Habitat Program – advice to applicants not progressing to the next stage**

RECOMMENDATION

It is recommended that the Minister:

- **endorse** the department advising Koala Habitat Program applicants whose properties are not proceeding to the next stage in the assessment process.

BACKGROUND

- The Koala Habitat Program is an initiative under the *Investing to protect our koalas* policy, providing funding of $22.5 million over three years for the purchase of properties for rehabilitation for koala habitat.
- Expressions of interest from south east Queensland landowners were sought between 14 August and 31 October 2012 and 161 applications were received.

CURRENT ISSUES

- The detailed desktop assessment of properties has now been completed and a short list of the most competitive properties has now been finalised. This assessment has been conducted in accordance with the property assessment process that was endorsed on 20 December 2012 (CTS 18241/12 – Attachment 1).
- Negotiations with owners of top ranked properties have commenced and field inspections are underway, in accordance with endorsement obtained on 13 February 2013 (CTS 01716/13 – Attachment 2).
- Some minor delays have been experienced to field inspections due to weather events; however it is expected that the property inspections can be completed by late March 2013.
- Of the 161 applications received, 67 applicants did not meet the basic eligibility criteria, as they were not in an eligible local government area, were outside the urban footprint or had less than 10 hectares suitable for rehabilitation.
- These applicants received written advice from the department in January 2013, following verbal advice from the Minister's Office to send after the 2012 Christmas period and after the property assessment process was endorsed (CTS 18241/12 – Attachment 1).
- The remaining 94 properties have now undergone a detailed desktop assessment to rank properties in order of their competitiveness.
- The ranking process has identified the 27 most competitive properties based on the proportion of the property that is suitable for rehabilitation, as well as their connectivity, security of adjacent habitat, the level of threats to koalas on or around the property, and management considerations.
- The 27 properties that are undergoing inspections are expected to yield enough properties for purchase and a reserve list to draw upon if purchase negotiations are unsuccessful.

RTI DL Release

Rec'd - ODG
28 FEB 2013

Author	Cleared by	Cleared by	Recommended:
Name: Catherine George Position: Team Leader Tel No: 3330 5313 Date: 18 February 2013	Name: Wade Oestreich Position: A/ED, NCS Tel No: 3330 5390 Date: 26 February 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: sch4p3(3) 27.02.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 28·2·13
Cleared by Name: Andrew Mullens Position: A/Director, KCU Tel No: 3330 5393 Date: 19 February 2013			

MINISTER'S COMMENTS

Obviously inform them there are future rounds etc.

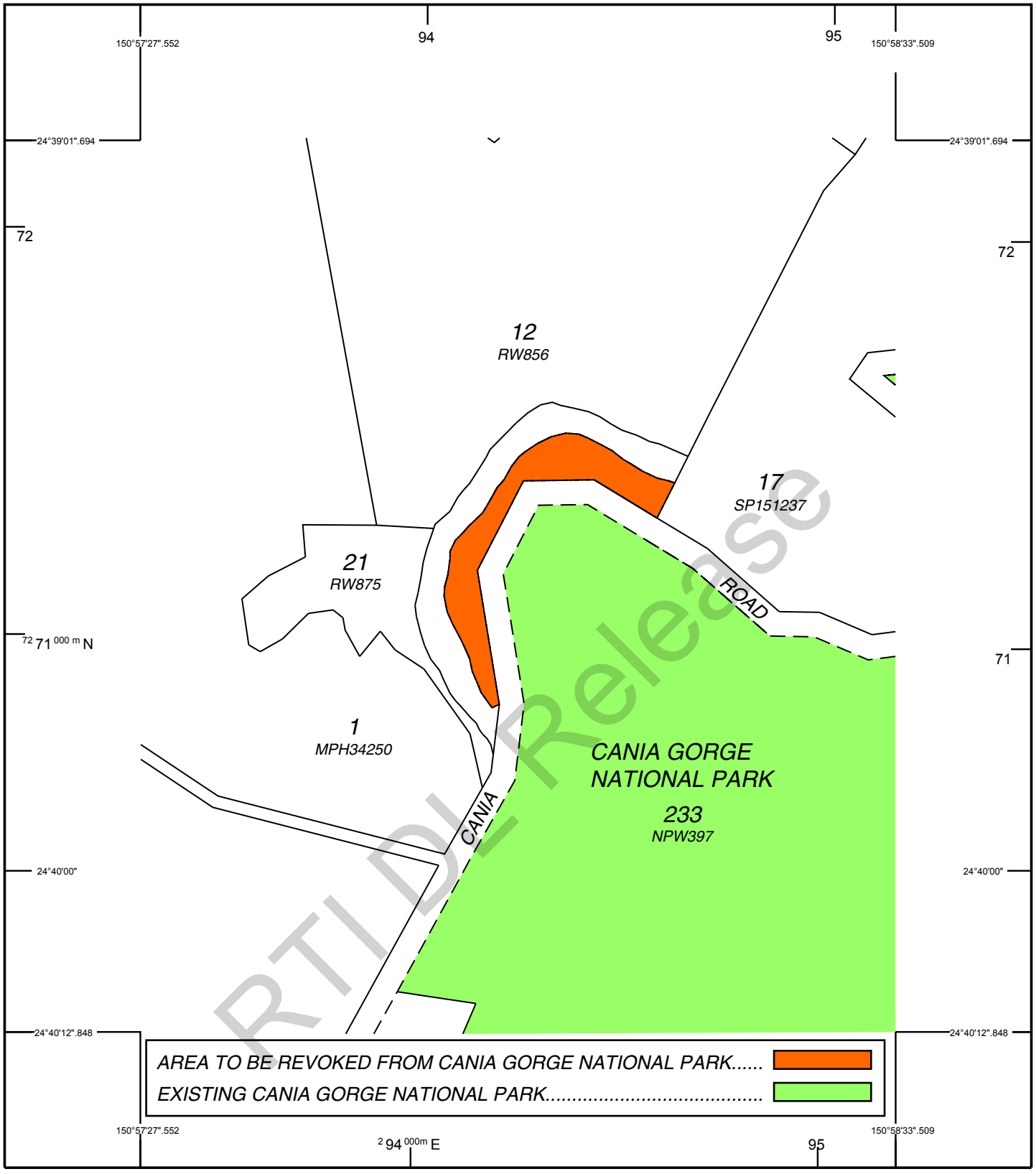
tl

RTI DL Release

ATTACHMENTS

- Attachment 1 – CTS 18241/12
- Attachment 2 – CTS 01716/13

Author	Cleared by	Cleared by	Recommended:
Name: Catherine George Position: Team Leader Tel No: 3330 5313 Date: 18 February 2013	Name: Wade Oestreich Position: A/ED, NCS Tel No: 3330 5390 Date: 26 February 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
Cleared by Name: Andrew Mullens Position: A/Director, KCU Tel No: 3330 5393 Date: 19 February 2013			



RTI DL Release

STANDARD MAP NUMBER
9048-12131

0 266 533 800 1066 1333 m

HORIZONTAL DATUM:GDA94 ZONE:56 SCALE 1 : 13335

MAP WINDOW POSITION & NEAREST LOCATION

150°58'00".530
24°39'37".271
CANIA
9.34 KM

GDA

SUBJECT PARCEL DESCRIPTION

DCDB

Lot/Plan	No Lot/Plan Selected.
Area/Volume	No Lot/Plan Selected.
Tenure	No Lot/Plan Selected.
Local Government	No Lot/Plan Selected.
Locality	No Lot/Plan Selected.
Parish	No Lot/Plan Selected.
County	No Lot/Plan Selected.
Segment/Parcel	No Lot/Plan Selected.

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 16/04/2012
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.

DCDB 13/04/2012 (Lots with an area less than 1500m² are not shown)

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Queensland Government

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CTS No. 03080/13

sch4p3(3) Prejudice the

Chief of Staff OK
Dated 4/3/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 05/03/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Proposed Revocation of part of Cania Gorge National Park to Redress Boundary Irregularity (Water Bore)**

RECOMMENDATION

It is recommended that the Minister:

- **approve** in-principle the proposed revocation of approximately 10 hectares from Cania Gorge National Park to remove from the protected area estate a water bore used by a North Burnett Regional Council (NBRC)-leased caravan and tourist park.

BACKGROUND

- In 1986, NBRC was issued a Deed of Grant in Trust (DOGIT) over land previously used for the Cania Dam construction village. The original water source for the village was a water bore located outside the DOGIT area but within the boundary of the nearby Cania Gorge National Park. The bore was not accounted for at the time of the DOGIT's gazettal nor the national park's dedication in 1989.
- NBRC now leases a caravan and tourist park over the former construction village site that utilises the bore as a water source. As the Department of National Parks, Recreation, Sport and Racing (NPRSR) has determined that the caravan park's use of the bore is inconsistent with the provisions of the *Nature Conservation Act 1992*, NBRC has sought to revoke the bore section from the national park.

CURRENT ISSUES

- NPRSR has determined that realigning the national park's boundary to remove the water bore would result in approximately 10 hectares being revoked from the national park (Attachment 1). The proposed revocation area has been highly modified and has limited conservation values.
- Investigations have determined that native title has been extinguished over the subject land. NBRC has committed to providing a survey plan defining the land proposed to be revoked, with NPRSR agreeing to contribute 50% of costs incurred to complete the survey work.
- The Department of Natural Resources and Mines' (DNRM) State Land Asset Management (SLAM) Unit supports the boundary realignment in principle, and is currently negotiating with NBRC to determine a future tenure for the land post-revocation.
- NPRSR considers the revocation action a boundary realignment only and has not sought compensation from NBRC. NBRC, however, has indicated that it will relinquish its trusteeship of three *Land Act 1994* reserves (totalling about 250 hectares) that are in-holdings in the nearby Bania National Park.
- The proposed revocation has been approved by the Minister for National Parks, Recreation, Sport and Racing.

CONSIDERATIONS

- *Consultation:* Department of National Parks, Recreation, Sport and Racing; Department of Natural Resources and Mines (State Land Asset Management Unit); North Burnett Regional Council.

Rec'd - ODG
28 FEB 2013

Author Name: Luke Navie Position: A/Program Manager, Tenures and Covenants Unit Tel No: 3330 5341 Date: 19 February 2013	**Cleared by** Name: Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 22 February 2013	**Cleared by** Name: Tamara O'Shea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 5390 Date: sch4p3(3) 27.02.13.	**Recommended:** Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 28.2.13
Cleared by Name: Ashley Williams Position: Manager, Tenures and Covenants Unit Tel No: 3330 5337 Date: 21 February 2013	**Cleared by** Name: Wade Oestreich Position: A/ED, Nature Conservation Services Tel No: 3330 5393 Date: 26 February 2013		

RTI DL Release

- *Legislation:* Section 32 of the *Nature Conservation Act 1992*, allows the Governor-in-Council to revoke the dedication of a protected area in whole or part by regulation subject to the Legislative Assembly resolving to support the revocation action.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 - Sketch outlining scope of proposed revocation

Author Name: Luke Navie Position: A/Program Manager, Tenures and Covenants Unit Tel No: 3330 5341 Date: 19 February 2013	**Cleared by** Name: Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 22 February 2013	**Cleared by** Name: Tamara O'Shea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 5390 Date:	**Recommended:** Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
Cleared by Name: Ashley Williams Position: Manager, Tenures and Covenants Unit Tel No: 3330 5337 Date: 21 February 2013	**Cleared by** Name: Wade Oestreich Position: A/ED, Nature Conservation Services Tel No: 3330 5393 Date: 26 February 2013		

CTS No. 03151/13

sch4p3(3) Prejudice th

Chief of Staff ..... OK
Dated 4/3/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 05/03/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Removal of Crocodile Traps from the Mary River**

TIMEFRAME

- It is proposed to remove the traps immediately from the Mary River to enable required maintenance as a result of the recent flooding event.

RECOMMENDATION

It is recommended that the Minister:

- **note** the removal of the three crocodile traps that are currently in a decommissioned state in the Mary River.

BACKGROUND

- In May 2012 a 3.5 metre estuarine crocodile was identified in the Mary River near Maryborough and, in accordance with current departmental policy, it was targeted for removal as a crocodile of concern.
- The initial trapping program was ceased in late May 2012 after the animal showed no interest in a range of baits, believed to be due to the animal's metabolism being slowed by cold weather and associated suppression of its appetite.
- Trapping was recommenced on the 10 October 2012 in response to warmer temperatures and the likelihood of the crocodile increasing feeding activity. The crocodile was observed regularly in the vicinity of the traps from 10 October until 26 October 2012. The department closed the three crocodile traps on 7 December 2012 and left them in situ after no sighting since the latter date.

CURRENT ISSUES

- Daytime and spotlight vessel surveys of the Mary River have failed to sight the crocodile or find any physical evidence of its presence such as tracks or slide marks on the river banks since 26 October 2012.
- The crocodile traps need to be removed, as they have now been in place on the Mary River for a period of four months and require cleaning and maintenance. The recent flood in the Mary River has resulted in significant debris accumulating on the mesh bag traps, and are likely to have impacted on the integrity of the anchor ropes attached to the floating trap.
- As there is no evidence to suggest the crocodile of concern is currently in the Mary River, it is an opportune time to remove the traps to undertake the necessary maintenance and prepare them for future deployment, if required.
- Once cleaned and serviced, the traps would once again be available to be rapidly deployed in response to any further sightings of a crocodile in the area.

CONSIDERATIONS

Consultation:

- Marine Park officers from the Department of National Parks, Recreation, Sport and Racing at Hervey Bay have advised that they will assist Department of Environment and Heritage Protection wildlife rangers with the removal of the floating trap from the river.

Key Communication Messages:

- There has been ongoing interest from media in relation to the Mary River crocodile with Media Services receiving regular requests for updates.

Rec'd - ODG
28 FEB 2013

Author	Cleared by	Cleared by	Recommended:
Name: Michael Devery Position: Manager Wildlife Operations Tel No: 33305257 Date: 20 February 2013	Name: Rebecca Williams Position: Director Wildlife Management Tel No: 3330 5112 Date: 20 February 2013	Name: Wade Oestreich Position: A/ED, NCS Tel No: 3330 5390 Date: 26 February 2013 **Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 sch4p3 Date: 27.02.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 28.2.13

RTI DL Release

- A media release will be prepared for the Minister's approval in relation to the removal of the traps and the current status of the crocodile of concern.

MINISTER'S COMMENTS

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Michael Devery Position: Manager Wildlife Operations Tel No: 33305257 Date: 20 February 2013	Name: Rebecca Williams Position: Director Wildlife Management Tel No: 3330 5112 Date: 20 February 2013	Name: Wade Oestreich Position: A/ED, NCS Tel No: 3330 5390 Date: 26 February 2013 **Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

CTS No. 03225/13

Chief of Staff sch4p3(3) Prejudice th - OK
Dated 28/2/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 28/02/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Minister's Attendance at the Clean Up Australia Day event at Beerburrum Forest on 3 March 2013**

TIMEFRAME

- Noting of this briefing note is required as soon as possible, as the Clean Up Australia Day event will take place on Sunday 3 March 2013.

RECOMMENDATION

It is recommended that the Minister:

- **note** the details for the Clean Up Australia Day event at the Beerburrum Forest on Sunday 03 March 2013.
- **note** the event profile, agenda, media release and copy of HQ Plantations invitation letter (Attachments 1, 2, 3 and 4).
- **note** the additional information provided to the Minister's office on 26 February 2013 regarding the Beerburrum Forest location (Attachment 5).
- **agree** to address volunteers at 10:00am.
- **indicate** which time is preferable for participation in clean-up activities – either 7.30am or 10.00am.
- **note** that the Department will provide gloves and bags for the Minister's use at the event.

BACKGROUND

- The Litter and Illegal Dumping Unit (LIDU) is conducting a pilot hotspot project in the Beerburrum Forest, operated by HQ Plantations Pty Ltd, to address littering and illegal dumping where it has been a long-term and frequent problem.
- LIDU is participating in Clean Up Australia Day to deliver its education and community awareness function in relation to the pilot hotspot project.
- On 12 February 2013 the Minister indicated that he would like to attend the Clean Up Australia Day event on 03 March 2013 (CTS 01897/13 – Attachment 6) and requested further details.

CURRENT ISSUES

- As part of the pilot project targeting illegal dumping in the forest, HQ Plantations will hold a Clean Up Australia Day event on 03 March 2013 with the support of the LIDU.
- It is intended that, apart from cleaning up areas within the forest, the event will highlight the problem of illegal dumping, enable the diverse stakeholders to meet and gain a better understanding of each other, and provide an opportunity for these stakeholders to take responsibility for various areas of the forest.
- Invitations to participate in clean up activities have been sent to more than forty recreational and environmental groups that use the forest.
- A proactive campaign to attract volunteers is being implemented by HQ Plantations with possible media interest.
- Volunteers will meet at the HQ Plantations oval and be transported to various sites in the forest, such as Wild Horse Lookout.
- Volunteers have been encouraged to register through the Clean Up Australia Day website however there have been other groups who have indicated they will attend but who have not registered at this stage.

Rec'd - ODG 27 FEB 2013

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Sandra Avendano Position: Manager, LIDU Tel No: 3330 5042 Date: 26 February 2013	Name: Position: Tel No: Date:	Name: Tamara O'Shea Position: A/DDG Conservation and Sustainability Services Tel No: 3330 6240 Date: 27 February 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 27.2.13 February 2013

- In addition to registered volunteers, there will also be up to fourteen people working off reparation orders or community service orders. This group will be undertaking clean up activities at a separate site to other volunteers.
- Specific event details are below:
  - When: Sunday, 3 March 2013
  - Where: Meet at the HQ Plantations office on Red Road, Beerburrum. Signs will then direct volunteers to the oval
  - Time: 7:30am or 10.00am for a site briefing
- The Minister will be met by representatives from HQ Plantations and by Ms Sandra Avendano, Manager Litter and Illegal Dumping Unit, Sustainability Outcomes.
- There will be the opportunity for the Minister to participate in the clean up as well as address local media.
- HQ Plantations ensure that there are sufficient vehicles for this purpose. HQ Plantations is arranging buses for the other volunteers to transport them to the cleanup sites.
- A draft Function Profile is attached (Attachment 1), as well as HQ Plantation's Agenda (Attachment 2).
- Communication Services has approved a draft media release (Attachment 3).
- A copy of HQ Plantation's invitation letter to Minister Powell is attached for information (Attachment 4).
- Further information requested by the Minister's Office and provided on 26 February 2013 regarding the Beerburrum Forest location.
- In the case of inclement weather, HQ Plantations will contact Ms Brooke Hargraves to advise of any changes to the event.

CONSIDERATIONS

- *Budget*: Approximately $7,500 has been identified from the LIDU budget to support this hotspot project. Please note that this amount includes an allowance for rubbish removal that may not be required if either the Moreton Bay or Sunshine Coast Regional Councils agree to remove the rubbish collected on the Clean Up day for free.
- *Consultation:* Tim Moore, Communication Services, EHP; Michael Robinson, Regional Manager Coastal, HQ Plantations; Pierre Mare, Operations Manager, Beerburrum HQ Plantations.
- *Key Communication Messages:* Illegal dumping in the Beerburrum Forest poses a number of risks including safety risks to forestry workers and recreational users; fire hazards; and environmental damage from weeds and toxic materials.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 – Event profile
- Attachment 2 – HQ Plantations Agenda
- Attachment 3 – Media release
- Attachment 4 – Copy of HQ Plantation invitation letter to Minister Powell
- Attachment 5 – Further information on Beerburrum Forest location as provided to Minister's Office on 26 February 2013
- Attachment 6 – CTS 01897/13

Author	Cleared by	Cleared by	Recommended:
Name: Sandra Avendano Position: Manager, LIDU Tel No: 3330 5042 Date: 26 February 2013	Name: Position: Tel No: Date:	Name: Tamara O'Shea Position: A/DDG Conservation and Sustainability Services Tel No: 3330 6240 Date: 27 February 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: February 2013

CTS No. 03327/13

Chief of Staff	sch4p3(3) Prejudice OK
Dated	17 / 3 / 13
	Approved Not Approved Noted
	Further information required
Minister	
Dated	18 / 03 / 13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

SUBJECT: Engagement of private providers for crocodile capture

RECOMMENDATION

It is recommended that the Minister:

- **note** that the Department of Environment and Heritage Protection proposes to use an Invitation to Offer (ITO) process to provide an opportunity for licenced private crocodile farms and zoos to undertake estuarine crocodile monitoring, capture and removal on a trial basis.
- **note** that progression of the ITO is dependent on funding for delivery of the crocodile management plans being approved by government through 2013-14 budget submission process.
- **note** that the ITO will relate to undertaking pro-active surveys for crocodile presence and capture and removal of animals of 2 metre or greater length within the watercourses which flow into the coastline running from Trinity Park north to Palm Cove.
- **note** that a further brief will be provided to the Director-General seeking approval of the ITO process.

BACKGROUND

- A private provider (a crocodile farm) has only been used to undertake a crocodile capture on two previous occasions in Queensland (once in the late 1990s and once in 2006). The Queensland Government did not pay for those services on the basis that the provider was permitted to obtain the target crocodiles without paying the conservation value set out under the *Nature Conservation Act 1992* for the animal.
- However, the department does not currently charge crocodile farms or zoos the conservation value for any crocodiles that have been captured by the department and subsequently allocated to them.
- Private providers are not currently used by the Northern Territory Government. Attachment 1 outlines the history of private providers in the Northern Territory.
- The use of providers is allowed for under the *Nature Conservation (Estuarine Crocodile) Conservation Plan 2007* which states that the chief executive may grant a crocodile management authority to a person who the chief executive reasonably believes has the skills and training to catch a problem crocodile safely.
- For the purpose of the trial, the providers will be required to match the outcome and process standards applicable to crocodile management functions undertaken by departmental officers in areas such as occupational health and safety, public safety and animal welfare.

CURRENT ISSUES

- An analysis indicated the scenario which provided the greatest clarity of operations for a private provider was to deliver monitoring and removal of crocodiles at locations where the specifications for crocodile removal require minimal assessment (e.g. Zone 1 and Zone 2 areas) and where responsiveness to an immediate potential public risk was not a critical factor.
- The proposal is for a provider to undertake pro-active spotlight surveys and associated crocodile capture and removal from the Cairns northern beaches area from Trinity Park north to Palm Cove.
- This area has been identified as Zone 2 in the Cairns Regional Council Crocodile Management Plan. The pro-active spotlight surveys would be done monthly and the shallow harpooning technique used to attempt to capture and remove any observed crocodiles of 2 metres or greater length.
- Arrangements with regards to media statements would need to be clarified.
- Performance management and governance arrangements for the trial will involve placing a departmental officer on the vessel as an observer. Departmental officers will not be on all vessels;

Received
13 MAR 2013

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Michael Devery Position: Manager, WMU Tel No: 3330 5257 Date: 12 February 2013	Name: Rebecca Williams Position: Director, WMU Tel No: 3330 5512 Date: 5 March 2013 **Cleared by** Name: Wade Oestreich Position: A/ED NCS Tel No: 3330 5390 Date : 13 March 2013	Name: Tamara O'Shea Position: A/DDG CSS sch4p3(3) Tel No: 3330 6240 Date: 13.03.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 14.3.13

File Ref:

they will however attend intermittently and with little notice to the operator. It is also proposed to require the private provider to operate under a continuous GPS tracking and recording arrangement in order that the department has the capacity to verify the location and duration of spotlight surveys. This is similar to that which occurs with fishing trawlers operating under the Vessel Monitoring System managed by the Department of Agriculture, Fisheries and Forestry.

- It should be noted that progression of the ITO is dependent on funding for delivery of the crocodile management plans being approved by government through the 2013-14 budget submission process.
- A separate briefing note will be prepared for the Director-General for his consideration of approval of the abovementioned proposed ITO once the funding arrangements for 2013-14 financial year become clearer

MINISTER'S COMMENTS

Pls prepare comms strategy including letters to Cairns MPs.

RTI DL Release

ATTACHMENTS

- Attachment 1 - Northern Territory's history of use of private providers for crocodile capture

Author	Cleared by	Cleared by	Recommended:
Name: Michael Devery Position: Manager, WMU Tel No: 3330 5257 Date: 12 February 2013	Name: Rebecca Williams Position: Director, WMU Tel No: 3330 5512 Date: 5 March 2013 **Cleared by** Name: Wade Oestreich Position: A/ED NCS Tel No: 3330 5390 Date : 13 March 2013	Name: Tamara O'Shea Position: A/DDG CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

sch4p3(3) Prejudice the

CTS No. 03477/13

Chief of Staf OK
Dated 4/3/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 05/03/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Nature Refuges – Signing of nature refuge agreement for Australian Prawn Farms Nature Refuge**

RECOMMENDATION

It is recommended that the Minister:

- **sign** (where noted) the nature refuge agreement for Australian Prawn Farms Nature Refuge (Attachment 1), to enable the proposed nature refuge to be declared in the relevant regulation.
- **sign** the accompanying congratulatory letter (Attachment 2) and certificate to the owner of Australian Prawn Farms Nature Refuge (Attachment 3).

BACKGROUND

- Through the Nature Refuges Program, the Tenures and Covenants Unit (TaCU) negotiates legally-binding nature refuge agreements over freehold and leasehold land. As at 31 January 2013 there are 440 nature refuges protecting over 3.35 million hectares of high conservation value land.
- The proposed Australian Prawn Farms Nature Refuge is located approximately 40 kilometres south-east of Sarina and covers about 227 hectares. It provides significant habitat for migratory and localised wildlife and suitable habitat for threatened species.

CURRENT ISSUES

- The nature refuge agreement for Australian Prawn Farms Nature Refuge has been signed by the landholder and now requires signing by the Minister to become legally binding and to allow the new nature refuge to be declared in the relevant regulation.

Preferred Action after signing by the Minister:

- Ministerial and Executive Correspondence Unit will:
  - post one copy of the nature refuge agreement with the congratulatory letter to the landholder for their records.
- The Tenures and Covenants Unit will:
  - collect and retain one copy of the nature refuge agreement for their records.
  - collect and frame the certificate and provide to the landholder.
  - register the nature refuge agreement on land title as per section 134 of the *Nature Conservation Act 1992* (the Act).

CONSIDERATIONS

- *Consultation:*

Relevant parties have been notified of, and where relevant, have consented to the proposed Australian Prawn Farms Nature Refuge, in accordance with the Act. All necessary approvals have been obtained from the Department of Natural Resources and Mines in relation to mineral resource rights and tenure. The nature refuge agreement for signature has resulted from negotiations between the State and the landholder.

sch3(7) Information subject to legal professional privilege

- *Legislation:*

Section 45 of the Act provides for the Minister to enter into nature refuge agreements over an area, which forms an agreement to declare a nature refuge over the area.

Rec'd - ODG
28 FEB 2013

Author	Cleared by	Cleared by	Recommended:
Name: Kylie Tweedie Position: Senior Conservation Officer Tel No: 3330 5358 Date: 25 February 2013	Name: Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 25 February 2013	Name: Tamara O'Shea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 6240 Date: 28.02.13 sch4p3(	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
	Name: Wade Oestreich Position: A/ED, Nature Conservation Services Tel No: 3330 5390 Date: 27 February 2013		28.2.13

RTI DL Release

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 – Nature Refuge agreement (in duplicate) for Australian Prawn Farms Nature Refuge
- Attachment 2 – Congratulatory letter for the landholder of Australian Prawn Farms Nature Refuge
- Attachment 3 – Certificate of Conservation Achievement for landholder of Australian Prawn Farms Nature Refuge
- Attachment 4 – sch3(7) Information subject to legal professional privilege

Author Name: Kylie Tweedie Position: Senior Conservation Officer Tel No: 3330 5358 Date: 25 February 2013	**Cleared by** Name: Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 25 February 2013	**Cleared by** Name: Tamara O'Shea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 6240 Date:	**Recommended:** Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
	Name: Wade Oestreich Position: A/ED, Nature Conservation Services Tel No: 3330 5390 Date: 27 February 2013		

QUEENSLAND GOVERNMENT

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

Level 13
400 George Street Brisbane 4000
GPO Box 2454 Brisbane
Queensland 4001 Australia
Telephone +61 7 3239 0844
Facsimile +61 7 3224 2496
Email environment@ministerial.qld.gov.au

Ref CTS 03477/13

5 MAR 2013

Mr Ross Baillie
Australian Prawn Farms Pty Ltd
47 Cinderella Drive
SPRINGWOOD QLD 4127

Dear Mr Baillie Ross

I am delighted to sign the Australian Prawn Farms Nature Refuge agreement and return a copy to you for your records. The necessary action to formally declare your nature refuge will occur shortly.

Government alone cannot achieve the goal of conserving Queensland's biodiversity and protecting its natural landscapes. The commitment that you have made through your nature refuge agreement will bring lasting benefits to the community as a whole.

Congratulations and thank you for your willingness to be involved in conservation in a most practical manner.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

Enc

RTI DL Release

sch4p3(3) Prejudice the

CTS No. 04039/13

Dated

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

Further i mation r

Minister for Environment and Heritage Protection

Minister
Dated

SUBJECT: Rescue and Rehabilitation Grant Program – successful recipients of round one

RECOMMENDATION

It is recommended that the Minister:

note that the Director-General has endorsed the grant recommendations for round one of the Koala and Rehabilitation Grants Program.

etters to the successful applicants.

e that the department will write to the one unsuccessful applicant.

prove the attached media statements.

BACKGROUND

On 23 January 2013, a workshop was convened with an independent assessment panel to competitively assess the applications under the Koala Rescue and Rehabilitation Grants Program. The recommendations put forward by the assessment panel were endorsed by the Director-General on 1 March 2013 (CTS 02854/13 – Attachment 8).

CURRENT ISSUES

The assessment panel recommendations, including conditions of funding, for round one of the Koala Rescue and Rehabilitation Grants Program, endorsed by the Director-General on 28 February 2013 (CTS 02854/13 – Attachment 8), are summarised in Attachment 1.

In total, 11 applicants are to be fully or partially funded and one rejected.

The Royal Society for the Prevention of Cruelty to Animals, Queensland Incorporated (RSPCA Queensland) will receive a partial grant that excludes the cost of the endoscopy stack.

The panel recommended that this item be excluded, as the applicant did not demonstrate that this piece of equipment would be used solely for the purpose of koala rehabilitation. However, the panel also recommended that the applicant could be encouraged to apply in subsequent funding rounds, if they can demonstrate the effectiveness of, and need for, such a specialised piece of equipment for dedicated koala care.

The Bowen Basin Koala Rescue Rehabilitation and Release Group were unsuccessful, as they failed to meet the basic eligibility criteria of the program (not a registered charity, community purpose or incorporated association). Additionally, a large component of their project is research focused and is outside the scope of this program.

The assessment panel recommended that conditions should apply to some applicants, in particular Australia Zoo Wildlife Warriors Worldwide Pty Ltd (Australia Zoo), who requested funding in two components – rescue equipment and training, and a 10 hectare koala eucalypt plantation. Both components should be fully funded, conditional on the following:

i) Funding for a koala eucalypt plantation ($171,950) is to be allocated over four years. Given the large proportion of funding being allocated to Australia Zoo, the panel recommended that they receive the full amount requested, however, they cannot reapply for subsequent rounds, allowing other organisations fair and reasonable access to the remaining funding; and

ii) Once established, fodder from the koala eucalypt plantation is to be made available to carers who are looking after koalas that have been supplied and treated by the Australia Zoo Wildlife Hospital.

Rec'd - ODG
- 8 MAR 2013

Rti Dl. Release

Author
Name: Megan Wheeler
Position: Principal Project Officer
Tel No: 3330 6318
Date: 4 March 2013

Cleared by
Name: Andrew Mullens
Position: A/Director, KCU
Tel No: 3330 6172
Date: 5 March 2013

Cleared by
Name: Wade Oestreich
Position: A/ED NCS
Tel No: 3330 5393
Date: 6 March 2013

Cleared by
Name: Tamara O'Shea
Position: A/DDG, CSS
Tel No: 3330 6420
sch4p3
08.03.13

Recommended:
Name: Andrew Chesterman
Position: DG, DEHP
Tel No: 3330 6298

Based on the panel's recommendations, approximately $279,700 of the $800,000 funding allocation for this program will be committed in the first round of this four year program with actual expenditure of approximately $150,700 in the first year.

Subsequently, $173,400 will be available for each of the next three rounds, pending approval of carryover.

Letters of acceptance for successful recipients, are attached (Attachment 2), including letters for Australia Zoo (Attachment 3) and the RSPCA (Attachment 4) detailing their conditions and funding amounts.

Upon receiving their letter of acceptance, departmental officers will work with each successful recipient to finalise a deed of grant.

Once applicants are notified of the outcome of round 1 of the program, a survey will be conducted to inform round two.

CONSIDERATIONS

Budget: $800,000 is available over four years. $200,000 was initially assigned for the first round. The endorsed recommendations will see $279,700 committed in this first round of the program with actual expenditure of $150,787.

Committing funding from future rounds to Australia Zoo in round one reduces the amount that will be available for subsequent rounds to approximately $173,400, pending approval of carry-over of unspent funds in round 1.

Election Commitment: The Koala Rescue and Rehabilitation Grant is an initiative under the *Investing to protect our koalas* policy.

MINISTER'S COMMENTS

ATTACHMENTS

Attachment 1 – Endorsed recommendations of round one of the Koala Rescue and Rehabilitation Grants Program
Attachment 2 – Letters of acceptance to successful recipients (excluding Australia Zoo and RSPCA)
Attachment 3 – Letter of acceptance to Australia Zoo
Attachment 4 – Letter of acceptance to RSPCA
Attachment 5 – Mail merge details for letters of acceptance
Attachment 6 – Media statement – all applicants
Attachment 7 – Media statement – breakdown by regions
Attachment 8 – CTS 02854/13

RTI DL Release

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Date: 4 March 2013

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Date: 5 March 2013

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Date: 6 March 2013

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Tel No: 3330 6420

Recommended:
Name: Andrew Chesterman
Position: DG, DEHP
Tel No: 3330 6298

CTS No. 04291/13

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Chief of Staff OK
Dated 12/3/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 18/03/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **New South Wales (NSW) Waste Less, Recycle More Initiative**

TIMEFRAME

- There is no timeframe for this briefing note.

RECOMMENDATION

It is recommended that the Minister:

- **note** the NSW Waste Less, Recycle More waste and resource recovery initiative (**Attachment 1**) and the potential implications and opportunities for Queensland
- **note** that the department will continue to work with the NSW Government to ensure consistency, where possible, between NSW and Queensland policy and legislative frameworks.

BACKGROUND

- In 2012 the NSW Government commissioned consultants KPMG to undertake a review of the NSW waste levy. The government accepted 15 of the 17 recommendations in the report.

CURRENT ISSUES

NSW Waste Less, Recycle More Initiative

- Waste Less, Recycle More is a five-year $465.7 million waste and resource recovery initiative.
- The foundation of the program is the establishment of waste and recycling infrastructure, committing $250 million over 5 years for targeted funding for drop-off centres, food and garden organics processing, new and refurbished infrastructure, recycling innovation and business support to increase off-site recycling.
- The initiative also includes a new 5 year $137.7 million non-contestable local government fund to commence in July 2013. This program will help local governments support their own waste and recycling initiatives for their local communities.
- Other programs include funding to combat illegal dumping ($58 million) and littering ($20 million); a local government contestable grant fund ($85.1 million)
- The NSW Government is committed to achieving ambitious recycling targets by 2014. Currently Municipal Solid Waste and Commercial and Industrial Waste recycling sits at 52% and 57% respectively, with the aim to reach 66% and 63% by 2014.
- As part of this initiative, the government also announced two improvements to the operation of the waste levy.
- The first is to reinstate a levy exemption applying to 10% of virgin excavated natural material disposed of to landfill. This is to enable landfill operators to reuse what is essentially clean soil for on-site operational purposes.
- The second improvement involves a 5-year structural adjustment program to assist metal shredding operations in NSW to modernise their operations in order to reduce the amount of waste they generate.

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13 MAR 2013

Implications for Queensland

- This announcement has potential implications for Queensland, particularly in relation to this state's ability to encourage recycling infrastructure investment in Queensland.
- There are also implications for the interstate transport of waste from NSW to Queensland.
- Industry advice and media reports indicate that the majority of waste being transported to Queensland from NSW is residues from recycling activities. While the 50% levy deduction may reduce the amount of shredder floc being transported to Queensland by creating a price

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12-439	Collection 2		27 of 337

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differential between disposal and transport, other recycling residues have no such incentive and their transport may continue.

- The $250 million Waste and Recycling Infrastructure package may encourage more recyclers to establish facilities in NSW, to the detriment of investment potential in Queensland.
- The NSW Initiative has identified that, in order to meet their strategy targets, NSW needs 18 new organics/waste processing facilities and 13 upgraded facilities for household waste alone.
- For every 10,000 tonnes of waste recycled there are an estimated 9.2 full-time equivalent employees. This is compared to 2.8 for landfilling. The NSW Government estimates that the additional infrastructure is likely to employ an additional 1200 people in facility operation, increasing to 6700 by 2036, and an additional 1800 in facility construction.
- While the development of a new industry-led waste strategy for Queensland will identify potential infrastructure and investment needs, particularly for regional Queensland, in the short to medium term the NSW funding program may led to companies looking to invest first in NSW before establishing in other states, leading to a potential significant lag time in establishing new infrastructure for Queensland.
- The effects of this may be two-fold: recycling residue waste will continue to be transported to Queensland for disposal; and there may be increased recyclable materials transported to NSW for higher order reprocessing as these facilities are not available in Queensland.
- The Queensland economy will potentially miss out on an almost four-fold increase in job potential if recycling investment targets NSW first.

<u>Opportunities to collaborate with NSW</u>

- Opportunities exist to work closely with the NSW Government in some areas to ensure a consistent policy position can be established where applicable, such as energy from waste policy.
- EHP is currently investigating developing an energy from waste policy as part of the industry-led strategy. There are opportunities to align requirements, application and technologies with the NSW position to remove confusion, streamline requirements and potentially reduce approval timeframes for proponents who may wish to operate across jurisdictions.
- There is further opportunity to align some regulatory provisions between NSW and Queensland. The Queensland Environmental Protection (Waste Management) Regulation 2000 expires on 1 September 2013 and a review of options is currently underway.
- While in the drafting development stage, there may be an opportunity to work with NSW to look at how we may be able to strengthen tracking requirements in relation to interstate movements of non-regulated wastes and align waste classifications and definitions.

MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1 – NSW Waste Less, Recycle More

RTI DL Release

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NSW EPA

Our reference: DOC13/5113

0382/13

Mr Andrew Chesterman
Director General
Department of Environment and Heritage QLD
GPO Box 2454
BRISBANE QLD 4001

25 February 2013

Dear Mr Chesterman

I am writing to advise that the NSW Government has announced the release of a $465.7 million *Waste Less, Recycle More* initiative that sets out a progressive waste and recycling agenda over the next five years.

The initiative has been developed in response to the recommendations of the independent review of the waste levy and brings forward a holistic and strategic approach to waste and recycling that will transform the way waste is managed in NSW.

The Hon Robyn Parker, Minister for Environment and Heritage, appointed the internationally renowned consultancy firm, KPMG to undertake an independent review into the operation of the NSW waste levy. The review was identified as a priority action under Goal 23 of *NSW 2021: A Plan To Make NSW Number One.* The review focused on the impact of the levy on the recycling industry, households and illegal dumping. The KPMG report and the Government's response to its 17 recommendations are available at: www.environment.nsw.gov.au/waste/levyreview.htm

A key theme identified by KPMG from the consultations was the need to reform the funding programs to stimulate investment in waste and recycling infrastructure, education and the development of waste initiatives. The *Waste Less, Recycle More* package provides funding of $465.7 million to be spent over five years on waste and recycling in NSW. The package is the largest waste and resource recovery funding package in Australia that will help achieve the State's recycling targets, stimulate investment in infrastructure and combat illegal dumping and littering. Key funding programs in the package include:

- $137.7 million for local councils to develop fit-for-purpose local solutions for their communities, including the full 2012-13 Waste and Sustainability Improvement Payment to assist local councils transition to the new program to commence in July 2013

- $250 million Waste and Recycling Infrastructure Package, that includes:
  - $70 million to facilitate the establishment of community drop-off centres for problematic wastes (eg gas bottles, paint, fluoro tubes)
  - $70 million to target the collection and re-processing of food waste from businesses and householders
  - $60 million to stimulate investment in waste and recycling infrastructure to support levy paying communities
  - $35 million to support businesses across NSW increase waste avoidance and resource recovery
  - $15 million to support recyclers reduce residuals, increase their efficiencies and develop innovative recycling solutions and new markets

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28 FEB 2013

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- $58 million to combat illegal dumping
- $20 million in funding for litter programs to ensure NSW has the lowest litter per capita.

Details of the new waste and resource recovery initiative are included in the brochure enclosed.

Other key outcomes of the KPMG review that have been adopted as part of the *Waste Less, Recycle More* initiative include:

- the release of a draft state-wide illegal dumping strategy for public consultation
- the release of a draft energy from waste policy for public consultation
- establishment of an expert reference panel to advise on infrastructure
- a pilot program providing a levy rebate for the disposal of asbestos for home renovators
- structural adjustment program to assist NSW metal shredders
- reinstating an exemption of the levy payable on virgin excavated natural material disposed of at a landfill.

In their report to the Government, KPMG made a recommendation to extend the waste levy across NSW, exempting landfills that receive less than 5,000 tonnes per year. Given the significance of this proposal, the Government has decided to withhold a decision on this recommendation until likely affected local councils and other stakeholders have been consulted on the issue. As a result, the EPA will be consulting with councils and other stakeholders affected by implementing this KPMG recommendation as part of the consultation phase of the statutory review into the *Protection of the Environment Operations (Waste) Regulation 2005* in early 2013.

Further information regarding the above initiatives is available on the EPA's website at: www.epa.nsw.gov.au/waste/WasteLess.htm The EPA will also be hosting information sessions for interested stakeholders throughout March 2013. Details on the information sessions are enclosed for your information.

If you have any further questions, please contact Steve Beaman, Director Waste and Resource Recovery on (02) 9995 6073.

Yours sincerely

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BARRY BUFFIER
Chair and CEO
Environment Protection Authority

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Schedule of stakeholder information and consultation forums

Stakeholder information and consultation sessions will cover:

- Five year $465.7 million *Waste Less, Recycle More* initiative
- Review of the Waste Avoidance and Resource Recovery Strategy
- Draft Energy from Waste Policy Overview
- Review of the *Protection of the Environment Operations (Waste) Regulation*
- Draft Illegal dumping strategy
- Consultation on geographic coverage of the waste levy

Session	**Date** **Time: 9.30-4pm**	**Venue**	**Address**
Coffs Harbour	Wednesday 6 March 2013	Break free Aanuka Beach Resort	11 Firman Drive, Coffs Harbour
Parramatta	Friday 8 March 2013	Novotel Parramatta	350 Church St Parramatta
Sydney CBD	Monday 11 March 2013	Rydes World Square	389 Pitt Street, Sydney
Maitland	Wednesday 13 March 2013	Telarah Bowling Club	Clark St, Telarah
Kiama	Friday 15 March 2013	The Pavilion, Kiama	2 Bong Bong Street, Kiama
Tamworth	Monday 18 March 2013	Quality Hotel Powerhouse	248A Armidale Road (New England Hwy) Tamworth
Wagga Wagga	Thursday 21 March 2013	Commercial Club Wagga Wagga	77 Gurwood Street, Wagga Wagga
Dubbo	Monday 11 March 2013	Dubbo RSL	Cnr Brisbane Street & Wingewarra Street Dubbo

Please RSVP to:
wastelevy.review@epa.nsw.gov.au

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CTS No. 04355/13

Dated

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

Further i

Minister for Environment and Heritage Protection

Minister
Dated

SUBJECT: Clean Up Australia Day Event at Beerburrum State Forest on 3 March 2013

RECOMMENDATION

It is recommended that the Minister:

note the outcomes from the Clean Up Australia Day event held at the Beerburrum State Forest on 3 March 2013, including stakeholder engagement and statistics on collected waste.

BACKGROUND

HQ Plantations, in partnership with the Department of Environment and Heritage Protection, held a Clean Up Australia Day event on 3 March 2013 at the Beerburrum State Forest, the location of the pilot hotspot project.

The Minister for Environment and Heritage Protection attended, along with staff from the department's Litter and Illegal Dumping Unit (LIDU).

CURRENT ISSUES

A total of 49 volunteers joined HQ Plantations and LIDU in the efforts to clean up the forest between 7:00am and 12:00pm.

Contributing stakeholders included the Sunshine Coast Clean Up Australia Day Coordinator, Sunshine Coast Regional Council, Moreton Bay Regional Council, Crime Stoppers, Queensland Parks and Wildlife Service, Lions, Rotary, St Johns Ambulance, Moreton Districts Offroad Club, 4WD Queensland, Sunshine Coast Jeep Club, North Coast 4WD Club and Caloundra City 4WD

Mr Mike Robinson, Regional Manager HQ Plantations, acknowledged the support of the LIDU over the past year and the achievements to date under the collaborative effort.

The Minister's attendance, engagement with volunteers, HQ Plantations, and LIDU staff raised the profile of the event, highlighting the government's focus on behavioural change and awareness of litter and illegal dumping laws.

The Minister was informally briefed on the hotspot projects and how it is envisaged that learning's from the pilot project will inform the implementation of future hotspots across the state

Six media outlets (four radio stations and two newspapers) covered the event at the Beerburrum State Forest.

Approximately 26 tonnes of waste was cleaned up from four sites in the Beerburrum State Forest, which included over 150 tyres as well as items such as paint tins (toxic), unidentified drums (potentially hazardous), televisions, lounges, a sink, a bird cage, large tractor tyres, a dismantled kitchen, fridges and bags of used nappies.

Corrective Services staff were to attend with 14 people undertaking community service. They have subsequently been in contact with LIDU and HQ Plantations, and a separate clean up has been organised for them this Friday 8 March 2013.

There was only one minor first aid incident which was treated on site.

Preliminary learnings from this event include:

- Attending four wheel drive club members requested approval to post a link to the department's Litter and Illegal Dumping Online Reporting System (LIDORS) on their website.
- The LIDU will investigate opportunities to work with Corrective Services further to provide support for people to attend future clean ups statewide.
- The event proved to be an opportunity for the 4WD clubs to commence building a trusting and mutually beneficial relationship with HQ Plantations management

Rec'd - ODG
8 MAR 2013

RTI DL Release

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Date: 7 March 2013

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Position: A/DDG, CSS
Tel No: 3330 6240 sch4p3(3)
07.03.13

Recommended:
Name: Andrew Chesterman
DG, DEHP
Tel No: 3330 6298
8.3.12

The LIDU will investigate the possibility of council providing vouchers for one particular volunteer who, with his son, wants to keep doing regular clean ups in the forest

LIDU's Manager also had the opportunity to inform the Minister on other upcoming deliverables, including the development of the Queensland's LID Strategy, capacity building grants for local governments and the LID data project.

The success of this event is evidence on how industry and government can work together to address litter and illegal dumping (LID), and provide a mechanism for involving community and land users.

MINISTER'S COMMENTS

RTI DL Release

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Date: 7 March 2013

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Recommended:
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DG, DEHP
Tel No: 3330 6298

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CTS No. 04421/13

Chief of Staff .....
Dated 21/03/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 21/03/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Ongoing delivery of Healthy Waterways Program election commitment**

RECOMMENDATION

It is recommended that the Minister:

- **sign** the letters to the Minister for Natural Resources and Mines (DNRM), Andrew Cripps MP, and the Minister for Science, Information Technology, Innovation and the Arts (DSITIA), Ian Walker MP to request their commitment to ongoing funding arrangements for the Ecosystem Health Monitoring Program and Report Card managed by Healthy Waterways Ltd (**Attachments 1 & 2**).

BACKGROUND

- The Minister for Environment and Heritage Protection (EHP) has lead responsibility for the government's commitment to continue funding for the Healthy Waterways Program. A critical element of the program is the annual report card published by Healthy Waterways Ltd. The former Department of Environment and Resource Management was contracted through the Healthy Waterways Network Deed to provide $500,000 cash and $2.616 million in-kind for network core funding and the Ecosystem Health Monitoring Program (EHMP) which results in the annual Report Card.
- Under the current administrative arrangements, EHP provides the $500,000 cash contribution. The $2.616 million in-kind is comprised of $1.937 million from DSITIA and $679,000 from DNRM hydrographic services including in-kind for gauging stations and a cash transfer of $573,000 to DSITIA.

CURRENT ISSUES

- There has been some uncertainty regarding the ongoing commitment of in-kind from DSITIA and DNRM and it has not been fully confirmed for the 2013–14 financial year. EHP is concerned that without Ministerial commitment, the DNRM $679,000 commitment which includes $573,000 cash transfer will cease. This would result in DSITIA being unable to supply the science for the production of future South East Queensland report cards. The diagram in **Attachment 3** demonstrates the funding arrangements around Healthy Waterways in SEQ highlighting EHMP.
- EHP proposes that the Minister seek DNRM and DSITIA Ministers' confirmation of ongoing commitment of in-kind and cash. This is critical to the EHMP and continued production of the annual report card, and will ensure delivery of the election commitment.

CONSIDERATIONS

- *Budget*: EHP continues to provide $500,000 cash from base budget directly to Healthy Waterways Ltd as part of the state's network contribution. Confirmation from DNRM and DSITIA would ensure ongoing commitment of $2.616 million as the remainder of the state's network contribution.
- *Election Commitment:* Relates to ongoing delivery of election commitment 316, to maintain existing funding for a Healthy Waterways Program.

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Rec'd - ODG
20 MAR 2013

Author	Cleared by	Cleared by	Recommended:
Name: Matthew Fullerton Position: Senior Policy Officer, Healthy Waters Tel No: 3330 5603 Date: 18 Mar. 13	Name: Peter Hutchison Position: Executive Director Environment & Water Quality Tel No: 3330 5991 Date: 18 March 2013	Name: Tony Roberts Position: Deputy Director-General, Environmental Policy & Planning Tel No: 3330 5990 Date: 18 March 2013 sch4 21/3/13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 20.3.13

File Ref: (Remove if N/A)

MINISTER'S COMMENTS

ATTACHMENTS

- **Attachment 1** – Letter to Minister for Natural Resources and Mines
- **Attachment 2** – Letter to Minister for Science, Information Technology and the Arts
- **Attachment 3** – Diagram of Healthy Waterways funding arrangements

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Author	Cleared by	Cleared by	Recommended:
Name: Matthew Fullerton Position: Senior Policy Officer, Healthy Waters Tel No: 3330 5603 Date: 18 Mar. 13	Name: Peter Hutchison Position: Executive Director Environment & Water Quality Tel No: 3330 5991 Date: 18 March 2013	Name: Tony Roberts Position: Deputy Director-General, Environmental Policy & Planning Tel No: 3330 5990 Date:18 March 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

QUEENSLAND GOVERNMENT

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

Ref CTS 04421/13

Level 13
400 George Street Brisbane 4000
GPO Box 2454 Brisbane
Queensland 4001 Australia
Telephone +61 7 3239 0844
Facsimile +61 7 3224 2496
Email environment@ministerial.qld.gov.au

21 MAR 2013

The Honourable Andrew Cripps MP
Minister for Natural Resources and Mines
PO Box 15216
CITY EAST QLD 4002

Dear Minister Andrew

I write seeking your department's support for the government's commitment to maintain funding for the Healthy Waterways Program (316). This program is comprised of $2 million in annual project funding administered by the Department of Environment and Heritage Protection and the state's core contribution to the South East Queensland Healthy Waterways Network. These funds support a range of Healthy Waterways initiatives, including the Ecosystem Health Monitoring Program (EHMP) which produces the annual Healthy Waterways Report Card.

The core contribution now includes components from three departments:

- $500,000 cash provided directly to Healthy Waterways Ltd by the Department of Environment and Heritage Protection
- In-kind of $1.937 million from the Department of Science, Information Technology, Innovation and the Arts (DSITIA) for EHMP
- $679,000 from the Department of Natural Resources and Mines including $573,000 cash transferred to DSITIA and $106,000 in-kind for EHMP.

In order to ensure that the government is able to honour its election commitment, I request your confirmation that the present contribution of our organisations will be maintained for 2013–14 in the first instance.

I look forward to working together to deliver this important government commitment. Should your staff have further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

RTI DL Release

QUEENSLAND GOVERNMENT

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

Ref CTS 04421/13

21 MAR 2013

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400 George Street Brisbane 4000
GPO Box 2454 Brisbane
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Telephone +61 7 3239 0844
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Email environment@ministerial.qld.gov.au

The Honourable Ian Walker MP
Minister for Science, Information Technology,
Innovation and the Arts
GPO Box 5078
BRISBANE QLD 4001

Dear Minister Ian

I write seeking your department's support for the government's commitment to maintain funding for the Healthy Waterways Program (316). This program is comprised of $2 million in annual project funding administered by the Department of Environment and Heritage Protection and the state's core contribution to the South East Queensland Healthy Waterways Network. These funds support a range of Healthy Waterways initiatives, including the Ecosystem Health Monitoring Program (EHMP) which produces the annual Healthy Waterways Report Card.

The core contribution now includes components from three departments:

- $500,000 cash provided directly to Healthy Waterways Ltd by the Department of Environment and Heritage Protection
- In-kind of $1.937 million from the Department of Science, Information Technology, Innovation and the Arts (DSITIA) for EHMP
- $679,000 from the Department of Natural Resources and Mines including $573,000 cash transferred to DSITIA and $106,000 in-kind for EHMP.

In order to ensure that the government is able to honour its election commitment, I request your confirmation that the present contribution of our organisations will be maintained for 2013–14 in the first instance.

I look forward to working together to deliver this important government commitment. Should your staff have further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

RTI DL Release

CTS No: 04441/13

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Chief of Staff ..... OK
Dated 25 /03/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 26 /03/ 13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **State Land Freeze – DETE offset completion reports**

RECOMMENDATION

Sensible outcome dg

It is recommended that the Minister:

- **note** that the Department Education, Training and Employment (DETE) is unable to complete outstanding offset completion reports required under the previous government obligation known as the 'State Land Freeze' (SLF); and
- **note** the waiver of DETE's obligation to finalise these outstanding offset completion reports; and
- **sign** the letter addressed to the Honourable John-Paul Langbroek (Attachment 1).

BACKGROUND

- The SLF program was a directive of the previous government commencing in December 2008, that placed a freeze on the disposal or clearing of state-owned land in south east Queensland, other than for the development of urgent social infrastructure, to protect koala habitat until the release of the government's current suite of koala conservation planning instruments.
- The SLF program ceased in May 2010 upon the introduction of these regulatory instruments, including the *State Government Supported Community Infrastructure Koala Conservation Policy* (CI Policy).

CURRENT ISSUES

- Under the SLF commitment, DETE was required to replant (offset) a total of 6,164 trees over 116 projects to compensate for the loss of koala habitat. DETE have submitted a total of 34 completion reports that document the replanting works of 1,550 koala habitat trees.
- Currently there are 82 outstanding replanting completion reports, totalling 4,614 koala habitat trees or 75% of the total offset required by DETE.
- DETE have advised that they are not in a position to finalise the outstanding reports. This is because the majority of projects took place under the Commonwealth's Building the Education Revolution (BER) program, and DETE report that the majority of staff employed to deliver these projects are no longer with the department, leaving only a limited number of resources remaining to deal with the issue.
- Since 2010, the department's Koala Conservation Unit (KCU) has been liaising with DETE to finalise these outstanding reports. Given that DETE is not in the position to progress this matter, and that the department's priority is now the implementation of the CI Policy, the KCU intends to cease DETE's reporting actions under the SLF.
- The department continues to liaise with DETE in the delivery of the CI Policy requirements, and will be providing the 2010-11 and 2011-12 annual reports in the near future. The 2010-11 report will also finalise actions under the SLF period.

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20 MAR 2013

CONSIDERATIONS

- *Election Commitment:* Not directly related to an election commitment, though it supports the state election commitment - *Investing to protect our koalas* by achieving a balance between the protection of koalas, economic development and the social wellbeing of Queensland communities and facilitating the revegetation of land bought for koala habitat.

Author	Cleared by	Cleared by	Recommended:
Name: Pauline Fitzgibbon Position: Senior Project Officer Tel No: 3330 5121 Date:14 March 2013	Name: Andrew Mullens Position: A/Director, KCU Tel No:3330 5393 Date: 18 March 2013 **Cleared by** Name: Wade Oestreich Position: A/ED, NCS Tel No:3330 5390 Date: 18 March 2013	Name: Tamara OShea Position: A/DDG, CSS Tele No:3330 6240 Date: 20 March 2013	Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 21.3.13

MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1 – Letter to Honourable John-Paul Langbroek

RTI DL Release

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Pauline Fitzgibbon Position: Senior Project Officer Tel No: 3330 5121 Date:14 March 2013	Name: Andrew Mullens Position: A/Director, KCU Tel No:3330 5393 Date: 18 March 2013 **Cleared by** Name: Wade Oestreich Position: A/ED, NCS Tel No:3330 5390 Date: 18 March 2013	Name: Tamara OShea Position: A/DDG, CSS Tele No:3330 6240 Date: 20 March 2013	Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

QUEENSLAND GOVERNMENT

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

Ref CTS 04441/13

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26 MAR 2013

The Honourable John-Paul Langbroek MP
Minister for Education, Training and Employment
PO Box 15033
CITY EAST QLD 4002

Dear Minister

You may be aware that prior to the commencement of the State Government Supported Community Infrastructure Koala Conservation Policy (CI Policy) in May 2010, the previous government instigated the State Land Freeze (SLF) directive.

This program commenced in December 2008 and placed a freeze on the disposal or clearing of state-owned land in south east Queensland to protect koala habitat, until the release of the government's suite of koala conservation planning instruments, including the CI Policy. The SLF did allow for the development of urgent social infrastructure, provided that impacts on koala habitat trees were offset through a financial contribution, or through replanting.

Under the SLF commitment, the Department of Education, Training and Employment (DETE) was required to replant (offset) a total of 6,164 koala habitat trees over 116 projects to compensate for the loss of habitat. It is understood that the majority of these projects took place under the Australian Government's Building the Education Revolution (BER) program.

DETE has submitted completion reports that document the replanting works for 1,550 of these offset trees. There are 82 outstanding completion reports, totalling 4,614 koala habitat trees or 75 percent of the total offset required by DETE under the SLF.

DETE has advised that the offset planting has occurred for the majority of these projects. However, DETE is not in the position to provide these completion reports, because the majority of staff employed to deliver the BER projects are no longer with the department, leaving limited resources to deal with the issue.

Given that the government's priority is the implementation of the CI Policy, I can advise that my department will waive the requirement for these outstanding reports.

The department will continue to liaise with DETE in the delivery of the CI Policy, and I look forward to your continued support of koala conservation in south east Queensland.

Should you have further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

RTI DL Release

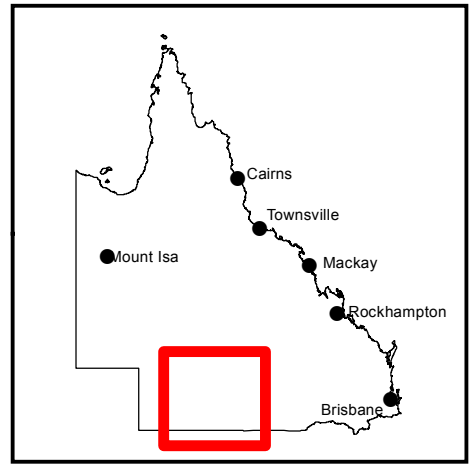
Locality Map

Bingara Werewilka & Boorara

Bingara area of interest

Werewilka

Boorara



N

Map Production
TCU, NCS
Jan 2013, DP

Data Source:
Digital Cadastral Database,
NRW 2007

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Queensland Government

RTI DL Release

CTS No. 04442/13

sch4p3(3) Prejudice the

Chief of Staff . OK
Dated 20 / 03 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 21 / 03 / 13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Boorara Station for sale (adjoins Werewilka Station and Currawinya National Park)**

TIMEFRAME

- This briefing is associated with the deputation with sch4p3(3) Prejudice the pr of Bingara Station scheduled for 26 March 2013 (CTS 00109/13 – Attachment 3).

RECOMMENDATION

It is recommended that the Minister:

- **note** the property known as Boorara Station (115,384 hectares) is on the market for sale at offers over $2.6 million.
- **note** Boorara has outstanding connectivity with existing and potential national parks and potentially high conservation values in its own right.
- **advise** if the Department of the Environment and Heritage Protection should proceed with preliminary investigations of Boorara as a possible acquisition subject to more detailed evaluation and relevant approvals on a without prejudice basis.

Not yet.

BACKGROUND

- Boorara Station is situated between Currawinya National Park and Werewilka and Bingara Stations (Attachment 1) which are current applications awaiting a decision from the Australian Government in relation to National Reserve System (NRS) funding.
- The lessees for Boorara, Werewilka and Bingara Stations are all willing vendors.

CURRENT ISSUES

- The state currently is awaiting a decision from the Australian Government in relation to whether they will fund two thirds of the acquisition costs for Werewilka and the western half of Bingara Station.
- Boorara is situated between Werewilka and Currawinya National Park which is iconic for the bilby population inside the predator proof fence, as well as Lakes Wyara and Numalla, which are located on the very northern boundary of the park.
- Boorara provides for immediate catchment protection for both of these lakes and the northern edges of the lakes themselves.
- Only an initial desktop assessment of this property has been undertaken and it is not known what condition the property is in with regard to weeds and feral animals. Generally, a field inspection of the natural values needs to be done to confirm that the property is in good ecological condition with few management issues. A summary of the natural values is attached (Attachment 2).
- Although this property was not part of the initial NRS application, in previous years the Australian Government has been underspent with their NRS funding rounds and has asked the states if they had any further potential acquisitions that could be considered and funded.
- Advice from the Department of National Parks, Recreation, Sport and Racing would need to be sought to determine whether this acquisition would enhance the management of the lakes on Currawinya National Park.
- If Boorara, Werewilka and part of Bingara were purchased, it would create a large addition to Currawinya National Park and form one large management unit with a total area of 368,290 hectares.
- Bush Heritage Australia (BHA) were interested in purchasing Boorara several years ago, however they did not reach their fund raising targets to acquire the land. There may be interest from BHA to assist with management of the area.

Rec'd - ODG Yes
18 MAR 2013

RTI DL Release

Author	Cleared by	Endorsed by	Recommended:
Name: Darren Phillips Position: Program Manager, Tenures & Covenants Unit Tel No: 3330 5365 Date: 27 February 2013	Name: Ash Williams Position: Manager, TCU Tel No: 3330 5337 Date: 8 March 2013	Name: Wade Oestreich Position: A/ED, NCS Tel No: 3330 5390 Date: 12 March 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 18.3.13
	Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 11 March 2013	Name: Tamara OShea Position: A/DDG, CSS sch4p3(3) Tel No: 3330 6240 Date: 18.03.13	

CONSIDERATIONS

- *Budget*: Currently there is $14 million for protected area acquisitions for this financial year excluding any potential NRS funding.
- *Election Commitment:* The Queensland Government's 'Environments for the Future' election commitment includes $17.2 million over three years for protected area estate acquisitions.

MINISTER'S COMMENTS

Advice whether to proceed or not will be provided following deputation with MP for Warrego and constituents

RTI DL Release

ATTACHMENTS

- Attachment 1 – Locality map
- Attachment 2 – Summary of desktop assessment of natural values
- Attachment 3 – CTS 00109/13

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Name: Darren Phillips Position: Program Manager, Tenures & Covenants Unit Tel No: 3330 5365 Date: 27 February 2013	Name: Ash Williams Position: Manager, TCU Tel No: 3330 5337 Date: 8 March 2013	Name: Wade Oestreich Position: A/ED, NCS Tel No: 3330 5390 Date: 12 March 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
	Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 11 March 2013	Name: Tamara OShea Position: A/DDG, CSS Tel No: 3330 6240 Date:	

CTS No. 04518/13

Chief of Staff sch4p3(3) Prejudice th

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

pprove

rmation

Minister for Environment and Heritage Protection

Minister
Dated 04/13

SUBJECT: Revocation from Kelvin Forest Reserve for augmentation of the existing Connors Range (Goonyella System) rail corridor

RECOMMEN ATION

It is recom ended that the Minister:

e in-principle the revocation of about four hectares from Kelvin Forest Reserve.

ap rove in-principle the land offered for exchange (approximately 26 hectares) as compensation addition to the protected area estate (Attachment 1).

note that Ministerial in-principle approval has been previously given for the revocation of approximately 69 hectares from the adjoining Kelvin State Forest for the Connors Range (Goonyella System) rail corridor augmentation project.

BACKGROUND

The Connors Range (Goonyella System) rail corridor adjoins Kelvin Forest Reserve and is used to support transport of coal to Hay Point and Dalrymple Bay coal terminals. The purpose of the proposed revocation is to augment the existing corridor's capacity to support the freighting of increased coal tonnage to Hay Point and Dalrymple Bay Coal Terminals.

Negotiations between the Department of Environment and Heritage Protection (EHP) and Aurizon (previously QR National) to facilitate the corridor's augmentation commenced in May 2009, with original discussions to revoke about 69 hectares from the adjoining Kelvin State Forest previously receiving Ministerial in-principle approval.

CURRENT ISSUES

In addition to the 69 hectares proposed to be revoked from Kelvin State Forest, Aurizon has identified a further four hectares of Kelvin Forest Reserve as being required to complete the Connors Range (Goonyella System) rail corridor's augmentation.

In exchange for lands revoked from Kelvin Forest Reserve, Aurizon has agreed to provide approximately 26 hectares adjoining the forest reserve as compensation.

CONSIDERATIONS

Budget: Aurizon has agreed to pay all costs incurred by the Department of Environment and Heritage Protection for completing the revocation.

Consultation: The Department of National Parks, Recreation, Sport and Racing supports this revocation.

Legislation: Section 70E of the *Nature Conservation Act 1992* provides for the revocation of part of a forest reserve.

Rec'd - ODG
26 MAR 2013

MINISTER'S COMMENTS

ATTACHMENTS

Attachment 1 - 130314 Kelvin FR revocation sketch

Author	Cleared by	Endorsed by	Recommended:
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RTI DL Release

149°14'44".237

21°32'45".769

21°32'45".769

RTI DL Release

76 05 000 m

21°39'25".958

21°39'25".958

149°08'41".641

149°14'44" 237

STANDARD MAP NUMBER

8754-41132

HORIZONTAL DATUM.GDA94 ZONE:55 SCALE 1 : 75000

MAP WINDOW POSITION & NEAREST LOCATION

SmartMap

An External Product of SmartMap Information Services

Based upon an extraction from the Digital Cadastral Data Base

SUBJECT PARCEL DESCRIPTION

DCDB

Lot/Plan	7/RP741163
Area/Volume	26.316ha
Tenure	FREEHOLD
Local Government	MACKAY REGIONAL
Locality	KOUMALA
Parish	KELVIN
County	CARLISLE
Segment/Parcel	39245/97

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 14/03/2013

DCDB 13/03/2013 (Lots with an area less than 4.000ha are not shown)

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Queensland Government

(c) The State of Queensland, (Department of Natural Resources and Mines) 2013.

CTS No. 04785/13

Chief of Staff ..... OK
Dated / /
Approved Not Approved Noted
Further information required
Minister.....
Dated 18 / 03 / 13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Keep Australia Beautiful Queensland grant for One Minute A Day mobile phone application**

TIMEFRAME

- It is requested that this briefing note is actioned by Friday 15 March 2013 as the letter must be released prior to Minister Powell's announcements at Keep Australia Beautiful Queensland (KABQ) rebranding launch on 20 March 2013.

RECOMMENDATION

It is recommended that the Minister:

- **agree** to announce the funding agreement for the One Minute A Day mobile phone application.
- **sign** the letter to Rick Burnett KABQ formalising the agreement (Attachment 1).

BACKGROUND

- The Minister met with Rick Burnett from KABQ on 14 February 2013 at Parliament House, where an agreement was made to provide $50,000 (excluding GST) in funding for the development of the mobile phone application.
- The funding is to be made available from the Sustainability Outcomes, Litter and Illegal Dumping (LID) partnership program budget.

CURRENT ISSUES

- Negotiation of the funding proposal and grant agreement are required prior to funding being released to KABQ.
- A meeting is organised for Thursday, 14 March 2013 with Rick Burnett and staff from the Department of Environment and Heritage Protection to discuss these details.
- On 20 March 2013, Minister Powell is scheduled to announce the KABQ rebranding and a new KABQ litter campaign with an opportunity also to announce the funding for the One Minute A Day mobile phone application.

CONSIDERATIONS

Budget: One off funding of $50,000 (excluding GST) from the Litter and Illegal Dumping partnerships program budget. This is 50% of the existing budget for all LID partnership programs.

- *Consultation:*
  - Corporate Communications has been consulted regarding the preparation of a draft media statement for 20 March 2013.
  - Program development will be conducted in conjunction with Rick Burnett KABQ, Tamara O'Shea A/Deputy Director General – Conservation and Sustainability Services, Rod Goodbun Director Sustainability Outcomes and Bianca Gray, Project Officer LIDU.
  - Financial consultation will be conducted with Brad Lang, Director Budget Management and Systems.
  - Legal consultation will be conducted with the Legal Services Unit.
- *Key Communication Messages:* the Queensland Government is working with community partner Keep Queensland Beautiful to encourage Queenslanders to take action that will reduce the level of litter and its impact on the environment.

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Bianca Gray Position: Project Officer Tel No: 3330 5034 Date: 12/3/2013	Name: Rodney Goodbun Position: Director SO Tel No: 3330 5865 Date: 13/03/13	Name: Tamara O'Shea Position: A/DDG CSS Tel No: 3330 6240 Date: 14.03.13.	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 14.3.13

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 – Letter to Rick Burnett, KABQ

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Name: Bianca Gray Position: Project Officer Tel No: 3330 5034 Date: 12/3/2013	Name: Rodney Goodbun Position: Director SO Tel No: 3330 5865 Date: 13/03/13	Name: Tamara O'Shea Position: A/DDG CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

QUEENSLAND GOVERNMENT

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

Ref CTS 04785/13

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Queensland 4001 Australia
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18 MAR 2013

Mr Rick Burnett
Chief Executive Officer
Keep Australia Beautiful Queensland
PO Box 3260
SOUTH BRISBANE QLD 4101

Dear Mr Burnett Rick

I am writing to confirm that the Department of Environment and Heritage Protection will provide a grant of $50,000 (excluding GST) to Keep Australia Beautiful Queensland (KABQ) for the development of the One Minute A Day mobile phone application.

I understand that you will be meeting with departmental officers to discuss the details of the funding agreement and the development of the phone application program.

I look forward to the KABQ rebranding event on Wednesday 20 March 2013 and the opportunity this provides for the announcement of the One Minute A Day funding grant.

Should you have further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

RTI DL Release

sch4p3(3) Prejudice th

Chief of Staff OK
Dated 16/3/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 18/03/13

CTS No. 04931/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: ***Everyone's Environment* Grants Program – Round Two**

TIMEFRAME

- Consideration of this briefing note is required as soon as possible to enable all activities to be completed for a potential April 2013 launch date of Round Two of the *Everyone's Environment* grants program (the Program).

RECOMMENDATION

It is recommended that the Minister:

- **note** that funding of $4 million for Round Two of the Program has not yet been secured.
- **approve** the recommendations as outlined in the body of this brief. – Minor issues to discuss.
- **approve** the proposed timeframes for implementation of Round Two.
- **note** that Sustainability Outcomes is procuring a one year licence to web-based grants management system, *SmartyGrants*, to streamline the process, improve external and internal user experience, gain efficiencies within the Program Office and improve adherence to audit requirements.
- **note** that if *SmartyGrants* is not procured the timeframes are subject to change.
- sch3(7) Information subject to legal professional privilege

BACKGROUND

- A review of Round One has been undertaken through discussions with assessment panel members, review panel members and other internal stakeholders.

CURRENT ISSUES

- Overall feedback from Round One of the program was positive with some common issues identified for improvement as outlined below.

Theme

- *Recommendation One*: The Minister may wish to consider a theme for Round Two of the program, Building Community Resilience, in light of the recent extreme weather events and the fact that applications for funding to respond to these events are likely in Round Two.
- A focus on community resilience will be explained in terms of revegetation and runoff reduction projects, or habitat improvement or consolidation.
- Theming Round Two with community resilience can be supported with guidance in the application materials.
- Round Two will not be restricted to resilience themed projects, but would serve to encourage and focus on this aspect.

Time frames

- The Minister's Office has indicated a preferred launch date for Round Two of April 2013 with announcement of successful Round Two recipients in August 2013.
- Prospective key milestones are outlined below, however these may be subject to change pending development of online resources:
  - 22 March 2013 – Finalisation of review feedback
  - 5 April 2013 (TBC) – Procurement of SmartyGrants and training for key staff
  - 10 April 2013 – Develop Application Form in SmartyGrants and develop revised guidelines
  - 12 April 2013 – Submit guidelines, application form and FAQs for Minister's approval

At what cost? Is it used by other QG agencies?

Rec'd - ODG
15 MAR 2013

Author	Cleared by	Cleared by	Cleared by	Recommended:
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sch4p3(3)

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- 26 April 2013 – Develop online materials and refresh web page with CCI
- 30 April 2013 – Minister launches Round Two
- 31 May 2013 – Applications close
- June/early July 2013 – Assessment (eligibility and technical) of applications
- Mid July 2013 – Review Panel process
- End July 2013 – Assessment Panel consideration and finalisation of recommendations
- Early August 2013 – Submission of Round Two recommendations for consideration
- Early/mid August 2013 - Director-General and Minister briefed on recommendations
- Mid/Late August 2013 – Approval of Round Two recommendations
- Early September 2013 – Announcement of successful Round Two recipients

- The revised Project Plan is attached (Attachment 1).
- It is important to note that should *SmartyGrants* not be procured for Round Two, the timeframes above will be unable to be met. This is due to the resources needed to manually log and assess applications that would be otherwise reduced with an automated web-based system.

I'm not convinced.

<u>Changes to Guidelines</u>

- Changes to the Guidelines are being proposed in response to suggestions raised by the Assessment Panel as part of the review process.
- *Recommendation Two*: Salaries, significant capital purchases, awareness raising and capacity building be eligible costs, subject to clear demonstration of how these activities lead to tangible on-ground environmental benefits.

as long as clearly project based.

- *Recommendation Three*: Caps on administration (10%), advertising (5%) and capital expenditure (30%) be guides only. Exceeding these caps may be accepted subject to clear demonstration of how increased expenditure in these activities leads to tangible on-ground environmental benefits. ✓
- *Recommendation Four*: Baseline costs be provided as a guide for specific activities, for example, $10,000 per hectare for revegetation projects and $10 per tree for tree planting (includes preparation). Exceeding these amounts may be accepted subject to adequate explanation (i.e. remote location resulting in higher cost). ✓
- *Recommendation Five*: Minor changes to eligible project categories to simplify and streamline including:
  - Clean up activities (waterway and community)
  - Environmental capacity building (previously ineligible) subject to clear demonstration of environmental benefits (excludes school education programs) — pls give examples. Not convinced.
  - Fencing of riparian corridors
  - Pest eradication
  - Run-off reduction
  - Significant capital works/expenditure (previously ineligible) subject to clear demonstration of environmental benefits and written technical advice (for example contour banks)
  - Threatened and priority species habitat restoration, rehabilitation and revegetation (building connectivity and improving resilience)
  - Tree Planting (native endemic species) — pls discuss.
  - Weeds eradication (Weeds of National Significance and Class I, II and III weeds only)
  - Water quality improvement
  - Water quality monitoring (projects must be a minimum of three years in duration to see meaningful benefits) ✓
  - Remove '*Enhancing the natural beauty of our landscapes*' as this attracted a number of amenity applications that had limited or no environmental benefit ✓
  - Remove '*Building resilient landscapes*' as many of the activities undertaken under the other categories result in landscape resilience and would be replaced by the overarching theme (if approved) ✓
- *Recommendation Six*: Minor changes to ineligible activities including:
  - Capital works that have no environmental benefit and are not supported by written technical advice
  - Devolved grant funding
  - Government projects
  - Maintenance of existing projects or environmental infrastructure
  - Purchase of land or buildings

RTI DL Release

Author	Cleared by	Cleared by	Cleared by	Recommended:
Name: Angela Siggery Position: PPO, SO Tel No: 3330 5827 Date: 13 March 2013	Name: Rod Goodbun Position: Director, SO Tel No: 3330 5865 Date: 13 March 2013	Name: Peter Philipson Position, ED, FAM Tel No: 3330 5838 Date: 13 March 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: March 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: March 2013

- Research projects
- *Recommendation Seven*: Projects that provide a strategic resolution to an issue, for example joined up projects across a catchment, may be given higher priority.
- *Recommendation Eight*: Projects that are located within priority catchments, regions or other areas as identified by State Government priorities may be given a higher priority.

Yes.
Yes.

Administration of Round Two

- Following approval of this briefing note, a revised set of Guidelines will be developed for Round Two.
- In order to meet the timeframes for announcement, it is imperative that the application process be streamlined, resulting in a benefit to both applicants and assessors.
- It is also important to apply a stricter approach to incomplete or poorly prepared applications. Improved guidance in the application materials will support this approach.
- Applications for Round Two will be assessed as submitted, with no follow up for additional information from applicants.
- Sustainability Outcomes has developed a business case to procure a one year license for *SmartyGrants*, a web based grants management system, for use in Round Two to streamline processes and reduce processing time.
- This system that is currently being used by the Department of Communities and the Brisbane City Council with much success.
- A one year licence for SmartyGrants costs $20,000, which will be funded either through savings in LLS from SO or from 2012-13 EHP additional allocations.

CONSIDERATIONS

- sch3(2)(1)(c) Cabinet matter - Budgetary process The budget for a one year licence for *SmartyGrants* is $20,000 will be sourced through either savings in LLS from SO or from 2012-13 EHP additional allocations.
- *Consultation:* External: Mr Geoff Penton (Landcare Queensland); Mr Andrew Drysdale (Qld NRM Groups Collective); Mr Darryl Ebenezer (QWaLC); and Mr Toby Hutcheon (QCC). Internal: Ms Paula Peeters, Nature Conservation Services; Mr Matthew Fullerton, Healthy Waterways; Ms Leslie Shirreffs, Ecosystem Outcomes; Mr Peter Philipson, EHP CFO.
- *Key Communication Messages:* Reducing the amount of time available for submission of applications from three months to one month may attract negative feedback from stakeholders.
- *Election Commitment:* Number 303 and related to 304 and 305. Implementation is on track.

MINISTER'S COMMENTS

I doubt this.

To expedite pls raise at Min-DG Mtg to finalise points raised.

AJ.

RTI DFF Release

ATTACHMENTS

- Attachment 1 – Revised *Everyone's Environment* grants program Project Plan

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sch4p3(3) Prejudice the

CTS No. 05188/13

Chief of Staff OK
Dated 30/03/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 02/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Nature Conservation (Protected Areas) Amendment Regulation (No. ..) 2013 for gazettal of nature refuges**

TIMEFRAME

- Approval of this briefing note is requested by 4 April 2013 to allow sufficient time to undertake the gazettal process to meet the planned gazettal date of 31 May 2013.

RECOMMENDATION

It is recommended that the Minister:

- **approve** the proposal to declare new nature refuges, amend existing nature refuges and revoke two existing nature refuges under the Nature Conservation (Protected Areas) Regulation 1994 (the Regulation).
- **note** that there are no apparent contentious issues associated with this gazettal.

BACKGROUND

- Through the Nature Refuges Program, the Tenures and Covenants Unit (TCU) negotiates legally-binding nature refuge agreements over freehold and leasehold land on behalf of the state. As at 18 March 2013, there are 440 nature refuges protecting more than 3.35 million hectares of high conservation value land across Queensland.
- sch3(3)(1)(a) Executive Council - submitted to Executive Council

CURRENT ISSUES

- sch3(3)(1)(a) Executive Council - submitted to Executive Council
-

Rec'd - ODG
26 MAR 2013

- Two existing nature refuges will be revoked as requested by the landholders in accordance with a termination clause of their specific agreements resulting in a reduction of 1,553.74 nature refuge hectares. Both are from an earlier, discontinued program for limited term agreements.
- One new nature refuge and one extension to an existing nature refuge are proposed for inclusion and amendment respectively in the Regulation through this gazettal. Both were successful under an

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RTI DL Release

earlier round of the NatureAssist program and will collectively receive financial assistance of $114,079.86. These funds will enhance the conservation values of the properties through projects including wildlife surveys, property management planning, water infrastructure, cultural heritage restoration, fencing programs, and pest plant and animal control programs.

CONSIDERATIONS

- *Consultation:*
  Where required, relevant intra- and inter-departmental consultation was sought. As of 3 October 2012, the Department of State Development, Infrastructure and Planning advised they will no longer offer comment regarding new nature refuge proposals. Holders of native title rights and interests and other encumbrance holders have been consulted in respect to the proposed nature refuges. Landholders have been closely involved in the negotiation and development of their nature refuge agreements. Consultation with the Media Unit is undertaken as standard practice.
- *Legislation:* The Minister responsible for the Act is authorised to sign nature refuge agreements under section 45 of the Act. Requirements under section 44 and 45 of the Act have been satisfied for all nature refuges proposed for this gazettal. Section 46 of the Act provides for the Governor-in-Council to declare by regulation an area as a nature refuge, while section 50 provides for the Governor-in-Council to revoke the declaration of a nature refuge.
- *Key Communication Messages:* Media statements for nature refuges are generally released after gazettal. The landholders need to approve any media arrangements before they are finalised. If approval is granted for this gazettal, a draft media statement will be provided with the Executive Council Minute Minister's Memo for the gazettal.

MINISTER'S COMMENTS

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Author	Cleared by	Cleared by	Recommended:
Name: Audrey Olsen Position: Senior Project Officer Tel No: 3330 5502 Date: 18 March 2013	Name: Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 19 March 2013 Name Geoff Clare Position: ED, Nature Conservation Services Tel No: 3330 5390 Date: 25 March 2013	Name: Tamara O'Shea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

CONSERVATION AGREEMENT

Over whole of Freehold lot 29 on Crown Plan NR426 in the Parish of Dirran, County of Nares and Shire of Eacham.

between

STATE OF QUEENSLAND

Queensland Parks and Wildlife Service

and

sch4p3(3) Prejudice the protection of an individuals right to privacy

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for the establishment of

Cloudland Nature Refuge

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THIS AGREEMENT IS MADE

BETWEEN: **THE STATE OF QUEENSLAND,** acting through the Minister for the Environmental Protection Agency, of 160 Ann Street Brisbane Qld 4002

AND: sch4p3(3) Prejudice the protection of an inc Land of [redacted], Holloways Beach; PO Box 2979 CAIRNS QLD 4870.
("**the Landholder**")

BACKGROUND:

A. The conservation of nature across the State can help protect biological diversity, including native flora and fauna and their habitats.

B. The participation of Landholders of both freehold and leasehold land is essential to the conservation of biodiversity across landscapes. Conservation Agreements provide Landholders with a means to make a significant contribution to biodiversity conservation by formally protecting the conservation values of the subject land.

C. A Nature Refuge shall be managed according to the principles contained in the *Nature Conservation Act 1992* ("**the Act**"). They are to:-

- conserve the area's significant natural and cultural resources;
- provide for the controlled use of the area's natural resources; and
- provide for the interests of the Landholder to be taken into account.

D. The Landholder is the registered proprietor or lessee of The Land described in this Agreement. The Queensland Parks and Wildlife Service and the Landholder agree that a Nature Refuge shall be declared to protect significant conservation values, including:

- areas containing, or providing habitat for, flora and fauna listed as rare or threatened under State legislation;
- habitats or vegetation types that are threatened, such as 'endangered' and 'of concern' regional ecosystems;
- habitats and ecosystems poorly represented in existing reserves;
- remnant vegetation of significant conservation value; and
- regional ecosystems and habitat types for which conservation is recommended on scientific grounds, irrespective of conservation status, including mound springs, dry rainforest scrubs, riparian ecosystems, wetlands and mangroves.

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IT IS AGREED AS FOLLOWS

1. DEFINITIONS

"**Agent**" - includes any contractor, employee, servant, guest or agent of the Landholder.

"**Landholder**" - includes:

- the owner or registered proprietor in fee simple of The Land; and
- the lessee, if The Land is leased under the Land Act 1994.

"**Minister**" – includes Minister or delegated QPWS/EPA officer.

"**Nature based recreation**" - includes nature study, cycling, walking or horse riding on any road, path or track, canoeing, swimming or sailing on any dam.

"**The Land**" - means that area of land described in Schedule 1, Items 1 and 2.

2. SCOPE OF THE AGREEMENT

(a) This Agreement is made under section 45 of the Act as a precondition of The Land being declared a Nature Refuge under section 46 of the Act.

This Agreement relates to The Land described as whole of Lot 29 on Crown Plan NR426, Parish of Dirran, County of Nares, Shire of Eacham and shown on the Protected Area (PA) plan 247 in Schedule 1, Item 2.

(b) This Agreement is intended to protect and enhance the following values of The Land:

1. Complex notophyll vine forest on cloudy wet basalt uplands and highlands, described as the endangered regional ecosystem 7.8.4, that has a low representation in the protected area estate; and
2. Known habitat for rare and threatened species, including:
   - the endangered southern cassowary (*Casuarius casuarius*),
   - the rare Lumholtz's tree-kangaroo (*Dendrolagus lumholtzi*), green ringtail possum (*Pseudochirops archeri*), lemuroid ringtail possum (*Hemibelideus lemuroids*), and Herbert River ringtail possum (*Pseudochirulus herbertensis*); and
3. Cultural and natural resources of the adjacent Barnes Pikle Nature Refuge, Pember's Scrub Nature Refuge and Wundajilla Forest Nature Refuge and nearby Sweetwater Valley Nature Refuge, Mount Hypipamee National Park and Herberton Range Forest Reserve.

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3. MANAGEMENT INTENT OF THE LAND

The management intent of The Land is to:

(a) protect and enhance the values of The Land specified above;

(b) ensure that use of The Land's natural resources is ecologically sustainable and compatible with the protection and enhancement of the values of The Land;

(c) fulfil the management principles in the Act;

(d) practise and promote best practice in rural industry; and

(e) undertake stewardship of The Land, ensuring the viability of The Land and the persistence of its habitats and species for future generations.

4. MANAGEMENT OF THE LAND

(a) All management of The Land is to be undertaken in accordance with this Agreement.

(b) This Agreement includes the Agreed Management Conditions in Schedule 2 and also includes any Management Plan which may be prepared from time to time under Part 7 of the Act.

5. THREATENING PROCESSES

The Landholder shall inform the Queensland Parks and Wildlife Service as soon as practicable after becoming aware of the existence and nature of any threatening process in relation to The Land.

6. ENTRY ON TO THE LAND BY QPWS

An officer of the Queensland Parks and Wildlife Service may enter The Land to give effect to, or carry out, any provisions of the Act or this Agreement and shall make every reasonable endeavour to obtain the consent of the Landholder prior to any intended entry.

7. ASSISTANCE TO THE LANDHOLDER

The State may provide assistance to the Landholder, including:

- advice on the control of pest plants and animals;
- assistance with wildfire prevention and suppression;
- assistance in enforcing any regulation pertaining to the land.

The Landholder may, on invitation from the Queensland Parks and Wildlife Service, apply for financial assistance for management of the Nature Refuge.

8. STAMP DUTY

(a) The State shall pay any relevant stamp duties associated with this Agreement.

(b) Each party shall bear its own costs of negotiating and executing this Agreement.

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9. FUTURE CHANGE OF OWNER OR LESSEE

The Landholder shall notify the State, within 14 days of the sale of The Land, of the name(s) and address(es) of the person or persons to whom The Land was sold or the lease transferred.

10. SUCCESSORS IN TITLE TO BE BOUND BY THIS AGREEMENT

This Agreement shall not expire and is binding on the Landholder's Successors in Title and those with an interest in The Land.

11. LIABILITY OF THE STATE

The Landholder acknowledges that the State will not be liable for any act, or failure to act which occurs on The Land, merely because of the commencement of this Agreement or the declaration of a Nature Refuge over The Land.

12. TERMINATION

This Agreement may not be terminated unless the declaration of the Nature Refuge to which it relates is revoked in accordance with section 50 of the Act

13. RECTIFICATION

(a) If a party believes it can demonstrate that the other party is in significant breach of this Agreement, the first party may give written notice requesting rectification.

(b) If a significant breach of this Agreement is demonstrated, the parties undertake to use their best endeavours to cooperate to resolve the dispute within a period of 14 working days of notice given under clause 13(a).

(c) If a dispute cannot be resolved under clauses 13(a) and (b), a party may issue a "Notice of Dispute" to the other party, specifying the dispute and requiring its resolution in accordance with the remaining provisions of this clause.

(d) If the dispute is not resolved within 14 days of service of the Notice of Dispute, the dispute is by this clause submitted to mediation. The Institute of Arbitrators Australia "Rules for the Mediation of Commercial Disputes" (latest edition) apply to the mediation, except where they conflict with this Clause.

(e) The parties agree to jointly determine the mediator (and the mediator's remuneration) within seven working days of the expiry of the Notice Period. If agreement is not reached, the parties agree that the mediator will be the person appointed by (and the remuneration of the mediator is the amount or rate determined by) the President of the Queensland Law Society or the President's nominee, acting on the request of either party to the dispute.

(f) Parties to the Agreement agree to share equally the costs of such mediation.

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(g) If the dispute is not resolved within 28 working days after the appointment of the mediator, any party may take legal proceedings to resolve the dispute or may apply to the Minister for the Nature Refuge to be revoked.

(h) This Clause does not prevent any party from obtaining from a court or judge, any urgent injunctive, declaratory or interlocutory orders to protect that party's rights or position under the Agreement.

14. SEVERABILITY

If any provision of this Agreement is found to be invalid, the remainder of the Agreement continues to apply.

15. EXTENT OF PROHIBITIONS AND RESTRICTIONS

None of the prohibitions and restrictions specified in this Agreement will apply to the extent necessary for reasonable protection from wildfire or other threatening events, having regard to the safety of human life and property.

16. SERVICE OF NOTICE

(a) Notice will be deemed given:

(i) by mail five (5) days after deposit in the mail with postage prepaid; or
(ii) when delivered by hand; or
(iii) by facsimile upon apparently successful transmission being noted by the sender's facsimile machine; or
(iv) by e-mail upon apparently successful transmission being noted by the sender's computer.

(b) Address for the State:

The Director-General
Environmental Protection Agency
PO Box 15155
BRISBANE CITY EAST QLD 4002
Telephone: (07) 3227 8826
Facsimile: (07) 3227 6485

(c) Address for the Landholder:

sch4p3(3) Prejudice the protection

PO Box 2979

CAIRNS QLD 4870

Telephone:

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SCHEDULE 1

Description and Plan of The Land

Item 1. **Description of The Land: Whole of Lot 29 on NR426, Parish of Dirran, County of Nares, Shire of Eacham, with an area of approximately 80 hectares as shown on Protected Area (PA) plan PA247.**

Item 2. **The Protected Area (PA) Plan PA247 for The Land is included in this agreement, attached to Schedule 1 and marked "Item 2".**

Item 3. **This agreement over freehold land is in perpetuity and is binding on all successors in title and those with an interest in The Land.**

NB: The Agreement is noted on the land title as an administrative advice.

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145°31'0"E 145°32'0"E

17°25'0"S 17°26'0"S 17°27'0"S

MALANDA

333
NR3882

EAST BARRON

BARRON RD

MALANDA UPPER ROAD

MERRAGALLAN ROAD

11
RP846916

7
RP898570

5
NR426

2
RP865413

3
NR426

4
RP846916

2
NR426

D

PEMBERS SCRUB NATURE REFUGE

DIRRAN

1
RP846915

29
NR426

CLOUDLAND NATURE REFUGE
Abt 80ha

145° 31' 54" E 344070E
17° 26' 6" S 8071711N

A B C D E F G H I J K L M

BARNES PICKLE NATURE REFUGE

ROAD

27
NR427

28
NR426

30
NR426

31
NR426

SEAMARK ROAD

Restoration Zone

35
NR838

37
CP817974

34
NR838

32
NR838

33
NR838

COUNTY OF NARES

101
NR840

100
NR840

99
NR840

75
NR840

1
SP179209

73
NR840

36
NR838

38
NR838

POINT	EASTING	NORTHING
A	343740	8071466
B	343802	8071444
C	343844	8071406
D	343980	8071404
E	344069	8071410
F	344149	8071413
G	344238	8071429
H	344321	8071495
I	344384	8071482
J	344457	8071474
K	344520	8071467
L	344613	8071514
M	344673	8071527

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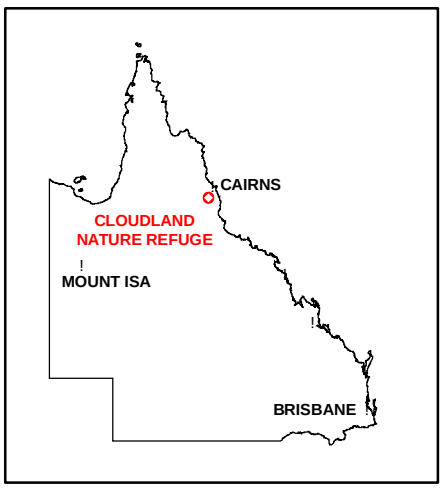
PLAN OF CLOUDLAND NATURE REFUGE

Cloudland Nature Refuge (Abt 80ha) shown.....

GDA

0 500 1000 1500 Metres

Scale - 1:15 000
MGA Zone 55



Queensland Government
Environmental Protection Agency
Queensland Parks and Wildlife Service

PARISH: DIRRAN
COUNTY: NARES
EPA DISTRICT: NORTHERN
LOCAL GOVERNMENT: EACHAM SC
QPWS DISTRICT/REGION: WET TROPICS
STATE ELECTORATE: TABLELANDS

Prepared by Tenure Action Group, EPA Date: 13/9/2005
Produced to delineate the boundaries of the Nature Refuge under the provisions of the Nature Conservation Act 1992. and the Administrative Boundaries Terminology Act 1985.
© The State of Queensland Environmental Protection Agency

Map Reference
1:100 000 8063

PLAN PA247

ITEM 2

SCHEDULE 2

"Agreed Management Conditions"

(Conditions in Item 3 apply unless specified in Items 1 and 2).

Item 1. The Landholder may allow entry to The Land by the following animals:

(a) a guide dog for a visually or hearing impaired person; and
(b) a dog on a leash in the company of a person along a track or within a fenced compound around a residence.

Item 2. The following activities may be undertaken on, or in respect to, The Land:

(a) within 3 years of the commencement of this Agreement, minor earth works, for the purpose of erosion control and revegetation of logging and snig tracks;
(b) maintenance of an existing vehicle access track, to a maximum width of four metres, along the ridgeline that runs between Molo Creek and Thiaki Creek;
(c) construction and maintenance of walking tracks, viewing platforms, rest points and seating, for nature based recreation activities, to best practice construction standards;
(d) within the restoration zone only, construction and maintenance of a single dwelling, access track and ancillary infrastructure including a power supply line and water supply line;
(e) conduct low impact private or commercial nature based recreational and educational activities;
(f) habitat restoration including weed control and revegetation utilising species associated with Regional Ecosystem type 7.8.4;
(g) sustainable harvesting of native seed and fruit in accordance with the *Nature Conservation (Protected Areas) Regulation 1994*, and the *Code of Practice for the Taking and Use of Protected Plants (2001);* and
(h) scientific research conducted in an ecologically sustainable manner, including the collection of specimens for the purpose of species identification and for the long term protection and maintenance of the ecosystems and ecosystem processes of The Land and similar areas, subject to the necessary permits and authorities under the *Nature Conservation Act 1992, Biodiscovery Act 2004* and other relevant legislation.

Item 3. The Landholder will (**unless specified in Item 1 or 2 above**) manage the Land to ensure that:

(a) native plants including trees, shrubs and grasses are not interfered with, destroyed or removed;
(b) any trees, shrubs and grasses which are planted are indigenous, and preferably derived from local seed stock;
(c) no unreasonable acts or inactions occur which may adversely and substantially affect any indigenous flora, or fauna or their related habitats;

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(d) the flow, supply, quantity and quality of any body of water is reasonably maintained;

(e) reasonable measures are taken to prevent the entry of non-indigenous fauna and flora, including domestic and feral animals and weeds;

(f) the erection or display of any notice, hoarding or advertising matter does not occur, except for identification signs, safety signs or any notices or signs required to be erected or displayed pursuant to the requirements of a management or conservation plan or any Act of Parliament;

(g) (i) unless required by law, there is no exploration or mining, extraction or production of gas, petroleum, minerals or other substances or the establishment of any transmission lines or other services or works; and

(ii) if proposing any of the activities listed in (i)above, the Landholder shall notify the Minister and shall not undertake, consent to or approve such proposal without the prior written permission of the Minister;

(h) subdivision of the Land is not permitted or applied for;

(i) (i) no buildings are erected, except where consent in writing for non-residential buildings necessary for the proper and effective management of The Land is given by the Minister; and

(ii) where the Minister has given consent in writing, the building shall be sensitively designed to harmonise with the natural environment;

(j) only trade, industry or business specified in Schedule 2, Item 2 occurs;

(k) recreational use of vehicles is on formed roads only;

(l) materials are not stored or dumped unnecessarily;

(m) timber is not removed;

(n) roads, bridle paths, walking or driving tracks are not constructed without the prior written approval of the Minister;

(o) fires are not lit unless specified in Item 2; and

(p) fossicking does not occur.

Item 4. The Landholder will make reasonable efforts to undertake the following monitoring and reporting actions:

(a) Any sign or sighting of the southern cassowary *Casuarius casuarius* will be recorded, on a form provided by QPWS, within a reasonable time from sighting the animal. A copy of the cassowary sighting form will be forwarded to QPWS by the 31st December each year.

(b) A record of any arboreal (tree dwelling) mammal sighted on The Land will be maintained.

(c) Three photo-monitoring points will be installed at locations agreed by QPWS. Photos are to be taken at the end of June each year and included in a log recording the date of capture and site number.

(d) A record of any habitat restoration works undertaken on The Land, including weed control methods, herbicides used, tree species planted and site location details will be maintained. *Where works are undertaken under special project funding, a copy of the project completion report will serve as the record for those works.*

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(e) Turbidity observations shall be recorded twice yearly for Molo Creek, at the points where the Creek enters and exits The Land. Observations will be recorded in a log detailing date of capture, location and rainfall patterns for the week prior to observation. *Every reasonable effort shall be taken to record observations during the months of September (dry season) and February-March (following a heavy rainfall event).*

(f) The landholder will ensure the collection and collation of the above monitoring information as specified or on an annual basis and provide a report to QPWS every five years from the date of signing of this agreement.

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EXECUTED AS A DEED:

SIGNED, SEALED AND DELIVERED by

sch4p3(3) Prejudice the protection of an ir

this 27th day of September 2005

in the presence of:

(signature)

(print name of witness)

(witness signature)

SIGNED, SEALED AND DELIVERED by

ROBYN LAND

this 27 day of September 2005

in the presence of:

(signature)

(print name of witness)

(witness signature)

SIGNED, SEALED and DELIVERED for and on behalf of the Crown in right of **the STATE OF QUEENSLAND** by **the HONOURABLE**

DESLEY BOYLE, MP

the Minister administering the Nature Conservation Act 1992

this Eleventh day of November 2005

in the presence of:

(signature)

(print name of witness)

(signature of witness)

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CTS No. 05241/13

sch4p3(3) Prejudice the

Chief of Staff [redacted]K
Dated 30/03/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 03/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Signing of Eligible Interest Holder Consent forms for Carbon Farming Initiative projects on nature refuges.**

RECOMMENDATION

It is recommended that the Minister:

- **sign** the Eligible Interest Holder Consent Form (Consent)(Attachment 1) relating to a proposed Carbon Farming Initiative (CFI) project on Cloudland Nature Refuge.
- **approve** the proposal to delegate authority to sign future Consents for CFI projects on nature refuges on freehold land to the Director, Tenures and Covenants Unit of the Department of Environment and Heritage Protection, with Consents relating to nature refuges on state-owned land to continue to be forwarded to the Minister for consideration.

BACKGROUND

- The Australian Government's CFI, administered by the Clean Energy Regulator, is a legislated offsets scheme that allows land managers to earn Australian carbon credit units (ACCUs) by storing carbon or reducing greenhouse gas emissions on their land.
- Section 27 (4) (k) of the *Carbon Credits (Carbon Farming Initiative) Act 2011* (Australian Government) states that for carbon sequestration projects, each person (other than the applicant) who holds an eligible interest in the project area must have consented, in writing, to the making of the application. The consent of the Queensland Government, through the Minister for Environment and Heritage Protection, must be obtained where a CFI project is to be delivered on all, or part of, a nature refuge, as the nature refuge declaration is noted as an interest on property title.

CURRENT ISSUES

- The landholders of Cloudland Nature Refuge (the proponents) have advanced a CFI project application with the Australian Government. This project application (Attachments 2a and 2b) seeks to earn ACCUs for the revegetation of native forest completed within the nature refuge area using the CFI approved *Environmental Plantings Methodology* (EPM) (Attachment 3).
- The CFI project activities do not conflict with the terms or conditions of the conservation agreement or with the Management Intent for the nature refuge, nor threaten the identified values of the nature refuge.
- It is anticipated that the majority, if not all, CFI projects on nature refuges will be undertaken in accordance with the approved EPM or similar proposed methodologies that relate to the growth and maintenance of native vegetation.
- For EPM projects, it is a CFI requirement that the project area (the proponents' re-vegetation area) is maintained in the long term to ensure the carbon offset is permanent. This is known as a 'carbon maintenance obligation' and requires the proponent to actively manage the project area, including monitoring/reporting and re-planting trees where necessary, for a period of 100 years.

Rec'd - ODG
26 MAR 2013

sch3(7) Information subject to legal professional privilege

Author	Cleared by	Cleared by	Recommended:
Name: Robbie Burns Position: Program Coordinator Tel No: 3381 7552 Date: 19 March 2013	Name Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 19 March 2013 Name: Wade Oestreich Position: A/ED, Nature Conservation Services Tel No: 3330 5390 Date: 25 March 2013	Name: Tamara O'Shea Position: A/DDG CSS Tel No: 3330 6240 Date: 26.03.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 26.3.13

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- It is expected that CFI associated activities would usually complement the management principles of nature refuges by buffering/strengthening existing habitat, by supporting greater investment in the conservation of significant natural resources on the land, and providing for the landholders' interests to be taken into account.
- It has been confirmed by the Clean Energy Regulator that revegetation works delivered on nature refuges through the Koala Nature Refuges Program (KNRP) are eligible for consideration under the approved EPM. At least one KNRP funded revegetation project on a nature refuge over freehold land has recently commenced a CFI project application using the EPM. It is expected that interest in the CFI and its potential as a revenue stream will continue to grow amongst nature refuge landholders into the future.

CONSIDERATIONS

- *Budget*: Nil.
- *Consultation:*
  sch3(7) Information subject to legal professional privilege
  Clean Energy Regulator, Australian Government, Canberra.
- *Legislation:*
  Nature Conservation Act 1992; s22 - *Management principles of nature refuges.*
  Carbon Credits (Carbon Farming Initiative) Act 2011 (Cth); s27 (4) (k) - *Criteria for declaration.*
  Carbon Credits (Carbon Farming Initiative) Act 2011 (Cth); s44 - *Eligible interest in an area of land – Torrens system land.*
- *Key Communication Messages:* By pursuing the timely execution of Consents, where risk has been properly considered, EHP will be viewed to be supporting and strengthening nature refuge landholder relations. No negative response is anticipated by the wider community through the endorsement of the recommendations.

MINISTER'S COMMENTS

I am concerned at the risk/implications of such initiatives on leasehold. If such a request arises pls discuss with me before "consenting".

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ATTACHMENTS

- Attachment 1: CFI Eligible Interest Holder Consent Form – Cloudland Nature Refuge
- Attachment 2a: Application of Eligible Offsets Project – Cloudland Nature Refuge
- Attachment 2b: CFI Project Description – Cloudland Nature Refuge
- Attachment 3: CFI Environmental Plantings Methodology
- Attachment 4: Cloudland Nature Refuge conservation agreement
- sch3(7) Information subject to legal professional privilege

Author	Cleared by	Cleared by	Recommended:
Name: Robbie Burns Position: Program Coordinator Tel No: 3381 7552 Date: 19 March 2013	Name Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 19 March 2013	Name: Tamara O'Shea Position: A/DDG CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
	Name: Wade Oestreich Position: A/ED, Nature Conservation Services Tel No: 3330 5390 Date: 25 March 2013		

Australian Government
Clean Energy Regulator

Clean Energy Regulator

Carbon Farming Initiative
Eligible Interest Holder Consent

Purpose of this form

This form is used to seek **consent from persons with an interest in an area of land** (eligible interest holder) for a sequestration activity (project) to be implemented by the project proponent (proponent) on that land. This consent is required for any proposed project that involves sequestration, i.e. storage of carbon in vegetation or soil.

Each eligible interest holder must complete a separate form. All completed forms must then accompany the *Declaration of an Eligible Offsets Project* application form completed by the project proponent for the project to be declared as an eligible offsets project under the Carbon Farming Initiative (CFI). For a proposed project to be declared eligible, the Clean Energy Regulator must be satisfied that each eligible interest holder has consented, in writing, to the making of the application.

Blank copies of this form, and the *Declaration of an Eligible Offsets Project* application form to which this completed consent form must be attached, are available from www.cleanenergyregulator.gov.au

Note: This consent form is not required where consent is set out in a registered indigenous land use agreement.

What you need to do

Project Proponents

You must print or obtain a copy of this form for **each eligible interest holder**. You must then complete and sign Part A of this form before seeking each eligible interest holder's consent.

Eligible Interest Holders

You need to complete and sign Part B of this form but you should not do so unless Part A has been completed and signed by the project proponent.

Before signing this consent form, it is strongly recommended that all eligible interest holders read and understand the project proposal, and where necessary obtain independent legal advice in relation to providing this consent.

In particular, eligible interest holders should understand the implications of permanence obligations and carbon maintenance obligations (CMOs). These obligations have long term implications for the land on which projects take place. See the further information provided below on these obligations.

Under the CFI the project proponent is required to have the legal right to carry out the project. This right may include, but is not limited to, having the exclusive carbon rights for the project area. The proponent carries the responsibility for implementing the project in accordance with the *Carbon Credits (Carbon Farming Initiative) Act 2011* (CFI Act) and the Carbon Credits (Carbon Farming Initiative) Regulations 2011 (CFI Regulations). The purpose of implementing a CFI project is ultimately to have Australian carbon credit units issued to the proponent, which can be traded in compliance and voluntary carbon markets.

Eligible interest holders may also wish to consult the CFI guidance material regarding CFI sequestration projects. Some of this guidance has been provided below. Further information on the scheme, including the CFI Act and CFI Regulations, the methodologies approved for use under the scheme, and other forms and materials are available from www.cleanenergyregulator.gov.au

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Eligible interest holders

Numbers and kinds of eligible interest holders will vary between projects, depending on the nature of the land title and project type. Examples include (but are not limited to):

Non-Crown Land

- Registered legal estate or interest in the land
- Registered mortgage or charge over any registered legal estate or interest in the land
- Registered Native Title Body Corporate

Crown Land

- Crown Lands Minister (except in relation to exclusive possession native title land or general law freehold land rights land)
- Holder of a legal estate or interest, where the estate or interest:
  - came into existence as a result of a Crown grant (or, was derived from such an estate or interest), or
  - was created by, or under, legislation (or, was derived from such an estate or interest)
- Mortgage or charge over any such legal estate or interest
- Registered Native Title Body Corporate for any native title interest in the land

Land Rights Land

- If lease in force (and lease granted under special legislation for the benefit of Aboriginal people or Torres Strait Islanders), the Minister who administers the legislation
- If land is held by the Commonwealth (or a Commonwealth statutory authority), the Minister who administers the *Aboriginal Land Rights (Northern Territory) Act 1976* or the Act that establishes the statutory authority, as the case may be, otherwise
- Crown lands Minister (except in relation to freehold land rights land)
- Registered Native Title Body Corporate for any native title interest in the land.

Permanence obligation

The value of Australian carbon credit units is dependent on whether they are equivalent to, or compensate for, emissions from other sectors. The CFI has been designed to provide consumers with confidence that each carbon credit issued can genuinely offset a tonne of CO_2-e emissions.

Carbon in vegetation or soils can only offset emissions if it is stored long term. If the carbon was subsequently released back into the atmosphere, for example because vegetation was cleared, it could not offset emissions. For this reason sequestration projects that store carbon in vegetation or soil are subject to permanence obligations.

The internationally accepted timeframe to ensure sequestration is equivalent to emissions is 100 years, based on the estimated life of a tonne of CO_2-e in the atmosphere. The permanence arrangements for the CFI have been designed to ensure that **carbon stored by CFI projects is maintained for at least 100 years**, while allowing flexibility to change land uses in the future.

Proponents and/or landholders choosing to participate in the CFI do not have to sign a contract with the government committing to maintain carbon for 100 years. **Proponents can choose to cancel their project at any time**, for example because they wish to sell the land or use it for something else. **This would require the relinquishment (handing back) of Australian carbon credit units by the proponent**.

Proponents wishing to close or revoke a project could choose to purchase credits at the market price and hand those credits back. Alternatively, they could earn credits from another project and hand back those credits instead.

CFI sequestration projects may be noted on land titles or relevant land registers to help ensure that anyone buying a property is aware if there is a CFI sequestration project on it. Buyers should consult the Register of Offsets Projects to check the type of project, how many credits have been issued, how long the project has been in operation and other details. The register will be available at www.cleanenergyregulator.gov.au

Example 1 Landholder A has a CFI sequestration project being carried out on their property, for which they are the project proponent. If Landholder A has Australian carbon credit units issued from the project, they are obligated to maintain the carbon on their property for 100 years. Should Landholder A then decide to use the land for a different purpose, Landholder A would have to relinquish those, or equivalent credits, in order to close the project.

Example 2 Landholder B granted Proponent X the carbon sequestration rights over a property so that a CFI project could be carried out on the land. When Proponent X submitted the application for the project to be declared eligible under the CFI, Landholder B provided a written consent for the project to be carried out on their land. If Proponent X has Australian carbon credit units issued from the project, they are obligated to maintain the carbon on Landholder B's property for 100 years. If Landholder B decides to use the land for a different purpose, and Proponent X has been issued with any Australian carbon credit units from the project, Proponent X will have to relinquish those, or equivalent credits, in order to close the project.

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Natural disturbances

If carbon is lost through natural disturbance (e.g. bushfire, drought or disease), action to manage fire (e.g. establishing a fire break) or vandalism, landholders/proponents are not required to return credits. Instead, they must take reasonable action to ensure that carbon stores are re-established. Carbon stores may recover naturally after drought or bushfire with only modest intervention by the proponent, but in some cases active re-establishment or management may be necessary.

Proponents will not receive credits while the carbon stores are recovering. Once carbon stores reach and exceed pre-disturbance levels, credits will start to be issued again. This provides an incentive to manage losses and to re-establish carbon stores as quickly as possible.

Proponents are required to maintain the carbon stored in the project over the long term. Proponents will be required to hand back carbon credits if they cause significant reversals in carbon stored by their project, for example, by deliberately clearing vegetation or through mismanagement of the project.

Carbon Maintenance Obligations (CMOs)

The Clean Energy Regulator may declare that a carbon maintenance obligation applies with respect to an area or areas of land if there is an unmet obligation to relinquish Australian carbon credit units or if the Clean Energy Regulator is satisfied that the person will not comply with the requirement within 90 days.

Obligations to relinquish Australian carbon credit units would be triggered if a project declaration is revoked. This might happen if, for example:

- a project is not properly transferred;
- carbon stores are deliberately reversed;
- carbon stores are not re-established following a natural disturbance; or
- a person provides false or misleading information to the Clean Energy Regulator in relation to the project.

A carbon maintenance obligation prevents a person from engaging in conduct that results or is likely to result in a reduction in carbon stores below the benchmark sequestration level, unless the conduct relates to an activity that has been expressly permitted in the declaration. The benchmark sequestration level is the amount of carbon sequestered in the relevant area or areas at the time that the carbon maintenance declaration was made.

The carbon maintenance obligation will continue to apply for 100 years after the first Australian carbon credit units were issued for the project or for 100 years after a new project area was added to the project.

A carbon maintenance obligation can be revoked once any outstanding relinquishment obligation or penalties payable in relation to the project have been paid in full. Civil penalties will apply if carbon maintenance obligations are breached.

Example 3 Landholder A has a CFI sequestration project being carried out on their property, for which they are the project proponent. If Australian carbon credit units have been issued for the project, Landholder A is obligated to maintain the carbon on their property for 100 years. Should Landholder A decide to use the land for a different purpose, they would have to relinquish those, or equivalent credits, in order to close the project. Should Landholder A fail to make the necessary relinquishment, a carbon maintenance order may be imposed their property, preventing them from using the land for a different purpose.

Example 4 Landholder B owns a property on which a CFI sequestration project is being carried out by Proponent X. If Australian carbon credit units have been issued for the project, the proponent is obligated to maintain the carbon on Landholder B's property for 100 years. If Landholder B decides to use the land for a different purpose, and Proponent X has been issued with any Australian carbon credit units from the project, Proponent X will have to relinquish those, or equivalent credits, in order to close the project. Should Proponent X fail to make the necessary relinquishment, a carbon maintenance order may be imposed on Landholder B's property, preventing them from using the land for a different purpose.

Filling in the form

Please use a black or blue pen

Mark boxes like this ☐ with a ✔ or ✘

This form has 2 parts:

Part A – Proposed project details

This section captures the details about the proposed project, including the type of project, its location, the proponent, and the land title for which the consent of eligible interest holder(s) is required.

Note: Part A must be completed and signed by the project proponent **before Part B is completed** by the eligible interest holder.

Part B – Eligible interest holder's details

This section collects the personal details, contact information and consent of the eligible interest holder. It must be signed, dated and witnessed.

Returning your form

When the form has been completed check that all questions have been answered and the form has been signed, dated and witnessed.

This completed form should then be returned to the proponent to accompany the application for the declaration under the CFI of an eligible sequestration offsets project.

RTI Disclosure

Australian Government
Clean Energy Regulator

Clean Energy Regulator

Carbon Farming Initiative
Eligible Interest Holder Consent

Part A – Proposed project details

▶▶ The project proponent must complete Part A BEFORE this form is provided to the eligible interest holder.

1. **Full name of the project proponent seeking consent**

Full name (individuals)

Mr ☑ Mrs ☐ Miss ☐ Ms ☐ Other

Family name sch4p3(3) Prejudice the protection of an ir

Given name(s)

OR Name of company, body corporate, trustee, corporation sole, body politic or local government

2. **What is the title of the project?**

CLOUDLAND CONNECTIVITY & CARBON

3. **Land title number and location for which the consent is required**

Land title number LOT 29 on NR 426, Parish of Birra

Location (including street address where applicable)

Rural No sch4p3(3) Prejudice the protection of an individu
via Malanda Q 4885

4. **Project proponent's declaration**

I represent and warrant that:

☑ as the signatory below, I am either the project proponent detailed above or I have the legal capacity and authority to bind the project proponent in respect of the matters contained in this form.

☑ all information provided in Part A of this form is complete, true and correct and not misleading by inclusion or omission.

☑ I understand that the provision of false or misleading information is a serious offence under the *Criminal Code Act 1995* and may have consequences under the *Carbon Credits (Carbon Farming Initiative) Act 2011* and other laws.

Full name of signatory

Signature

Position in organisation (if applicable)

Date signed dd mm yyyy 08/02/2013

▶▶ Now provide this entire form (6 pages) to the eligible interest holder to complete Part B.

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Part B – Eligible interest holder's details

▸▸ **The eligible interest holder must complete Part B and return this form to the project proponent.**

5. Read this before answering any questions

This form has 6 pages. You (the eligible interest holder) must receive all 6 pages and the **project proponent must fully complete Part A BEFORE you complete Part B.**

It is strongly recommended that you:

- read the information on pages 1–3
- read and understand the project proposal and where necessary obtain independent advice in relation to providing your consent as an eligible interest holder, and
- check that the project details in Part A of this form have been completed and are correct.

6. Name of eligible interest holder

Full name (individuals)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other

Family name

First given name

Other given name(s)

OR Name of company, body corporate, trustee, corporation sole, body politic or local government (non-individuals)

Department of Environment and Heritage Protection

If applicable:

ABN 46 640 294 485 ACN

7. Mailing address

Address line 1 Minister for Environment and Heritage Protection

Address line 2 GPO Box 2454

Suburb/City/Town Brisbane State Qld Postcode 4000

8. Contact email

environment@ministerial.qld.gov.au

9. Contact numbers (including area code)

Primary 3239 0844 Secondary 3239 0841

Frangi Spitsbury

RTI DL Release

10. Eligible interest holder's consent

The eligible interest holder must complete and sign this consent. For non-individual interest holders (e.g. a company or body corporate), this consent must be completed and signed by a person who is authorised to bind the eligible interest holder.

- Confirm each item by ticking the checkbox ☑
- Complete and sign the consent
- Have a witness sign the consent

I represent and warrant, for or on behalf of the eligible interest holder, that:

☒ as the signatory below, I am either the eligible interest holder detailed in Part B of this form or I have the legal capacity and authority to bind the eligible interest holder in respect of the matters contained in this form.

☒ all information provided in Part B, or in relation to Part B, of this form is, on the basis of reasonable inquiries, complete, true, and correct and not misleading by inclusion or omission.

☒ I understand that the provision of false or misleading information is a serious offence under the *Criminal Code Act 1995* and may have consequences under the *Carbon Credits (Carbon Farming Initiative) Act 2011* (CFI Act) and other laws.

☒ I understand that the proposed eligible offsets project must be maintained for a period of 100 years, if not terminated earlier under the provisions of the CFI Act.

☒ I understand that a Carbon Maintenance Obligation (CMO) may be placed over the project area in which I hold an interest during the term of the proposed CFI project.

☒ I consent to the application for declaration of the offsets project detailed in Part A of this form.

Full name of signatory: Andrew Cary Powell

Signature: ✍

Position in organisation (if applicable): Minister for Environment and Heritage Protection - Qld

Date signed (dd mm yyyy): 03/04/2013

Type of interest held (e.g. registered mortgage holder, freehold owner, lessee): Protected area / conservation agreement (Nature Refuge noting 709151967) ~~registered under s.134 of the Nature Conservation Act 1992.~~

Full name and address of witness:

Fiona Procter
L13, 400 George St
Brisbane

Signature of witness: ✍ sch4p4(6) Personal information

Date witness signed (dd mm yyyy): 03/04/2013

Witness contact number: 3239 0839

Now provide this completed form to the project proponent to lodge with their application for the project.
It is recommended that you keep a copy of the completed form for your own records.

Privacy and secrecy

The Clean Energy Regulator is bound by the *Privacy Act 1988* and the secrecy provisions in the *Carbon Credits (Carbon Farming Initiative) Act 2011* (CFI Act) and the *Clean Energy Regulator Act 2011* (CER Act).

The Clean Energy Regulator is authorised under the CFI Act and the Carbon Credits (Carbon Farming Initiative) Regulations 2011 to ask for the information in this form. This information is required to validate that a project proponent has received the consent of all relevant interest holders for the application for declaration of an eligible offsets project under the CFI Act.

Any personal information that is submitted as part of this form will be securely stored. Any personal information will be used in relation to making a decision about the application and may also be used and disclosed for any other relevant purpose under the CFI Act, CFI Regulations or related laws (including the *Australian National Registry of Emissions Units Act 2011* and the Clean Energy Legislation Package). Personal information may also be used for consultation purposes or to contact persons in the future. Any other use or disclosure of personal information will occur only if that is not inconsistent with the terms of the Privacy Act, CFI Act, CER Act or any other relevant Commonwealth law.

If you have any questions about privacy or secrecy issues please contact:

Privacy Contact Officer
Clean Energy Regulator
GPO Box 621
Canberra ACT 2601
Phone: +61 2 6159 3100
Website: www.cleanenergyregulator.gov.au

RTI DL Release

CTS No. 05317/13

sch4p3(3) Prejudice the pro

Chief of Staff .
Dated 12/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 14/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Flood recovery in Lockyer Creek catchment**

RECOMMENDATION

It is recommended that the Minister:

- **sign** the reply to [redacted] (**Attachment 1**)
- **note** that the department is progressing a range of activities to address the issues that have been raised in correspondence.

BACKGROUND

- [redacted] has written to the Minister six times to date to raise concerns over flood recovery activities taking place in the Blackfellow and Tenthill Creek catchments. [redacted] asserts that Locyker Valley Regional Council and landholders are undertaking similar activities as were undertaken after the 2011 flood that are argued to have caused the worsened flooding and sediment loads from the 2013 flood.
- Similar correspondence has been received by Department of Science, Information and Technology officers from groups such as Greening Australia.

CURRENT ISSUES

- EHP Environmental Recovery Unit is coordinating the environmental management aspects of the state flood recovery and resilience efforts. Regional NRM bodies will be contracted by the Department of Natural Resources and Mines to undertake on-farm productivity recovery and riparian rehabilitation work.
- For the Lockyer Valley catchments, SEQ Catchments would be the relevant NRM body and has significant, proven experience through the Healthy Country program in undertaking riparian rehabilitation and resilience works to reduce erosion and sediment loads.
- Ms Leith Boully, Chair of Healthy Waterways, has met with the Premier, Ministers and Directors-General to discuss the need for a coordinated approach to catchment management.
- Poor catchment management practices, such as those discussed in [redacted] correspondence, have been linked to the severe sediment loads that led to the shut-down of the Mt Crosby water treatment plant.
- sch3(2)(1)(a) Cabinet matter - For consideration by Cabinet
- Further briefing material will be provided to you as matters progress.

MINISTER'S COMMENTS

Rec'd - ODG
10 APR 2013

ATTACHMENTS

- Attachment 1—Reply to [redacted]

Author	Cleared by	Cleared by	Recommended:
Name: Matthew Fullerton Position: Senior Policy Officer, Environment Planning Tel No: 3330 5603 Date: 4 April 2013	Name: John Lane Position: Dir, Environment Planning Tel No: 3330 5864 Date: 4 April 2013	Name: Tony Roberts Position: Deputy Director-General, Environmental Policy and Planning Tel No: 3330 5[redacted] Date: sch4p 14/4/13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 11/4/13

RTI DL Release

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

QUEENSLAND GOVERNMENT

Ref CTS 05317/13

15 APR 2013

Level 13
400 George Street Brisbane 4000
GPO Box 2454 Brisbane
Queensland 4001 Australia
Telephone +61 7 3239 0844
Facsimile +61 7 3224 2496
Email environment@ministerial.qld.gov.au

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Dear

Thank you for your recent emails concerning the heavy machinery works in Blackfellow and Tenthill Creeks.

I wish to reaffirm the conversation that you have had with my Chief of Staff, Mr Troy Collings. The Premier has clearly set the direction for the government: the first priority is to get those affected back on their feet and then develop a long-term strategic approach to deal with the causes of flooding problems, not keep making repair jobs. I am fully aware of the need to develop an improved strategy across government to deal with catchment management, not just in the Lockyer Valley but across the whole state. I have also again referred your correspondence to the Honourable Andrew Cripps MP, Minister for Natural Resources and Mines with a request that a reply be forwarded to you at the earliest opportunity.

We will be consulting and taking advice from a wide range of groups as we develop a strategic, long-term approach. I have already mentioned to you the Healthy Waterways Scientific Expert Panels which include both Professors Stuart Bunn and Jon Olley from Griffith University to whom you have referred as well as other academic researchers and independent consultants. Dr James Udy, who you have also mentioned, is the Chief Scientist at Healthy Waterways Ltd providing expert advice and working with the Scientific Expert Panels and therefore an integral part of the business.

I have confidence in the ability of SEQ Catchments, and regional natural resource management bodies across the state, to be an effective part of a long-term strategy to improve our catchment management. SEQ Catchments continue to provide advice to Queensland Government agencies and local government.

SEQ Catchments has had proven success in effecting change in focal areas through the Healthy Country Program. This is most effective when there are local champions such as yourself, who can play an important role in local communities. Mr Simon Warner, CEO of SEQ Catchments, has advised me that he would be happy to meet with you to discuss the issues you have raised and identify opportunities for you and your colleagues to be involved in the long-term strategy.

SEQ Catchments now has three sets of high resolution digital elevation data acquired from before and after the 2011 floods, and again after the 2013 flood in the Lockyer Valley. This is an unprecedented data source that will be critical to identifying effective catchment solutions.

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The Queensland Government is a partner in an Australian Research Council linkage project to improve our understanding of floods in the Lockyer Valley with Griffith University, Seqwater, the Lockyer Valley Regional Council, Aberystwyth University, the University of Wollongong and Macquarie University.

I have outlined just some of the further work that is ongoing in addition to the material you have noted in your correspondence to reassure you that I am taking this issue most seriously. We will not rush into potentially ineffective action but develop a strategic and coordinated approach to ensure we move forward in the most productive way.

I hope this information has been of assistance to you. Should you have further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

RTI DL Release

CTS No 05321/13

sch4p3(3) Prejudice the

Chief of Staf ..... OK
Dated 12/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 15/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Regulated Waste Management Framework Review**

TIMEFRAME

- This brief is not urgent.

RECOMMENDATION

It is recommended that the Minister **note**:

- the two papers for preliminary discussion with internal and external stakeholders - '*Review of Queensland's Regulated Waste Management Framework* (attachment 1) and '*Specific Regulated Wastes'* (attachment 2)
- that the department proposes to undertake the review of Queensland's regulated waste policy framework as part of the election commitment to develop an 'industry-led' waste strategy for Queensland and to identify areas where reduced regulatory burden can be achieved as part of the commitment to reduce red tape by 20 percent
- preliminary discussions will be undertaken, in the first instance, through the Regulatory Reform Working Group established under the Waste Strategy Steering Committee and that these discussions will inform a broader consultation process.

BACKGROUND

- Due to their nature and characteristics some wastes pose greater potential risk to the environment and human health, and therefore require stricter controls for the storage, transportation, treatment and disposal. In Queensland these wastes are defined as 'regulated wastes'.
- The management framework for regulated wastes is currently administered by the Department of Environment and Heritage Protection under five separate pieces of legislation—the *Environmental Protection Act 1994* and *Waste Reduction and Recycling Act 2011*, and the *Environmental Protection Regulation 2008*, *Environmental Protection (Waste Management) Regulation 2000*, and the *Waste Reduction and Recycling Regulation 2011.*

CURRENT ISSUES

- Issues relating to the implementation, enforcement and compliance of regulated wastes have been raised by industry and departmental officers over a number of years.
- Several reviews and amendments to parts of the regulated waste management framework have also been undertaken. However, in some cases, this approach has led to unintended consequences in other areas without fully addressing basic issues with the framework.
- To address these issues, it is proposed that a holistic and fundamental review of the regulated waste framework be undertaken in association with the development of the industry-led waste strategy.
- A first paper '*Review of Queensland's Regulated Waste Management Framework – issues and objectives'* outlines the core elements of such a review and seeks input into the policy options and priorities.
- The aim of this paper is to -
  - i) seek support on the key issues to be addressed under the review
  - ii) seek agreement on the main objectives that will form and guide the development of an overarching policy framework for the future management of regulated wastes in Queensland and;
  - iii) start to build the evidence base for the review and subsequent changes.
- This review is expected to be completed by June 2014. However, industry stakeholders have raised immediate issues concerning the management of specific regulated wastes.

Rec'd - ODG
-10 APR 2013

Author	Cleared by	Cleared by	Recommended:
Name: Tamara Miller Position: Principal Policy Officer Tel No: 3330 6042 Date: 20 March 2013	Name: Elisa Nichols Position: A/Executive Director, Reform and Innovation Tel No: 3330 5988 Date:	Name: Tony Roberts Position: Deputy Director-General, Environmental Policy and Planning Tel No: 3330 5990 Date: sch4p3 4/13	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date: 11.4.13

File Ref:

FOI DL Release

- Attachment 2 provides the proposed regulatory amendments to address concerns that have been raised around clarification of the status of particular wastes – for example, whether they are regulated waste or not. The paper specifically addresses televisions, computers, mobile phones, handheld batteries, used oils and treated power poles and bridge timbers.
- It is proposed amendments will be made to the Environmental Protection Regulation 2008 to address the immediate and specific needs identified in the paper. These are discrete amendments and there are unlikely to be flow-on effects in other areas. However, the proposals have not been looked at in isolation from the overarching regulated waste management review.
- The bigger regulated waste review project will look more closely at the total picture and, another project about to commence that is looking specifically at a review of the waste ERAs, may identify a more streamlined approach to some of the ERAs included in the current project.

CONSIDERATIONS

- *Key Communication Messages:* The Minister has indicated to stakeholders a desire to review current policy and regulatory settings for waste management, including the management of regulated waste. The objects of these projects are to streamline requirements for business and industry, remove regulatory burden, clarify classification and implement a regulated waste management framework that is risk and outcomes-based.
- *Election Commitment:* The proposed project will form part of the Government's election commitment to work with waste industry and generators to develop an industry-led strategy for Queensland, and help the government deliver against its key election commitment to reduce the compliance burden to business through the *Greentape Reduction Act 2012.*

RTI DL Release

ATTACHMENTS

- Attachment 1 – 'Review of Queensland's Regulated Waste Management Framework – Issues and objectives'
- Attachment 2 - 'Specific Regulated Wastes'

Author	Cleared by	Cleared by	Recommended:
Name: Tamara Miller Position: Principal Policy Officer Tel No: 3330 6042 Date: 20 March 2013	Name: Elisa Nichols Position: A/Executive Director, Reform and Innovation Tel No: 3330 5988 Date:	Name: Tony Roberts Position: Deputy Director-General, Environmental Policy and Planning Tel No: 3330 5990 Date:	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:

CTS No. 05528/13

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Chief of Sta OK
Dated 26/03/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 26/03/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Communication plan to manage demand for TV and computer recycling ahead of the digital switchover in SEQ on 28 May 2013**

TIMEFRAME

- Approval is requested by 28 March 2013 to enable the department to confirm funding arrangements with the Commonwealth Government, and put in place an appropriate strategy to address the potential issue of demand for television recycling with local governments prior to digital switchover on 28 May 2013 in SEQ.

RECOMMENDATION

It is recommended that the Minister:

- **approve** the proposed approach for a communications plan for the management of waste TVs ahead of and after the digital switchover
- **sign** the letter to the Mayors of councils affected by the switchover date (**Attachment 1a**)
- **note** the opportunity for you to be involved in a media event around 28 May 2013 as part of a broader communications plan.

letter to Min Crisafulli too pls.

BACKGROUND

- On 3 November 2011, the Commonwealth Government made new regulations that require importers and manufacturers of televisions, computers and computer products to fund and implement recycling services for these products.
- In a parallel and unrelated process the Commonwealth Department of Broadband, Communications and the Digital Economy has been switching off the analogue television system.

CURRENT ISSUES

- On 28 May 2013, analogue free-to-air TV signals will be switched off in the greater Brisbane area and replaced with digital-only signals. The switch over area extends from part of Gympie Regional Council to Gold Coast and west to Scenic Rim, Somerset and Ipswich (**Attachment 1b**).
- While a number of people may choose to retain their analogue TV and use a set-top box to pick up the digital signal, many existing analogue TVs will be replaced by digital TVs in the lead up to and sometime after switchover.
- Product Stewardship schemes for the collection and recycling of TVs and computers are in the process of being rolled out across Queensland and SEQ.
- Information from when the digital switch over occurred in regional Queensland would indicate that large quantities of used televisions are not expected to be collected. This is because the digital signal has been available for some time and people have been progressively replacing their old televisions.
- The Commonwealth Government has agreed to provide $30,000 to the Queensland Government for use in communicating information about where people can take their televisions and computers, what they can do with their old televisions and computers if there is no scheme in place, and clarify the parameters of what can and cannot be accepted by the schemes.
- To finalise the funding arrangement, the department will need to provide the Commonwealth with a proposal for a communications strategy.
- The Queensland Government will provide a co-contribution of $20,000 to run complementary generic messaging, to be sourced from Environmental Policy and Planning budget.
- It is proposed the department undertake the following:

Rec'd - ODG
25 MAR 2013

Author	Cleared by	Cleared by	Recommended:
Name: Tamara Miller Position: Principal Policy Officer Tel No: 3330 6042 Date: 20 March 2013	Name: Elisa Nichols Position: A/Executive Director Tel No: 3330 5988 Date: 22 March 2013	Name: Tony Roberts Position: Deputy Dir[redacted]y General, Environme[redacted] and Planning Tel No: 3330 5990 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 25.3.13

RTI DL Release

i) develop key messages for local governments to run in their local press
ii) provide local governments in the switch over area with a direct funding contribution of around $5000 per council to undertake advertising and awareness in the lead up to the switch over
iii) seek approval from the Department of the Premier and Cabinet to develop and run radio announcements in the affected area
iv) utilise a partnership with Channel 7 to promote recycling of TVs and computers
v) identify potential events for Ministerial attendance

- To notify local government in relation to the project and the available funding a letter has been drafted to the Mayors that will be impacted by the switch over (**Attachment 1a**).
- A more detailed communication plan is currently being finalised with Client Communication. This will highlight possible events and media statements.

CONSIDERATIONS

- *Budget*: $50,000 is available to carry out an awareness raising program with SEQ Councils affected by the digital switchover (Commonwealth $30,000 & EHP $20,000).
- *Consultation:* The department has consulted with Sunshine Coast Regional Council and Brisbane City Council on the best way to allocate the Commonwealth funding. Further consultation will be undertaken with other councils in the switch over area. The Commonwealth Government has also been consulted as to the availability and usage of the Commonwealth funds.
- *Key Communication Messages:*
  - The key communication messages are:
    - take your old televisions and computers to a drop-off centre near you – don't drop them in landfill
    - if there is no collection point near you, hang on to your equipment and contact the council about when a collection system might be available
    - if you don't need a new television, don't buy one. The digital ready website has information about how to make your analogue system digital ready (**Attachment 1c**).
  - There is an opportunity for the Minister to be involved in the radio announcements and media event in the lead up to the switchover date
  - Client Communications are working with Reform and Innovation Branch to develop:
    - the key messages for local governments to include in their local advertising
    - messaging for Channel 7 information spots
    - newspaper advertisements.

MINISTER'S COMMENTS

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ATTACHMENTS

- Attachment 1a – Letter from Minister to SEQ Mayors affected by digital switchover
- Attachment 1b – Map of switchover effected area
- Attachment 1c – Fact Sheet

Author	Cleared by	Cleared by	Recommended:
Name: Tamara Miller Position: Principal Policy Officer Tel No: 3330 6042 Date: 20 March 2013	Name: Elisa Nichols Position: A/Executive Director Tel No: 3330 5988 Date: 22 March 2013	Name: Tony Roberts Position: Deputy Director-General, Environmental Policy and Planning Tel No: 3330 5990 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

CTS No. 05853/13

sch4p3(3) Prejudice the

Chief of Sta OK
Dated 30 / 03 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 02/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Dangerbridge Nature Refuge – inclusion of additional Domestic Zones**

RECOMMENDATION

It is recommended that the Minister:

- **note** the information provided in this briefing note.
- **approve** in principle, amendment of the conservation agreement for Dangerbridge Nature Refuge to provide for Domestic Zones (Attachment 1).

BACKGROUND

- Dangerbridge Nature Refuge was gazetted in December 2010. It covers 359 hectares over six Lots. At the time of gazettal, all six Lots were owned by one landholder. Domestic Zones are provided for on three of the Lots (Attachment 2), reflecting the landholder's wishes at that time.
- Since gazettal, the landholder has sold off several of the Lots to new owners, including Lot 3 on which no Domestic Zone was previously provided for.

CURRENT ISSUES

- The new owner of Lot 3 (76 hectares) has requested amendments to the existing conservation agreement to provide for Domestic Zones (Attachment 3) to enable clearing of vegetation for the construction of a house, work studio and associated infrastructure such as walking and vehicular tracks. Under the conservation agreement for Dangerbridge Nature Refuge, the landholder cannot undertake these activities without the approval of the Minister. If no Domestic Zone is provided for, the landholder will be unable to construct any buildings or infrastructure and will therefore be unable to reside on the Lot.
- Sunshine Coast Regional Council has advised the new owner they will not proceed with development assessment until the Department of Environment and Heritage Protection provides in principle approval for Domestic Zones.
- Current Nature Refuges Program policy requires that nature refuge landholders requesting changes to existing conservation agreements must be able to demonstrate a net conservation gain for the nature refuge as a result of the proposed changes.
- The Tenure and Covenants Unit (TACU) has assessed the new owner's proposed changes to the conservation agreement (Attachment 4) and is satisfied it will result in a net gain to conservation values on the nature refuge through:
  i) having an active and committed land manager resident on the Lot;
  ii) environmental weed control activities;
  iii) revegetation activities; and
  iv) rehabilitation of disused tracks.
- If approved, a new conservation agreement will be negotiated with the new owner to provide for the Domestic Zones.

Rec'd - ODG 26 MAR 2013

CONSIDERATIONS

Author	Cleared by	Cleared by	Recommended:
Name: Gavin Hammermeister Position: Program Coordinator Tel No: 3330 5366 Date: 25 March 2013	Name: Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 25 March 2013 **Cleared by** Name: Geoff Clare Position: ED, Nature Conservation Services Tel No: 3330 5390 Date: 25 March 2013	Name: Tamara O'Shea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 624 Date: 26.03.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 26-3-13

RTI DL Release

- *Consultation:* Extensive consultation and negotiation were undertaken between the TACU and the new owner of Lot 3 in relation to the size and location of proposed Domestic Zones, minimisation of vegetation clearing and maintenance of the significant values of the nature refuge.
- *Legislation:* Section 48 of the *Nature Conservation Act 1992* allows for the variation or replacement of conservation agreements.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 – Dangerbridge Nature Refuge Conservation Agreement.
- Attachment 2 – Protected Area Plan for Dangerbridge Nature Refuge.
- Attachment 3 – Owner's map for proposed Domestic Zones on Lot 3.
- Attachment 4 – Owner's proposal for Domestic Zones on Lot 3.

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Gavin Hammermeister Position: Program Coordinator Tel No: 3330 5366 Date: 25 March 2013	Name: Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 25 March 2013 **Cleared by** Name: Geoff Clare Position: ED, Nature Conservation Services Tel No: 3330 5390 Date: 25 March 2013	Name: Tamara O'Shea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

N

GPS Reference Points		
Point	**Easting**	**Northing**
A	495693	7095791
B	495730	7095808
C	495707	7095883
D	495928	7095961
E	495932	7095738
F	495977	7095912
G	495975	7095981
H	495992	7095983
J	496042	7096081
K	496123	7096043
L	496108	7095930
M	497125	7096471
N	497045	7096823
P	497266	7096521
Q	497459	7096738
R	497418	7096606
S	497338	7096565
T	497526	7096878
U	497447	7096984
V	497702	7097124
W	497687	7096890
X	497316	7096990
Y	496733	7095514
Z	496719	7095416
A1*	497432	7096123

Horizontal Datum: GDA94

Projection: MGA94 Zone 56

GPS data collected using Garmin 12

* A1 indicates a Zone A with a radius of 30 metres from this point

Note: GPS control points are to be used for the location of internal boundaries only. Responsibility for locating these boundaries lies soley with the landholder.

PRELIMINARY RELEASE

Kin Kin Creek

ROAD

2 SP129690

GREAT SANDY NATIONAL PARK

21 NPW659

A SP216047

3 SP216047

B SP216047

3 SP129690

21 NPW659

4 P129690

C SP216047

300 RP858522

DANGERBRIDGE NATURE REFUGE

Abt 359 ha

KILDEYS ROAD

11 RP858522

12 SP216047

2 RP887052

1 RP887052

3 RP887052

2 RP140904

1 RP140904

3 RP849534

9 RP181850

4 RP204118

9 RP228571

8 RP226596

11 RP800434

RP 180445

8

7 RP226596

10 RP800434

12 RP814437

3 RP849534

10 RP202311

4 RP221223

7

6 RP222719

RP 180446

5

5 RP222719

2 RP849534

2 RP28725

5 RP221223

A RP221223

4

4 RP803972

3 RP 221231

2

4 RP220339

3 RP220339

13 RP814437

1 RP28725

13 RP 202311

3

4 RP862545

RP 180437

2

2 RP204118

1 RP204118

1 RP902966

2 RP852020

1

1

2 RP187028

1 RP187028

1 RP199413

2

ROAD

1 RP173188

14 RP202311

3 RP199413

2 RP803972

3 RP208942

LAKE FLAT ROAD

2 MCH838

A RP862545

2 RP28724

1 RP28724

2 RP126723

B MCH5358

313

COOTHARABA ROAD

0 0.25 0.5 1 1.5

Kilometers

Coral Sea

GREAT SANDY NATIO

21 NPW659

Cairns

Townsville

Mount Isa

Mackay

Rockhampton

Brisbane

DANGERBRIDGE NATURE REFUGE

PLAN OF DANGERBRIDGE NATURE REFUGE

Queensland Government

GDA DATUM: GDA94 ZONE: MGA 56

Dangerbridge Nature Refuge | Exclusion Area | Zone A | Zone D | Zone A_R 0.2ha each

© The State of Queensland (Department of Environment and Resource Management) 2010.

Produced to delineate the boundaries of the Nature Refuge under the provisions of the Nature Conservation Act 1992 and the Survey and Mapping Infrastructure Act 2003.

Whilst every care is taken to ensure the accuracy of this product the Department of Environment and Resource Management makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose. Additionally, the Department of Environment and Resource Management disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which might incurred as a result of the product being inaccurate or incomplete in any way and for any reason.

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

Based upon an extraction from the Digital Cadastral Data Base on: **12/06/2009**

PARISH: NOOSA

LOCAL AUTH: SUNSHINE COAST REGIONAL

COUNTY: MARCH

REGION: GREAT SANDY

LOCALITY: COOTHARABA

ELECTORATE: NOOSA

Scale: **1:15000**

Note A4 copy is reduced.

SYSINT Code: 8425DGB001

PA Number: 138

Drawn By: DP

Schedule 5

F:\Nature Refuges\Gazettals\Nature Refuges\Dangerbridge\PA \GIS data\Workspaces\Dangerbridge_Nature_Refuge_working.mxd

File Ref: BNE10470 12-439 DL File B

Map Ref: 9445-21141

Date: 10/06/2009

AP19044

Address

136 Kildeys Road
Cootharaba
Queensland 4565

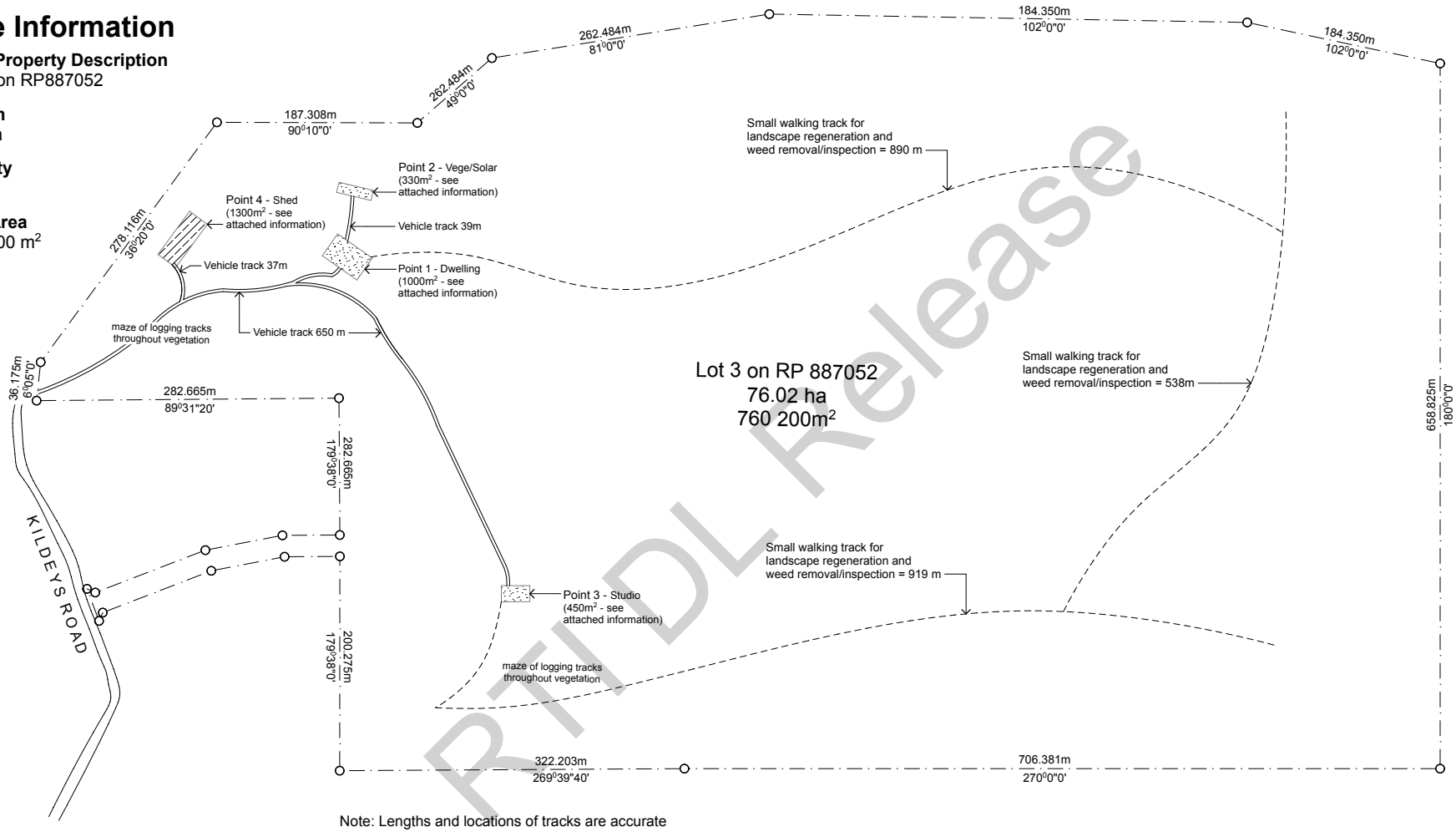
Site Information

Real Property Description
Lot 3 on RP887052

Parish
Noosa

County
March

Site Area
760,200 m^2



Site Plan
1:4000

Note: Lengths and locations of tracks are accurate to within a range of 10%-20%. They will have to be adjusted on site to follow the existing tracks.

RTI DL Release

0m 50m 100m 200m
Scale 1:4000

Eco Sensitive Proposal for 136 Kildeys Road

RAW CONCEPTS
p.o box 1054 noosaville d.c 4566
0411 633 797
www.raw_concepts@live.com
abn 12677612135

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A Proposal
Amendment List
01.03.13

Noffke
Client

J13002
Project No.

Proposal For 136 Kildeys Road
Project

N

Drawing Title
Site Plan

March 2013
Date

1:4000 @ A3
Scale

A
Revision

01
Drawing No.

136 Kildeys Road (Lot 3 on RP 887052) was clear felled some time ago. The vegetation is still trying to recover. Immature trees make up most of the vegetation, with scattered larger trees in between. Throughout the entire site, felled trees are a very common sight as shown in the images below.

Some sections of vegetation are regenerating better than others. Logging has had a number of long lasting negative impacts on the landscape. Numerous unregenerated roads and patches of unregenerated landscape exist. Also, a number of declared pest species such as Lantana and Camphor laurel have infiltrated the site.

NOT FOR DL Release

Lantana (Lantana camera)
Lantana is a declared aggressive introduced weed species and can be seen throughout the site. An average rate experienced through half of the site was about 2m2 of Lantana per 50m2. Some sections are thicker than others with smaller juvenile plants becoming more prevalent. This will turn into a major problem if not controlled.

A on map – Lantana Thicket

B on map – Lantana Thicket

C on map – Lantana Thicket

D on map – Lantana Thicket

E on map – Numerous Juvenile Lantana

F on map – Lantana Thicket

Most visual surveying has been conducted on the Western higher portion of the site. This makes up around half of the Lot Area. The total Lot size is 187.849 Acres or 760 200m2. As most of the visual surveying has been conducted in the top half of the Lot, only half the area will be used in calculations which is 380 100m2.
If the rate of 2m2 of Lantana per 50m2 is applied, then there is -

15 204m2 *of Lantana to be removed and replaced with native species*

Logging Tracks
The roads used for logging and clearing were obviously very extensive as they weave their way throughout the entire site. An estimated 4800m of remnant tracks weave their way all through the top half of the surveyed area. This is shown by pink dots on the attached site map. At a very conservative average of 2.7m wide, this equals 12 960m2 of track network. Around 60% of roads are regenerating at an acceptable rate, the other 40% needs manual regeneration before exotic weed species take hold, this leaves –

5184m2 *of track area that needs manual regeneration*

G on map – Track at road

H on map – Track

I on map – Track

J on map – Track

K on map – Track

L on map – Track

M on map – Track

N on map – Track

O on map – Track

Camphor laurel (Cinnamomum camphora)

Camphor laurel has been spotted in parts of the site. This will need to be carefully removed as soon as it is found as it is a declared aggressive introduced weed species.

Other Degenerated Zones

P on map – Unregenerated area

Q on map – Unregenerated area

400m2 *at P to be regenerated*

350m2 *at Q to be regenerated*

300m2 *at R to be regenerated*

R on map – Unregenerated area

Removal of Rubbish
Any rubbish found on the site will be removed.

RTI DL F

Proposed Access
Existing tracks will mainly be used for access. These will have as minimal impact on the site as possible and may be at the most approximately 1250m x 2.4m wide -

3000m2 *of access area*

Proposed point 1 – Dwelling – see other document for more information

1150m2 *of area allocated for point 1 (this will cause minimum disturbance as the structure will sit in under the tree canopy)*

1 on map

2 on map

Proposed point 2 – Vegetable garden/solar panels – see other document for more information

300m2 *of area allocated for point 2 (this will use the existing features of the site to allow sun to penetrate the space)*

Release

Proposed point 3 – Studio – see other document for more information

400m2 *of area allocated for point 3 (this will cause minimum disturbance as the structure will sit in under the tree canopy)*

3 on map

4 on map

Proposed point 4 – Shed – see other document for more information

900m2 *of area allocated for point 2 (minimum disturbance as possible will be achieved)*

RTI DL Release

Areas needing regeneration -

15 204m2 *of lantana to be removed and replaced with native species*
5184m2 *of track area that needs manual regeneration*
400m2 *of area that needs manual regeneration*
350m2 *of area that needs manual regeneration*
300m2 *of area that needs manual regeneration*
This equals -

21 438m2 of area needing regeneration when only taking half of the site into account

Proposed areas -

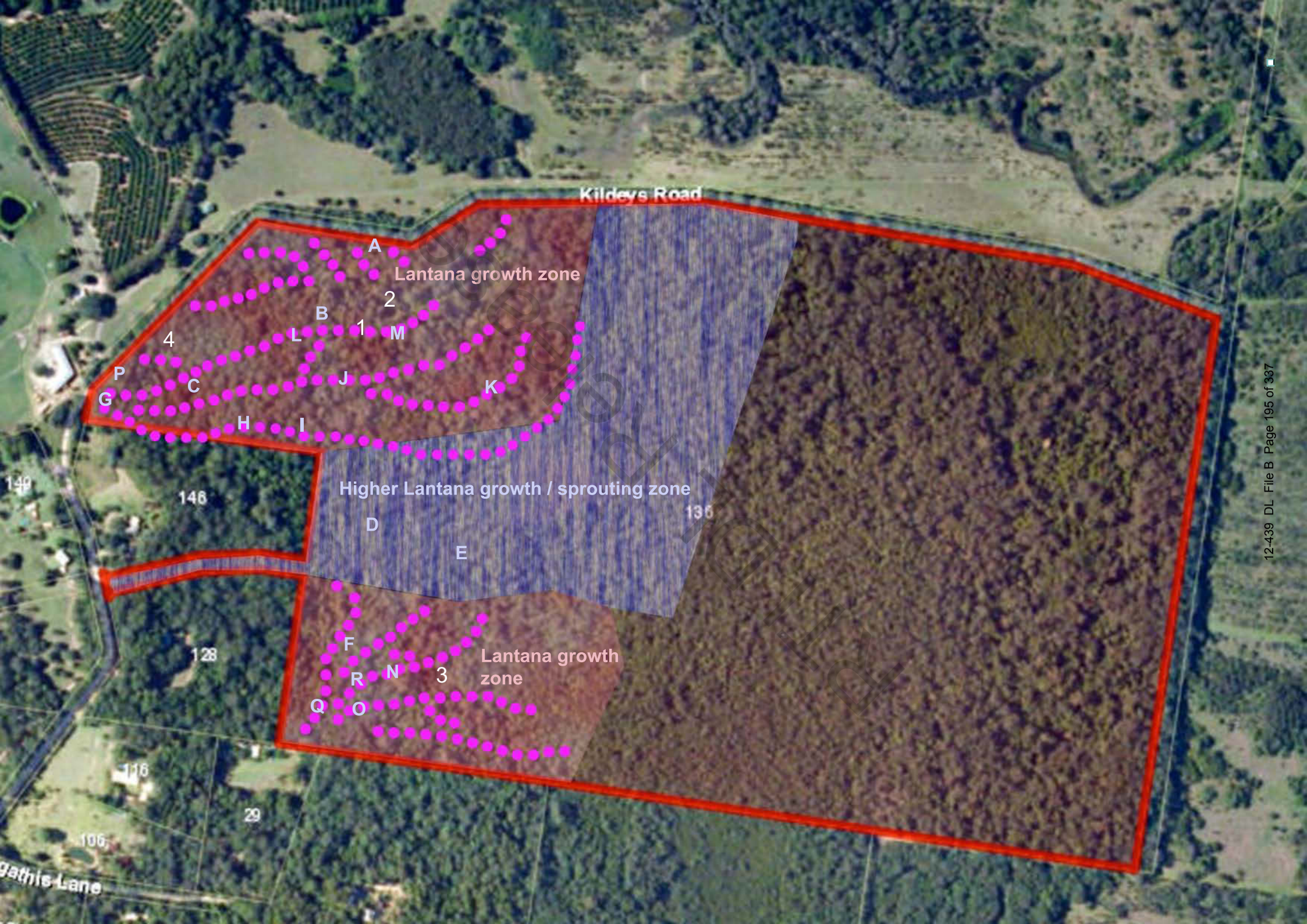
3000m2 *of area allocated for access*
1150m2 *of area allocated for point 1 (although this will cause minimum disturbance as the structure will sit in under the tree canopy)*
300m2 *of area allocated for point 2 (this will use the existing features of the site to allow sun to penetrate the space)*
400m2 *of area allocated for point 3 (although this will cause minimum disturbance as the structure will sit in under the tree canopy)*
900m2 *of area allocated for point 4 (minimum disturbance as possible will be achieved)*
This equals -

5 750m2 *of area required.*

This allows for at least a ***100% to over 300% net positive increase to the nature reserve.***

The property at 136 Kildeys road has a number of degenerated zones that are not recovering due to logging and clear felling. The proposed regeneration will ensure that declared weed species are systematically removed and kept out of the site, keeping its diversity of native species. The proposal will allow for the manual regeneration of struggling areas and will create a large net increase to the nature refuge.

RFI DL Release



12-439 DL File B Page 195 of 337

CTS No. 05876/13

sch4p3(3) Prejudice

Chief of Staff .. .. OK
Dated 9 / 4 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 09 / 04 / 13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Lethal take of flying-foxes for crop protection – request for update on previously proposed amendments to the Code of Practice**

TIMEFRAME

- The Minister requested an update to a previously-prepared brief (CTS 17471/12 – Attachment 1) providing additional advice on how the Department of Environment and Heritage Protection is dealing with proposed amendments to the Code of Practice – Ecologically sustainable lethal take of flying-foxes for crop protection (the Code of Practice).

RECOMMENDATION

It is recommended that the Minister:

- **note** that the department will review the Code of Practice prior to the next growing season as was promised to industry.
- **note** that the review will transition the Code of Practice to a more outcomes-focused (rather than prescriptive) approach to the greatest extent possible.- commencing mid-2013.
- **note** that Bundaberg Fruit and Vegetable Growers are supportive of the proposed approach.

BACKGROUND

- Ongoing consultation with industry over the operation of the Code of Practice had generated a number of suggestions for amendment. These relate largely to the prescribed methods for non-lethal methods of deterrence that must be in place prior to the granting of a lethal Damage Mitigation Permit (DMP).
- These had been compiled into proposed revised versions of the Code of Practice, operational policy and application form for lethal DMPs and attached to CTS 17471/12 (Attachment 1) for your consideration.

CURRENT ISSUES

- Departmental officers met with Mr Peter Hockings, BFVG, on 20 March 2013 to discuss industry views on desirable amendments to the Code of Practice.
- These include more flexibility in relation to Schedule 1 prescribed methods (eg to include other non-lethal methods that can be demonstrated to work) and a focus on R&D for emerging low-cost alternative methods.
- Mr Hockings was advised that the department intends to revise the Code of Practice prior to the next growing season (as was promised on commencement of the Code) to make it more outcomes focused and that work would begin mid-year.
- Mr Hockings indicated that BFVG was satisfied with this approach.
- He also noted his intention to request that you visit Bundaberg orchards with him in May this year to discuss the matter and observe industry practice.

MINISTER'S COMMENTS

Rec'd - ODG
- 8 APR 2013

ATTACHMENTS

- Attachment 1 – CTS 17471/12

Author	Cleared by	Cleared by	Recommended:
Name: Nick Weinert Position: Mgr, NC Policy Tel No: 3330 5818 Date: 28 March 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 5 April 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 08.04.13	Name: Dean Ellwood A/DG, DEHP Tel No: 3330 6298 Date: 8/4/13

RTI DL Release

CTS No. 06103/13

sch4p3(3) Prejudice the

Chief of Staff OK
Dated 30/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 01/05/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Process for finalising the revised approach to flying-fox roost management in Queensland**

TIMEFRAME

- It is requested that this brief be considered by 30 April 2013 to confirm the required steps to meet the proposed implementation date of early August 2013.

RECOMMENDATION

It is recommended that the Minister:

- **endorse** the proposed process and timeline (refer Attachment 1) for finalising the flying-fox roost review, noting that completion is expected in August 2013.
- **approve** the department engaging a drafting officer in the Office of the Queensland Parliamentary Council (OQPC) to start drafting necessary amendments to legislation to implement the reforms proposed in the policy paper.

BACKGROUND

- The Queensland Government has committed to a streamlined and highly responsive regulatory system for managing problem flying-fox roosts, while continuing to ensure the long-term protection of flying-foxes.
- The Premier is expected to announce in the near future a new framework that, among other things, will give councils the right to move flying-foxes or manage flying fox roosts in urban areas without requiring approval from the government.
- Councils will be required to comply with a code of practice aimed at ensuring effective outcomes and minimising conservation impacts on flying-foxes.

CURRENT ISSUES

- This brief sets out the key milestones associated with developing and delivering the government's new direction in flying-fox roost management.
- The brief also seeks the Minister's approval allowing the Department of Environment and Heritage Protection to engage OQPC to draft the required legislative amendments.
- The department estimates that the framework will be operational in August 2013.
- Prior to that time, it is proposed that the Minister release a discussion paper to outline the details of the government's intended new direction on flying-fox roost management and seek feedback on specific elements of it.
- The discussion paper will articulate the policy (including operational policy) outcomes that the government wants without reference to the specific instruments to be used to deliver them.
- It will include structured questions that will seek community views on elements of the framework including the proposed requirements councils must meet when dispersing flying-foxes or managing roost sites (i.e. the future code requirements) and the ability for councils to euthanize sick, injured or orphaned flying-foxes. (as a discussion topic only.)
- Maps of the proposed urban areas to which council's as-of-right approval will apply will also be included in the discussion paper for comment.
- Prior to the discussion paper being provided for Ministerial consideration and public release, the department will seek the Minister's endorsement of the proposed framework's details via a separate brief.
- An outline of the steps and timeframes associated with delivering this project are provided for the Minister's endorsement (refer attachment 1).

Rec'd - ODG
24 APR 2013

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Wade Oestreich Position: Director Tel No: 3330 5393 Date: 23 April 2013	Name: Geoff Clare Position: ED NCS Tel No: 3330 5390 Date: 24 April 2013	Name: Tamara O'Shea Position: A/DDG, CSS sch4p3 Tel No: 3330 6240 Date: 22.04.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 26.4.13

Timeline assumptions

- The proposed timeline is based on the following assumptions:
  - no Cabinet process required;
  - public consultation period is required;
  - policy position (and therefore legislation or code drafting) will not be substantially altered by consultation; and
  - any slippage at any stage (including approvals) will require timeframe to slip overall.

CONSIDERATIONS

- *Election Commitment:* The project is part two of the election commitment to revise the DMP system for flying-foxes.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 - Timeline

Author	Cleared by	Cleared by	Recommended:
Name: Wade Oestreich Position: Director Tel No: 3330 5393 Date: 23 April 2013	Name: Geoff Clare Position: ED NCS Tel No: 3330 5390 Date: 24 April 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

CTS No. 06156/13

sch4p3(3) Prejudice the

Chief of Staff OK
Dated 12/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 18/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Approval for NatureAssist**

TIMEFRAME

- Approval of this briefing note is requested by 17 April 2013 to allow the negotiation of nature refuge agreements to commence and funding to be committed by the end of the 2012-13 financial year.

RECOMMENDATION

It is recommended that the Minister: more info pls.

- **approve** negotiations with landholders for the proposed nature refuges detailed in Attachment 1 including the potential commitment of a small portion of the 2013-14 incentives budget.
- **approve** the attached Ministerial statement announcing the commencement of negotiations with successful tenderers (Attachment 2).
- **note** that the nine recommended tenders will potentially add 268,076 hectares to the nature refuge estate.

BACKGROUND

- The LNP election commitment is to invest $37.7 million for protected area estate acquisitions (including North Stradbroke Island) and the NatureAssist program for nature refuges.
- $7.4 million has been allocated to NatureAssist: $1 million in 2012-13; $3.2 million in 2013-14; and $3.2 million in 2014-15.
- Implementation of the current round of NatureAssist began in November 2012.
- Sixteen landholders who had previously expressed interest in NatureAssist and whose properties were assessed as having very high conservation values were targeted for participation and invited to submit a tender for funding.
- Fourteen of these landholders submitted tenders. These tenders were assessed by an expert panel using a multi-criteria assessment tool to determine which provided the best overall conservation outcomes for the least cost.
- Nine tenders are recommended for funding covering 268,076 hectares for a total cost of $1,363,130. The average cost per hectare of $5.03 represents excellent value for money for Queensland Government investment. This is consistent with the overall average cost per hectare of previous rounds. Tenders recommended for funding are listed in Attachment 1.
- The remaining five tenders are not recommended for funding. The panel determined that they either did not represent sufficient value for money, or the proposed activities would result in either little or no conservation outcome or were not consistent with the objectives of the program. For example, the Glenmore tender excluded the areas of highest conservation interest and proposed activities, such as fencing and installation of watering points that, while benefiting the grazing enterprise, would achieve no conservation outcome on the proposed nature refuge area.

CURRENT ISSUES

- $1.3 million is currently available to fund tenders. The total amount for recommended tenders in this round exceeds this figure by $63,130. However, some payments will be made once milestones have been met in 2013-14, so it is proposed to "top up" the available incentives budget with funding from the 2013-14 allocation for incentives of $2 million in order to secure these properties and deliver earlier conservation outcomes.
- The remainder of the 2013-14 and the entirety of the 2014-15 funding of $2 million for incentives would represent the incentives pool for the next round of NatureAssist, in total about $3.94 million.

Rec'd - ODG - 9 APR 2013

Author	Cleared by	Cleared by	Recommended:
Name: Phil Bourke Position: Program Coordinator Tel No: 4796 7789 Date: 27 March 2013	Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 4 April 2013 **Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 8 April 2013	Name: Tamara O'Shea Position: A/Deputy DG, CSS Tel No: 3330 6240 Date: sch4p3(3) Pr 09.04.13	Name: Andrew Chesterman Director-General, EHP Tel No: 3330 6298 Date: 7.4.13

RTI DL Release

- It is recommended that the Ministerial statement announcing the commencement of negotiations with the successful tenderers (Attachment 2) is released as soon as possible. If approved, the Tenures and Covenants unit will liaise with the Minister's office to formalise the release.
- It is hoped that negotiations with landholders can be finalised by late May 2013 with nature refuge agreements executed soon after, so that initial payments to landholders in the 2012-13 financial year.

CONSIDERATIONS

- *Budget*: The budget implications are outlined above.
- *Consultation:* AgForce, as the primary NatureAssist partner, is fully supportive of this round. Three of the nine recommended tenders were submitted by AgForce members.
- *Key Communication Messages:* A draft Ministerial statement is at Attachment 2.
- *Election Commitment:* NatureAssist forms part of an election commitment, as outlined above.

MINISTER'S COMMENTS

Can I pls see details of successful property owners and also details on five unsuccessful properties.

Ta.
AP.

RTI DL Release

ATTACHMENTS

- Attachment 1 – List and map of recommended NatureAssist 4 tenders
- Attachment 2 – Suggested Ministerial announcement of successful tenders
- Attachment 3 – Outstanding conservation values of NatureAssist 4 properties

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Phil Bourke Position: Program Coordinator Tel No: 4796 7789 Date: 27 March 2013	Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 4 April 2013	Name: Tamara O'Shea Position: A/Deputy DG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman Director-General, EHP Tel No: 3330 6298 Date:
	Cleared by Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 8 April 2013		

CTS No. 06277/13

Chief of Staff	OK
Dated / /	
Approved Not Approved Noted	
Further information required	
Minister.....	
Dated / /	

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Revised Australian Sugar Milling Council (ASMC) position on management of mill by-products (mill mud).**

TIMEFRAME

- A decision on the ASMC's role in improving the management of mill by-products is sought by the end of April 2013. Any plan to improve the milling industry's management of mill by-products would be required before the current deferral of regulatory requirements for mill by-products expiries on 31 December 2013 and the next seasonal mill mud application takes place in mid 2014.

RECOMMENDATION

It is recommended that the Minister:

- **note** ASMC's most recent proposal to address the management of mill by-products (**Attachment 1**)
- **note** the Mackay Sugar system as a means of complementing grower-driven cane best management practice (BMP) adoption (**Attachment 2**)
- **sign** the attached letter to ASMC (**Attachment 3**) which extends ASMC's proposed BMP solution by incorporating the milling industry's involvement in mill mud management.

BACKGROUND

- Since 2010, ASMC has requested four deferrals of the regulatory requirement for growers to include nutrients contained in mill by-products (specifically mill mud and mill ash) when calculating the amount of nutrients to apply to cane crops. These deferrals were granted to enable the milling industry to propose a plan of action to improve mill mud management, but ASMC has still not produced a proposal. The most recent deferral was granted until 31 December 2013.
- In general, mill mud continues to be supplied, and over applied, via high rate broadcast application, to a small proportion of land under sugar cultivation.
- Mill mud best management practices should address a number of key aspects:
  - banded application rather than broad-scale application,
  - limiting the volume applied at each farm,
  - broadening the geographical area to which mill mud is supplied,
  - recognition that while the material's phosphorous content may accurately be determined, the material's nitrogen content is more difficult to accurately determine. This can make it difficult for growers to calculate a reduced bag fertiliser amount.
- Addressing these matters effectively requires action by both growers and the milling industry.
- Details of earlier negotiations and deferrals were included in previous briefs CTS 19248/12, CTS 00823/13, and CTS 01302/13.
- The Minister met with ASMC on 14 February 2013 at which ASMC agreed to contact CANEGROWERS to explore addressing the issue through the Cane BMP program.

CURRENT ISSUES

- Following further contact with ASMC by EHP's Reef Water Quality team, ASMC's Mr Jim Crane forwarded an update to EHP on 22 March 2013 (**Attachment 1**).
- The information outlines actions taken "in different ways in different mill areas over time", but does not specify any planned approach by the mills to address the mill mud issue. While increasing grower awareness will move the industry in the right direction, it is the introduction of lower rate, banded application which is most likely to lead to significant improvements in water quality – something which has only been fully implemented by one milling company, or three out of the 21

Rec'd - ODG
17 APR 2013

Author	Cleared by	Cleared by	Recommended:
Name: Sandra Avendano Position: Manager, Reef Water Quality Tel No: 3330 6347 Date: 16 April 2013	Name: Peter Hutchison Position: ED, Environment and Water Quality Tel No: 3330 5991 Date: 16 April 2013	Name: Tony Roberts Position: Deputy Dire sch4p3(General, Environmer and Planning Tel No: 3330 5990 Date: 16/4/13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 17·4·13

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mills in Queensland.

- ASMC's current position relies on the industry-led Cane Best Management Practice (BMP) to manage the potential environmental risk from mill mud, placing all responsibility on growers. To meet the BMP standards, growers would be required to invest in adapting their own machinery to allow lower application rates, or by making large reductions in store bought fertiliser.
- This approach is unlikely to be effective as:
  - an estimated 90% of mills control the contracting of mill mud distribution and application, so the mills' active involvement is essential to enable growers to meet BMP;
  - with most mills and their contractors supplying and applying the material, growers have little control over the manner and rate at which mill mud is applied to their land, and
  - it would be uneconomical (and therefore not BMP) for each individual grower to make the capital investment required to adapt or purchase their own machinery.
- Mackay Sugar has very successfully implemented a BMP approach across three of its local mills with 16 contractors' trucks converted to the low rate application technology made possible with the support of Reef Rescue and Mackay Sugar's own funds. This includes GPS and electronic record keeping technology to record application data.
- The Mackay Sugar system (**Attachment 2**) proves that the milling industry can manage mill mud application by adapting trucks so mill mud can be applied at lower rates and spread more widely across cane farming regions. This allows more crops to take up the nutrients contained in the mill by-products, and reduces the amount lost to the environment.
- The Mossman, Proserpine and Isis sugar mills have also begun to implement the Mackay model, with at least one of their trucks converted to the low rate application technology.
- Sugar mills, as producers and suppliers of the by-product, are already required to manage mill mud in accordance with the conditions of a Beneficial Use Approval (BUA). These conditions require the mills to develop a management plan to identify and implement control measures to minimise the likelihood of environmental harm from producing and distributing the by-product (**Attachment 4**).
- The BUA also requires the person in control of the mill mud to install, maintain and operate equipment necessary to comply with the conditions of the BUA, and to keep records on application rates and location.
- Anecdotal reports suggest that compliance with BUA conditions has not been monitored to any significant degree.
- Mackay Sugar's system is an example of how the use and application of mill mud under the BUA can be implemented on the ground to minimise environmental harm and achieve BMP adoption.
- A second round of Reef Rescue funds is expected to be announced in the coming weeks. Reef Rescue's first round supported comparable projects to a total value of $146M, and the department has been encouraging the Commonwealth to align its new program with Queensland's BMP objectives.
- Early information from the Scientific Consensus Statement update, which informs the development of Reef Plan 3 and is scheduled for public release in 2013, supports the need for both growers and mills to improve management of mill mud as reducing excess nutrients from cane growing catchments continues to be a high priority to improve reef water quality.
- The terms of the BUA already require the mills, on request, to demonstrate how they meet the conditions. If mills are not in a position to adopt the Mackay Sugar system then EHP may ask them to demonstrate alternative control measures to minimise environmental harm and ensure compliance with the BUA conditions. This can be achieved by providing EHP with copies of the management plans and records already required by the BUA.
- The BUA expires on 31 March 2015 and the current conditions are planned to be reviewed in 2014. A review of the BUA conditions prior to 2014 remains an option . If industry is not able to demonstrate adequate compliance with the BUA conditions it could generate public pressure to begin reviewing the BUA conditions prior to 2014.

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Author	Cleared by	Cleared by	Recommended:
Name: Sandra Avendano Position: Manager, Reef Water Quality Tel No: 3330 6347 Date: 16 April 2013	Name: Peter Hutchison Position: ED, Environment and Water Quality Tel No: 3330 5991 Date: 16 April 2013	Name: Tony Roberts Position: Deputy Director-General, Environmental Policy and Planning Tel No: 3330 5990 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1 - The revised proposal by ASMC to address the management of mill by-products
- Attachment 2 - Details regarding the Mackay Sugar example
- Attachment 3 – Ministerial letter to ASMC
- Attachment 4 - Beneficial Use Approval Notice, Sugar Mill by-products

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Author	Cleared by	Cleared by	Recommended:
Name: Sandra Avendano Position: Manager, Reef Water Quality Tel No: 3330 6347 Date: 16 April 2013	Name: Peter Hutchison Position: ED, Environment and Water Quality Tel No: 3330 5991 Date: 16 April 2013	Name: Tony Roberts Position: Deputy Director-General, Environmental Policy and Planning Tel No: 3330 5990 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

Attachment 1 - The revised position by ASMC to address the management of mill by-products

From: Jim Crane
Sent: Friday, 22 March 2013 4:34 PM
To: 'scott.robinson@ehp.qld.gov.au'
Cc: Dominic Nolan; Matt Kealley (matt_kealley@canegrowers.com.au)
Subject: Milling by-products - Update on actions/outcomes from meeting with Minister Powell 14 February 2013

Good afternoon Scott,

Thanks for your follow-up telephone call this afternoon regarding our meeting with the Hon Andrew Powell, Minister for Environment and Heritage Protection in his offices at Parliament House on 14 February.

Since the meeting ASMC has had a conversation with Canegrowers, outlining discussion at the meeting regarding their industry BMP and the potential for some guidance material around the use of milling by-products being included in the BMP. Canegrowers is agreeable to this and ASMC has indicated that a DRAFT of such guidance material will be developed for their consideration.

ASMC Directors met for their regular quarterly meeting in early March and were advised of the meeting with the Minister and the undertakings. The following is a copy of the Board paper listed for discussion and noting by the ASMC Directors:

Action: *For Discussion and Noting.*

Recommendation: *Directors note ASMC efforts to work with the Queensland State Government on a workable solution for management of mill mud.*

ASMC staff were invited to a discussion recently with the Minister for Environment and Heritage Protection, the Hon Andrew Powell regarding what was perceived to be insufficient progress in improving mud distribution practices by mills.

We believe this perception was partly fuelled by a 'loaded' brief from the Department that suggested mills were walking away from any commitment to 'improved practices'.

ASMC had in fact notified the Department that action had been taken in different ways in different mill areas over time, which included:

- *In the majority of cases, the subsidising of transport costs of the product from mills to farms;*
- *Education and extension programs promoting the benefits of mud as a soil ameliorant and conditioner in addition to potentially being a source of plant nutrient;*
- *Introduction of lower rate banded application enabling application to greater areas each year; and*
- *Attempts to lower moisture rates of transported mud to reduce costs.*

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ASMC has also outlined in detail the challenges that exist around taking a single approach to managing mill mud across the industry.

The Minister was of the view (from his Department) that the Federal Government was exerting pressure for action to be taken around mill mud.

Our advice to Minister Powell was that the pressure for action around mill mud was as a result of the inclusion of mill mud in the nutrient calculator, an artificial construct introduced by the former Queensland Government through the reef regulations. It was our view that it was difficult to 'take action' on mill mud in isolation from broader grower practices, largely being addressed through the CANEGROWERS Best Management Practices program.

ASMC has committed to providing an updated brief to the Minister on current arrangements and issues associated with management of mill mud, and an approach that could include a BMP guideline as part of the CANEGROWERS broader program.

Subsequent to the Board meeting, ASMC has commissioned a consultant to work with us to prepare a paper that could form the basis of the 'updated brief' for the Minister and an Industry BMP guideline. ASMC has provided background material to the consultant and will meet to consider 'next steps' in coming weeks (A copy of the material supplied to the consultant is attached for your information it is part of the material developed for and considered as part of an industry-led workshop considering current practices and knowledge of milling by-products following the introduction of the Reef Regulations).

Please be assured we are not 'sitting on our hands' with this matter – it is important that mills have some certainty around this before the 2013 crushing season begins. The BMP development being led by Canegrowers is still in its early stages of stakeholder engagement and we will provide input as it is invited and the various 'practice templates' become available.

Please do not hesitate to contact me should you require any additional information.

Kind Regards

Jim Crane
Senior Executive Officer

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Attachment 2 – The case of Mackay Sugar

Mud from Mackay Sugar applied at a rate of ~ 50 wet tonnes /ha
(Note: banded application on top of mound with no application in furrow reducing run-off losses)

Mill Mud applied at a rate of ~150 wet tonnes/ha, but infield measurements show large variability in application rates of between 0 to 300t/ha.
(Note: in the majority of cases, mill mud is worked into the soil by the grower soon after delivery).

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Ref CTS 06277/13

Mr Dominic Nolan
Chief Executive Officer
Australian Sugar Milling Council
GPO Box 945
BRISBANE QLD 4001

Dear Mr Nolan

Further to our meeting on 14 February 2013, I am pleased to hear that you have discussed the mill mud issue with CANEGROWERS with a view to incorporating mill mud management practices into the BMP program for Queensland cane growers. The BMP program can only truly promote industry best practice if the system considers all aspects of the cane farming system and covers all sources of nutrients, so I thank you for your efforts in this regard.

I have also reviewed a copy of the Australian Sugar Milling Council's (ASMC) 22 March 2013 advice regarding the issue. While I am encouraged by ASMC's considerations and accept the value of mill mud guidelines being provided to growers in the Cane BMP program, I am concerned that the proposal is only a partial solution to the matter.

Although the proposal recognises the important role of growers in managing the potential environmental risks of mill mud, I believe that mills, as the producers and suppliers of the material must play a greater role if an effective solution is to be implemented. The crucial, ongoing involvement of mills in the management of mill by-products is reflected in the Beneficial Use Approval for the material which already places obligations on the mills, as the producers of the material, in regards to its supply, management and application.

I believe any proposal put forward by ASMC must also include actions which the milling industry could implement to address the potential environmental risks associated with the product.

This issue has been ongoing for some time with the milling sector being granted deferrals since 2010. In order to see the most effective outcome, I would prefer to see your BMP proposal complemented by a comprehensive plan that addresses the milling industry's role in this issue. I have asked the Reef Water Quality Team within my department to liaise directly with ASMC to advance this.

I'd like to take this opportunity to thank you and the milling industry for your engagement so far. The involvement of all sectors of the sugar industry is crucial to the sustainable use of mill mud and for the BMP to succeed in increasing cane productivity and profitability in a sustainable manner which protects the water quality of the Great Barrier Reef.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

RTI DL Release

CTS No. 06326/13

sch4p3(3) Prejudic

Chief of Staff .... . OK
Dated 9 / 4 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 09 / 04 / 13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Nature Refuges – Signing of nature refuge agreement for Rivendell Nature Refuge**

TIMEFRAME

- Approval of this brief is required by 15 April 2013 to meet the proposed 31 May 2013 gazettal timeline.

RECOMMENDATION

It is recommended that the Minister:

- **sign** (where noted) the nature refuge agreement for Rivendell Nature Refuge (Attachment 1), to enable the proposed nature refuge to be declared in the relevant regulation and payments to be made to the landholder.
- **sign** the accompanying congratulatory letter (Attachment 2) and certificate to the owner of Rivendell Nature Refuge (Attachment 3).

BACKGROUND

- Through the Nature Refuges Program, the Tenures and Covenants Unit (TCU) negotiates legally-binding nature refuge agreements over freehold and leasehold land. As at 27 March 2013, there are 440 nature refuges protecting more than 3.35 million hectares of high conservation value land.
- The proposed Rivendell Nature Refuge is located approximately 17 kilometres north-west of Maleny and covers about 15 hectares. It contains a high diversity of regional ecosystems, provides landscape connectivity with other protected areas and contains and provides suitable habitat for threatened wildlife.

CURRENT ISSUES

- The nature refuge agreement for Rivendell Nature Refuge has been signed by the landholder and now requires signing by the Minister to become legally binding, allow the new nature refuge to be declared in the relevant regulation and payments to be made to the landholder.
- The landholder of Rivendell Nature Refuge was successful in obtaining $110,246.50 (GST inclusive) under the Koala Nature Refuges Program Round 2.
- This agreement is the first utilising a new Deed of Agreement (DoA) template approved by In House Legal which will remove the need for case by base legal review of most new nature refuge agreements. This will save departmental resources and allow agreements to come to you for approval sooner, thus improving customer service. A number of agreements currently under negotiation based on the old agreement template will still need to come to you following case by case legal review. New agreements that are considered complex or higher risk will still also receive individual legal review before coming to you.

Rec'd - ODG - 8 Apr 2013

Preferred Action after signing by the Minister:

- Ministerial and Executive Correspondence Unit will:
  - post one copy of the nature refuge agreement with the congratulatory letter to the landholder for their records.
- The Tenures and Covenants Unit will:
  - collect and retain one copy of the nature refuge agreement for their records.
  - collect and frame the certificate and provide to the landholder.

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Morgen Williams Position: Senior Project Officer Tel No: 3330 5789 Date: 2 April 2013	Name: Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 2 April 2013 **Cleared by** Name: Geoff Clare Position: ED, Nature Conservation Services Tel No: 3330 5390 Date: 5 April 2013	Name: Tamara O'Shea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 6240 Date: 05.04.13 sch4p3(3) P	Name: Dean Gallacci A/DG, DEHP Tel No: 3330 6298 Date: 8/4/13

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- register the nature refuge agreement on land title as per section 134 of the *Nature Conservation Act 1992* (the Act).
- process payments for Rivendell Nature Refuge in accordance with the nature refuge agreement.

CONSIDERATIONS

- *Budget:*

Funding for Rivendell Nature Refuge is provided through the department's Koala Nature Refuges Program.

- *Consultation:*

The nature refuge agreement for signature has resulted from negotiations between the state and the landholder. Relevant parties have been notified of and, where relevant, have consented to the proposed Rivendell Nature Refuge, in accordance with the Act. All necessary approvals have been obtained from the Department of Natural Resources and Mines in relation to mineral resource rights and tenure. Where required, relevant intra- and inter-departmental consultation was sought, however, as of 3 October 2012, the Department of State Development, Infrastructure and Planning declined to consult. This nature refuge agreement was developed using the new DoA template, and is not considered to be complex or high risk, so has undergone review by Tenures and Covenants and not by In-house Legal as per previous arrangements.

- *Legislation:*

Section 45 of the Act provides for the Minister to enter into nature refuge agreements over an area, which forms an agreement to declare a nature refuge over the area.

MINISTER'S COMMENTS

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ATTACHMENTS

- Attachment 1 – Nature refuge agreement (in duplicate) for the proposed Rivendell Nature Refuge
- Attachment 2 – Congratulatory letter for landholder of Rivendell Nature Refuge
- Attachment 3 – Certificate of Achievement for landholder of Rivendell Nature Refuge

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Morgen Williams Position: Senior Project Officer Tel No: 3330 5789 Date: 2 April 2013	Name: Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 2 April 2013	Name: Tamara O'Shea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
	Cleared by Name: Geoff Clare Position: ED, Nature Conservation Services Tel No: 3330 5390 Date: 5 April 2013		

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

QUEENSLAND GOVERNMENT

Ref CTS 06326/13

9 APR 2013

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Queensland 4001 Australia
Telephone +61 7 3239 0844
Facsimile +61 7 3224 2496
Email environment@ministerial.qld.gov.au

sch4p3(3) Prejudice the protection of a

Dear

I am delighted to sign the nature refuge agreement for Rivendell Nature Refuge and return a copy to you for your records. The necessary action to formally declare your nature refuge will occur shortly.

Government alone cannot achieve the goal of conserving Queensland's biodiversity and protecting its natural landscapes. The commitment that you have made through your nature refuge agreement will bring lasting benefits to the community as a whole.

Congratulations and thank you for your willingness to be involved in conservation in a most practical manner.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

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Advice to the Minister for Sustainability, Environment, Water, Population and Communities from the Threatened Species Scientific Committee (the Committee) on Amendment to the list of Threatened Species under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)

1. Name

Brachychiton sp. Ormeau (L.H.Bird AQ435851).

The species is commonly known as the Ormeau bottle tree. It is in the Family Sterculiaceae.

2. Reason for Conservation Assessment by the Committee

This advice follows assessment of information provided by a public nomination to list the Ormeau bottle tree. The nominator suggested listing in the critically endangered category of the list.

3. Summary of Conclusion

The Committee judges that the species has been demonstrated to have met sufficient elements of Criteria 2 and 3 to make it eligible for listing as **critically endangered**, and of Criterion 4 to make it eligible for listing as **endangered**. The Ormeau bottle tree has been demonstrated to be **not eligible** for listing under Criteria 1 and 5.

The highest category for which the species is eligible to be listed is **critically endangered**.

4. Taxonomy

The species is conventionally accepted as *Brachychiton* sp. Ormeau (L.H.Bird AQ435851) although it has not been formally described (CHAH, 2012).

5. Description

The Ormeau bottle tree grows to a height of 25 m and has a distinctive swollen, bottle-like trunk. Its leaves are glossy, usually elliptical and 12–20 cm long. Juvenile trees lack a swollen trunk and have narrow leaves with 5–9 deep lobes. Numerous greenish-white, 10 mm diameter bell-shaped flowers grow in clusters at the ends of branches in September. Its fruit are brown, boat-shaped pods up to 3 cm long that ripen in January–February (Hauser and Blok, 2002; Leiper et al., 2008). Optimal conditions for flowering and fruiting appear to be during dry springs, when the plants become deciduous (Weber, pers. comm., 2012). New leaves are coppery to pale-green after the spring deciduous stage.

6. National Context

The Ormeau bottle tree is endemic to Australia and highly localised in the northern Darlington Range of south-east Queensland (Gold Coast Flora Fauna Database, 2012). The total population is known to number 161 wild plants and occurs in the Upper Pimpama and Albert River Catchments: 160 individuals including 140 mature adult trees occur in the Kingsholme/Upper Ormeau area and Pimpama River valley; a single wild plant occurs at Shaw's Pocket Rd in the Gold Coast Local Government Area. The species occurs at six known subpopulations and eight sites. The largest subpopulation comprises 131 trees in the Gold Coast City Environmental Park (Wongawallan Conservation Area); this is a stable, reproducing subpopulation. The next largest subpopulation numbers 15 trees and grows at a Lower Ormeau Gorge on private property where an application to develop a quarry has been lodged; nine trees occur in another subpopulation west of The Plateau Road on private property that has recently been purchased for extractive industry. A single tree at Shaw's Pocket Rd comprises another subpopulation; two single trees, one in Boral Environmental Reserve and the other on the Upper Pimpama River, grow 150m apart and are considered to

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make up a fifth subpopulation. A sixth subpopulation is made up of a single tree separated by 400m from two others, all growing on private land on Cliff Barrons Rd.

The Ormeau bottle tree's special plant form is absent from other areas of coastal vine forest and is generally associated with inland areas. It is potentially of high scientific significance in understanding the evolution of the ecosystems of the Brigalow Belt bioregion, which often have emergent bottle trees (Weber, pers. comm., 2012).

The Ormeau bottle tree is currently listed as Endangered under the *Queensland Nature Conservation Act 1992*.

The species occurs in the SE Qld Catchments NRM region and the South Eastern Queensland IBRA.

7. Relevant Biology/Ecology

The Ormeau bottle tree is a distinctive canopy tree that grows in riparian rainforest. It occurs near small streams in rocky gorges comprising metasedimentary rocks among microphyll vine forest; and on quaternary alluvium near larger streams in notophyll vine forest communities. It seems to favour undisturbed rainforest with few weeds for reproduction (Weber, pers. comm., 2012). It is a long-lived perennial that reaches sexual maturity at approximately 20 years and 20–30 cm DBH in the wild (Leiper, pers. comm., 2012). Its life expectancy is greater than 100 years and possibly greater than 120 years (Weber, pers. comm., 2012). The Ormeau bottle tree is probably pollinated by birds, bats or insects (Weber, pers. comm., 2012). Vegetative reproduction has not been observed in the wild. There is no evidence that *Brachychiton* sp. Ormeau (L.H. Bird AQ435851) forms natural hybrids.

The entire population is dominated by mature trees (87 per cent) and only three of the six subpopulations show any evidence of recruitment, such as juvenile and seedling plants. A slow rate of reproduction is likely to be exacerbated by natural senescence. Attack by harlequin beetles prevents recruitment of juvenile plants (Leiper, pers. comm., 2012).

8. Description of Threats

The main current threat to the Ormeau bottle tree is extractive industry (quarrying). A proposed quarry has the potential to impact on 15 wild plants (nine per cent of the total population) and three per cent of the species' remaining habitat (Weber, pers. comm., 2012). Another subpopulation, comprising nine plants and 0.5 ha of habitat, occurs on land that may be subject to future quarrying, although no development applications have been lodged to date.

The second main current threat is invasion of habitat by weeds, including lantana (*Lantana camara*), Guinea grass (*Megathyrsus maximus*) and Mickey Mouse bush (*Ochna serrulata*), which prevent recruitment of juvenile plants (Weber, pers. comm., 2012).

Past clearing of dry rainforest for agriculture has fragmented populations of the Ormeau bottle tree, reduced potential habitat for the species and almost certainly reduced one subpopulation to one specimen (Weber, pers. comm., 2012). Riparian rainforest that formerly grew along the upper Pimpama River probably once provided almost continuous habitat between subpopulations, enabling pollen transfer and interbreeding to occur regularly. At least three populations in the Pimpama River valley now consist of only a single mature tree. Extent and quality of habitat is declining in all subpopulations outside the Gold Coast City Environmental Park (Wongawallan Conservation Area), where 131 plants survive (Queensland Government, 2009).

Other threats which prevent recruitment of juvenile plants include grazing and trampling by livestock, mowing, and collection of seeds for horticulture, which can reduce seed viability in isolated specimens to less than five per cent (Leiper, pers. comm., 2012).

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Fire is a potential threat to the species. High intensity fires may kill adult trees and low intensity fires may kill juvenile plants (Leiper, pers. comm., 2012). Invasive weeds, such as Guinea grass (*Megathyrsus maximus*) and lantana (*Lantana camara*) can alter fuel loads and fire intensity (Gentle and Duggin, 1997).

Further current threats include low genetic diversity, and loss of fitness through inbreeding (Shapcott, 2012). Owing to the small total number of wild plants, all populations should be considered important for maintenance of genetic diversity, although the three reproducing subpopulations should be considered most important.

The tree's area of occurrence is increasingly under threat from residential development, extractive industry and modifications to infrastructure (Queensland Government, 2009).

9. Public Consultation

The nomination was made available for public exhibition and comment for 30 business days. Two public comments were received advocating conservation of the Ormeau bottle tree, but they had no relevance to the survival of the species.

10. How judged by the Committee in relation to the criteria of the EPBC Act and Regulations

The Committee judges that the species is **eligible** for listing as **critically endangered** under the EPBC Act. The assessment against the criteria is as follows:

Criterion 1: It has undergone, is suspected to have undergone or is likely to undergo in the immediate future a very severe, severe or substantial reduction in numbers

Regional Ecosystem mapping has shown that past clearing of dry rainforest for agriculture in the Pimpama River valley and Upper Ormeau area has fragmented populations of the Ormeau bottle tree and reduced potential habitat for the species. There are only 140 adult trees in existence and two adult trees have died in the past 20 years. At least three populations in the Pimpama River valley now consist of only a single mature tree. The species is unlikely to undergo extreme natural population fluctuations. Past clearing of riparian rainforest has removed contiguous habitat between subpopulations, preventing regular pollen transfer and interbreeding. It has a slow rate of reproduction and current recruitment of juvenile plants is low owing to threats such as mowing, seed collection for horticulture, weed infestation, and trampling and grazing by livestock. These factors are likely to contribute to further and continuing reduction in numbers.

Although the Committee judges that the species is suspected to have undergone a reduction in numbers, there are insufficient data available to judge whether the reduction would be very severe, severe, substantial, or not substantial. Therefore, the species has not been demonstrated to have met each of the required elements of Criterion 1, and is **not eligible** for listing in any category under this criterion.

Criterion 2: Its geographic distribution is precarious for the survival of the species and is very restricted, restricted or limited

The Ormeau bottle tree is endemic to Australia. Its geographical distribution is restricted to the northern Darlington Range of south-east Queensland. The total population occurs in the Upper Pimpama and Albert River Catchments; extensive surveys have located only 161 wild plants. Only six subpopulations are known: 140 mature individuals are known from the Kingsholme/Upper Ormeau area and Pimpama River valley; and a single wild plant occurs at Shaw's Pocket Rd in the Gold Coast Local Government Area. The known distribution of the species is small and fragmented with limited opportunity for recruitment. The extent of occurrence is 6.34 km^2 and area of occupancy is less than 1 km^2. Extent and quality of habitat is declining in all subpopulations outside the Gold Coast City Environmental Park (Wongawallan Conservation Area), which supports 131 individuals, making a natural recovery of the species unlikely in the short-medium term.

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The Committee considers that the species has a very restricted geographic distribution, which is precarious for the survival of the species due to threats such as extractive industries (quarrying), weed invasion and low seedling recruitment. Therefore, the species has been demonstrated to have met the relevant elements of Criterion 2 to make it **eligible** for listing as **critically endangered**.

Criterion 3: The estimated total number of mature individuals is limited to a particular degree; and either

(a) evidence suggests that the number will continue to decline at a particular rate; or

(b) the number is likely to continue to decline and its geographic distribution is precarious for its survival

The estimated total number of mature individuals is 140, which, considering the fragmented and limited geographic distribution of the species, the Committee considers to be very low. Evidence suggests that the species will continue to decline through senescence and lack of seedling recruitment, and removal of mature specimens due to extractive industries. Rate of decline through senescence is estimated to be six per cent over the next 100 years or two generations. Seedling recruitment is inhibited by weed invasion, grazing and trampling by livestock, and collection of seeds for horticulture. Extractive industries have the potential to remove at least nine per cent of the total population in the next decade. The species' extent of occurrence is 6.34 km^2 and its area of occupancy is less than 1 km^2. Extent and quality of habitat is declining in all subpopulations outside the Gold Coast City Environmental Park (Wongawallan Conservation Area), making a natural recovery of the species unlikely in the short-medium term.

The Committee considers that the estimated total number of mature individuals of the species is very low; and that evidence suggests that the number is likely to decline and the species' geographic distribution is precarious for the survival of the species. Therefore, the species has been demonstrated to have met the relevant elements of Criterion 3b to make it **eligible** for listing as **critically endangered**.

Criterion 4: The estimated total number of mature individuals is extremely low, very low or low

The estimated total number of mature individuals is 140. For a tree with high longevity, slow rate of maturity and seedling recruitment compromised by weed invasion, grazing, trampling by livestock and collection of seeds for horticulture, the Committee considers that the estimated total number of mature individuals of the species is very low. Therefore, the species has been demonstrated to have met the relevant element of Criterion 4 to make it **eligible** for listing as **endangered**.

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Criterion 5: Probability of extinction in the wild that is at least

(a) 50% in the immediate future; or

(b) 20% in the near future; or

(c) 10% in the medium-term future

There are insufficient data available to estimate a probability of extinction of the species in the wild over a relevant timeframe. Therefore, as the species has not been demonstrated to have met the required elements of Criterion 5, it is **not eligible** for listing in any category under this criterion.

11. Conclusion

Conservation Status

Brachychiton sp. Ormeau (L.H. Bird AQ435851) (Ormeau bottle tree) was nominated for inclusion in the list of threatened species referred to in section 178 of the EPBC Act. The nominator suggested listing in the critically endangered category of the list.

The Committee considers the geographic distribution of the Ormeau bottle tree to be precarious given its small and fragmented distribution, rate of senescence, low seedling recruitment and lack of connecting habitat to enable regular pollination and interbreeding. The species' extent of occurrence is 6.34 km^2 and its area of occupancy is less than 1 km^2.

The species has been demonstrated to have met sufficient elements of Criteria 2 and 3b to make it eligible for listing as **critically endangered**, and of Criterion 4 to make it eligible for listing as **endangered**. The Ormeau bottle tree has been demonstrated to be **not eligible** for listing under Criteria 1 and 5.

The highest category for which the species is eligible to be listed is **critically endangered**.

Recovery Plan

There should not be a recovery plan for *Brachychiton* sp. Ormeau (L.H. Bird AQ435851) as the approved conservation advice for the species provides sufficient direction to implement priority actions and mitigate against key threats.

The largest viable population (131 plants) is protected inside Gold Coast City Environmental Park (Wongawallan Conservation Area). Only two other subpopulations, consisting of 15 and nine plants, respectively, are currently reproducing; all other subpopulation consist of scattered, non-reproducing trees. Threat aversion and mitigation for the two most important subpopulations outside the Wongawallan Conservation Area will therefore require engagement with only one major stakeholder (i.e. the proprietor of the proposed quarries at both major sites outside the conservation reserve).

12. Recommendations

(i) The Committee recommends that the list referred to in section 178 of the EPBC Act be amended by **including** in the list in the **critically endangered** category:

Brachychiton sp. Ormeau (L.H. Bird AQ435851)

(ii) The Committee recommends that there should not be a recovery plan for this species.

Threatened Species Scientific Committee

07 June 2012

RTI DL Release

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RTI DL Release

CTS No. 06340/13

sch4p3(3) Prej

Chief of Staff ..... OK
Dated 9 / 4 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 09/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Listing of *Brachychiton* sp. Ormeau (L.H.Bird 435851) (Ormeau bottle tree) as 'Critically Endangered' under the *Environment Protection and Biodiversity Conservation Act 1999***

RECOMMENDATION

It is recommended that the Minister:

- **note** that the Ormeau bottle tree is listed as 'Endangered' in Queensland and is therefore protected under provisions of the *Nature Conservation Act 1992*.

BACKGROUND

- The Minister requested a briefing note on matters raised in correspondence received regarding the listing of *Brachychiton* sp. Ormeau (L.H.Bird 435851) (Ormeau bottle tree) as 'Critically Endangered' under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

CURRENT ISSUES

- On 30 January 2013, the Honourable Tony Burke MP, Minister for Sustainability, Environment, Water, Population and Communities advised that he had decided to amend the list of threatened species under the EPBC Act by including the Ormeau bottle tree in the 'Critically Endangered' category in the list (refer to CTS 02109/13 – Attachment 2).
- This decision was based on advice received from the Australian Government's Threatened Species Scientific Committee (TSSC), which noted the species 'geographic distribution is precarious, given its small and fragmented distribution, rate of senescence, low seedling recruitment and lack of connecting habitat to enable regular pollination and interbreeding. The species' extent of occurrence is 6.34 km^2 and its area of occupancy is less than 1 km^2.'
- The total population is known to number 161 wild plants and occurs in the Upper Pimpama and Albert River Catchments. The species occurs at six known subpopulations and eight sites. The largest subpopulation comprises 131 trees in the Gold Coast City Environmental Park (Wongawallan Conservation Area); this is a stable, reproducing subpopulation.
- The TSSC's detailed listing advice identifies the 'main current threat to the Ormeau bottle tree is extractive industry (quarrying)' (Attachment 1). A proposed quarry has the potential to impact on 15 wild plants (nine per cent of the total population) and three per cent of the species' remaining habitat. Another subpopulation, comprising nine plants and 0.5 hectares of habitat, occurs on land that may be subject to future quarrying.
- Other threats include: invasion of habitat by weeds; fragmentation of populations due to past clearing; poor juvenile recruitment which is prevented by grazing and trampling by livestock, mowing and collection of seeds for horticulture; low genetic diversity, and loss of fitness through inbreeding.
- Fire is a potential threat to the species. High intensity fires may kill adult trees and low intensity fires may kill juvenile plants. Invasive weeds can alter fuel loads and fire intensity.
- The Ormeau bottle tree is listed as 'Endangered' under the *Nature Conservation Act 1992* (NCA). Under s.89 of the NCA it is an offence to take a protected plant that is in the wild, unless it is authorised under an appropriate authority.

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Author	Cleared by	Cleared by	Recommended:
Name: Ashley Bunce Position: Manager, TSU Tel No: 3330 5274 Date: 2 April 2013	Name: Sally Egan Position: A/Director, Threatened Species Unit Tel No: 3330 5498 Date: 2 April 2013 **Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date:	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 8 April 2013 *Endorsed*	Name: Dean Ellwood A/DG, DEHP Tel No: 3330 6298 Date: 3/4/13

- The State Planning Policy 2/07: Protection of Extractive Resources identifies Key Resource Areas (KRA) and seeks to maintain the long-term availability of major extractive resources by protecting these resources and their main transport routes from incompatible land uses. However, activities within KRA's are still subject to development assessment and must comply with relevant state policy and legislation.

MINISTER'S COMMENTS

Please use as basis for written response to Federal MP for Forde.

Tx
AP

RTI DL Release

ATTACHMENTS

- Attachment 1 – Listing advice for *Brachychiton* sp. Ormeau (L.H.Bird 435851) (Ormeau bottle tree)
- Attachment 2 – CTS 02109/13

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Ashley Bunce Position: Manager, TSU Tel No: 3330 5274 Date: 2 April 2013	Name: Sally Egan Position: A/Director, Threatened Species Unit Tel No: 3330 5498 Date: 2 April 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 8 April 2013 *Endorsed*	Name: Dean Ellwood A/DG, DEHP Tel No: 3330 6298 Date:
	Cleared by Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date:		

CTS No. 06418/13

sch4p3(3) Prejud

Chief of Staff .... OK
Dated 23 / 04 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 23 / 04 / 13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Flying-fox roost management – Proposed Conservation Agreement with the Commonwealth**

RECOMMENDATION

It is recommended that the Minister:

- **sign** the attached letter to the Honourable Tony Burke MP, Commonwealth Minister for Sustainability, Environment, Water, Population and Communities, seeking an update on the proposed Conservation Agreement for Grey-headed and Spectacled flying-foxes (Attachment 1).
- **note** that your endorsement or rejection of the conservation agreement will be sought after an assessment of the Conservation Agreement's alignment with the proposed new framework for roost management.

BACKGROUND

- There are four species of flying-fox found in Queensland, all of which are protected under the *Nature Conservation Act 1992*.
- The Grey-headed and Spectacled flying-foxes are also listed as 'vulnerable' under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
- Minister Burke wrote to you on 11 May 2012 offering to enter into a conservation agreement under the EPBC Act to address the duplication of approvals processes for authorising activities at Grey-headed flying-fox camps.

CURRENT ISSUES

- The original agreement related to only one of the federally listed species. The department has now received written acknowledgement at officer level that the final version of the agreement will refer to both federally listed species of flying-fox – the Grey-headed and the Spectacled flying-fox.
- Both the current review of the Queensland Government's policy framework for flying-fox roost management and the Conservation Agreement are aimed at reducing red tape in the authorising of activities affecting flying-fox roosts.
- At a briefing on 14 March 2013, the Minister requested that the Department of Environment and Heritage Protection (EHP) prepare a letter to Minister Burke expressing your desire to finalise the conservation agreement (Attachment 1).
- The letter also provides the Australian Government with a broad outline of the state's intentions with respect to the policy framework for the management of flying-fox roosts.
- Once a final version of the conservation agreement is received, the department will review the agreement to determine whether it aligns with the proposed policy framework.
- A further briefing will be provided to you when the conservation agreement has been reviewed.

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Rec'd - ODG
18 APR 2013

CONSIDERATIONS

- *Consultation:* There has been ongoing negotiation between the department and the Australian Government Department of Sustainability, Environment, Water, Population and Communities regarding the contents of the Conservation Agreement since May 2012.
- *Election Commitment:* In the lead up to the 2012 election, the government committed to revise the damage mitigation permit (DMP) system in relation to the management of flying-fox roosts to deliver a more streamlined and rapid assessment process. The conservation agreement with the Australian Government may assist in this by removing duplication of approvals processes for the two federally

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: David Bennett Position: Project Mgr Tel No: 3330 5376 Date: 21 March 2013	Name: Wade Oestreich Position: Director, KCU & WMS Tel No: 3330 5393 Date: 8 April 2013 **Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date:	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: sch4p3(3) Prejudic 18.04.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 18.4.13 Endorsed by D-G via email.

listed flying-fox species. It may also add complication, if its elements are not complementary with the Queensland Government arrangements.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 - Letter to the Honourable Tony Burke MP

Author	Cleared by	Cleared by	Recommended:
Name: David Bennett Position: Project Mgr Tel No: 3330 5376 Date: 21 March 2013	Name: Wade Oestreich Position: Director, KCU & WMS Tel No: 3330 5393 Date: 8 April 2013 **Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date:	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

QUEENSLAND GOVERNMENT

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

Ref CTS 06418/13

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Telephone +61 7 3239 0844
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23 APR 2013

The Honourable Tony Burke MP
Minister for Sustainability, Environment, Water,
Population and Communities
House of Representatives
PO Box 6022
Parliament House
CANBERRA ACT 2600

Dear Minister Tony

I refer to your letter of 11 May 2012, in which you seek the Queensland Government's support for a conservation agreement under the *Environmental Protection and Biodiversity Conservation Act 1999* to deal with problematic Grey-headed flying-fox camps.

Thank you also for the draft conservation agreements, forwarded for my consideration on 22 May 2012 and 16 November 2012.

I seek your assistance in providing me with a revised draft of the proposed conservation agreement for both the Grey-headed and Spectacled flying-fox for my review.

The Queensland Government is currently preparing to revise the policy and legislative framework for the management of flying-fox roosts. This new framework will aim to eliminate unnecessary delays in the permitting system through streamlined regulation and supporting processes, with a focus on more effective management of flying-fox roosts in urban areas.

The Queensland Government aims to finalise the new framework in the coming months and an important consideration in finalising the framework will be the proposed conservation agreement with the Australian Government.

I appreciate the efforts made to date by officers of your department and seek your assistance in progressing this matter to completion at your earliest convenience.

Should you have any enquiries, please contact my Chief of Staff, Mr Troy Collings on (07) 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

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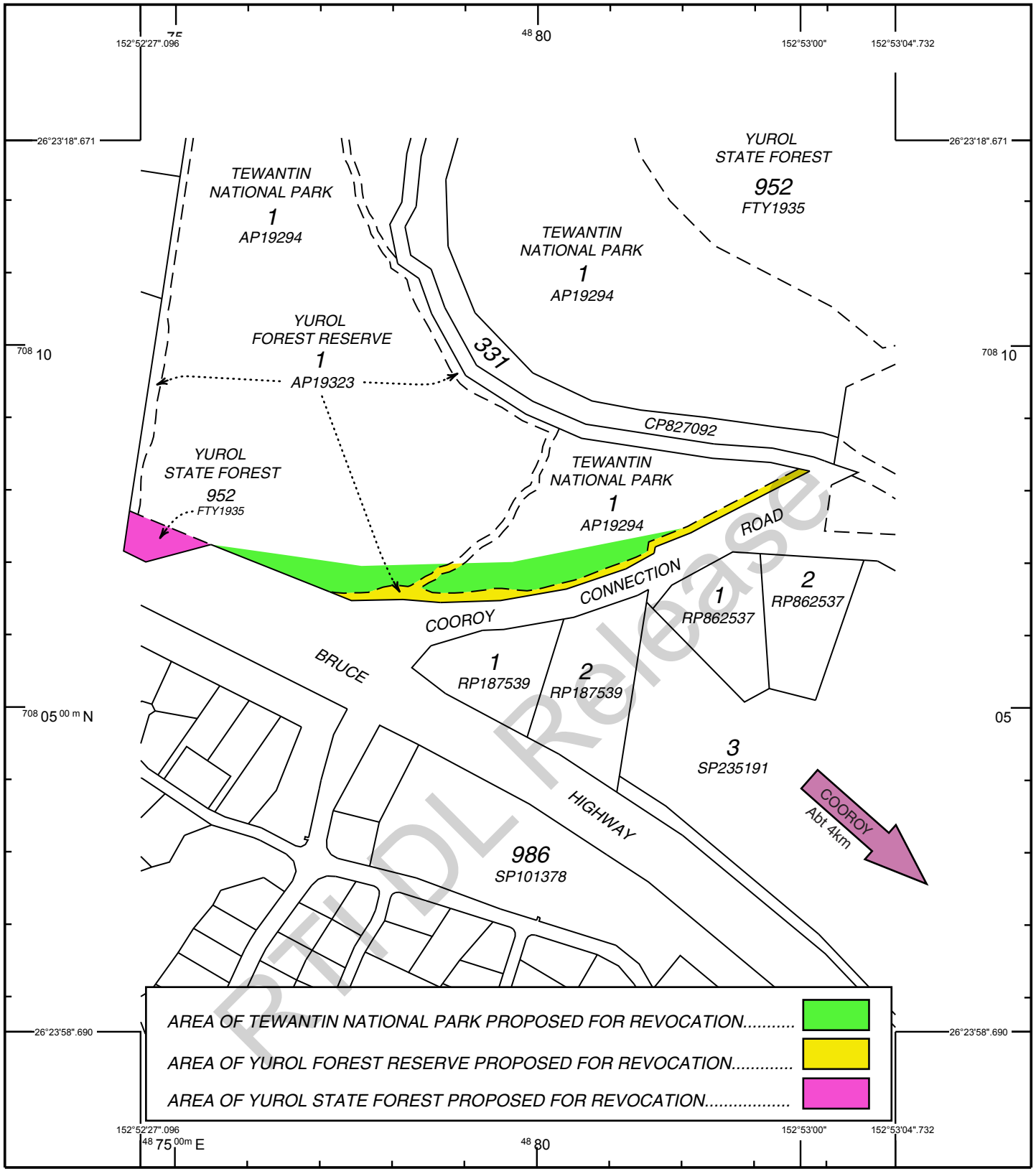

STANDARD MAP NUMBER
9445-22443

0 150 300 450 600 750 m

HORIZONTAL DATUM:GDA94 ZONE:56 SCALE 1 : 7500

MAP WINDOW POSITION & NEAREST LOCATION

152°52'45".914
26°23'38".680
BLACK MOUNTAIN
2.43 KM

GDA

SUBJECT PARCEL DESCRIPTION

DCDB

Lot/Plan	No Lot/Plan Selected.
Area/Volume	No Lot/Plan Selected.
Tenure	No Lot/Plan Selected.
Local Government	No Lot/Plan Selected.
Locality	No Lot/Plan Selected.
Parish	No Lot/Plan Selected.
County	No Lot/Plan Selected.
Segment/Parcel	No Lot/Plan Selected.

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 05/04/2013

DCDB 04/04/2013

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Queensland Government

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CTS No. 06566/13

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Chief of Staff OK
Dated 23/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 23/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Proposed revocation from Tewantin National Park and Yurol Forest Reserve for the Bruce Highway – Cooroy Connection Road (Elm Street) Upgrade**

RECOMMENDATION

It is recommended that the Minister:

- **approve** in-principle the revocation of about 2.1931 hectares from Tewantin National Park.
- **approve** in-principle the revocation of about 0.4831 hectares from Yurol Forest Reserve.
- **note** that in-principle approval for revocation of part of Yurol State Forest is currently being sought from the Minister for National Parks, Recreation, Sport and Racing.

BACKGROUND

- Negotiations between the Department of Environment and Heritage Protection (EHP), the Department of National Parks, Recreation, Sport and Racing (NPRSR) and the Department of Transport and Main Roads (TMR) to upgrade the Bruce Highway – Cooroy Connection Road (Elm Street) commenced in April 2011.
- The proposed works are for improved road safety and alignment purposes (green and yellow on Attachment A).
- The proposal has received in-principle support from the Assistant Director-General, Queensland National Parks and Wildlife Service, NPRSR.

CURRENT ISSUES

- In exchange for lands revoked from Tewantin National Park and Yurol Forest Reserve, TMR has agreed to meet EHP's revocation requirements including:
  - undertaking all required survey and plan works;
  - payment of all costs incurred by EHP to complete the proposal; and
  - providing financial compensation in accordance with current revocation policy.
- Under the Administrative Arrangements Orders, Minister Powell is responsible for approving in-principle proposed revocations from national parks and forest reserves under the *Nature Conservation Act 1992*. Support for the proposed revocation of part of Yurol State Forest to facilitate the completion of the project is currently being sought from the Honourable Steven Dickson, Minister for National Parks, Recreation, Sport and Racing as the Minister responsible for state forests under the *Forestry Act 1959*.

CONSIDERATIONS

- *Budget*: TMR has agreed to pay all costs incurred by EHP for completing the revocation.
- *Consultation:* NPRSR supports this revocation.
- *Legislation:* Sections 32 (Revocation of protected area) and 70E (Revocation of forest reserves) of the *Nature Conservation Act 1992* provide for the revocation, in whole or in part, of the protected area estate.

RTI DL Release

Rec'd - ODG
18 APR 2013

Author	Cleared by	Endorsed by	Recommended:
Name: Steve Christie Position: A/Program Coordinator, TCU Tel No: 3330 5333 Date: 02 April 2013	Name: Ash Williams Position: Manager, TCU Tel No: 3330 5337 Date: 16 April 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 17 April 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 18.4.13 Endorsed by D-G via email.
	Cleared by Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 16 April 2013	Endorsed by Name: Tamara OShea Position: A/DDG, CSS sch4p3(Tel No: 3330 6240 Date: 18.04.13	

MINISTER'S COMMENTS

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ATTACHMENTS

- Attachment A - Sketch of proposed works

Author Name: Steve Christie Position: A/Program Coordinator, TCU Tel No: 3330 5333 Date: 02 April 2013	**Cleared by** Name: Ash Williams Position: Manager, TCU Tel No: 3330 5337 Date: 16 April 2013	**Endorsed by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date:	**Recommended:** Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
	Cleared by Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 16 April 2013	**Endorsed by** Name: Tamara OShea Position: A/DDG, CSS Tel No: 3330 6240 Date:	

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CTS No. 06824/13

Chief of Sta OK
Dated 16/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 16/04/13.

Department of Environment and Heritage Protection
MINISTERIAL DEPUTATION BRIEFING NOTE
17 April 2013 at 1:30pm Parliament House, Room 1.29
Minister Springborg (Department of Health)
Minister Langbroek (Department of Education, Training and Employment),
Ms Fiona Crawford (Chief of Staff for Minister Langbroek)

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Management of flying-foxes that affect educational centres**

DEP REP: Minister's office advised no departmental representative required

BACKGROUND

- Minister Langbroek MP sent correspondence dated 28 March 2013 requesting a meeting to discuss flying-foxes causing disruption to the education and care service being provided at the Free Range Kids, a childcare centre in Laidley.
- On 14 November 2012, a Compliance Caution Letter was issued to the childcare centre regarding concerns for children using the outdoor playground, due to the presence of flying-fox faeces and dead flying-foxes from a colony in trees on the adjoining property, which is owned by Lockyer Valley Regional Council (LVRC).
- On 15 March 2013, the Toowoomba Regional Office of the Department of Education, Training and Employment met with the West Moreton Public Health Unit, Queensland Health, and conducted a risk assessment to ascertain if the child care centre provides a safe and healthy environment for children, staff and families. West Moreton Public Health Unit advised that the regular cleaning processes, undertaken by the childcare centre, are consistent with the recommended infection control procedures and that it is a clean, hygienic safe environment for the care of the children.
- The population of flying-foxes increased from the approximately 2700 estimated at the survey conducted on 14 February 2013 with the arrival of the highly nomadic little red flying-foxes, so that by 13 March 2013, there were 7880 flying-foxes in roosts around Laidley.

CURRENT ISSUES

- The Department of Environment and Heritage Protection (EHP) issued a damage mitigation permit on the 22 March 2013 to the Lockyer Valley Regional Council.
- This permit enables council to remove vegetation in proximity to the child care centre.
- *Consultation*: EHP officers met with the childcare centre on 13 November 2012, at this time there were 10 little red flying-foxes in a tree in the playground which had been fenced off by staff. In the adjacent roost there were approximately 2000 little red flying-foxes close to the boundary fence and also black and grey-headed flying-foxes further back.

Deputee Position

- The Minister for Health may wish to discuss the need for a more proactive response to dispersal of flying-fox roosts.

Suggested Response

EHP is adopting a highly responsive approach to applications for permits to disperse flying foxes and as part of this will give priority to assessing applications from education facilities. It is bound at this time by the current regulatory framework but is seeking to be highly responsive within this constraint.

A review of the current regulatory/permitting system is underway. There is no doubt that the current system is not responsive enough to meet community needs and this review was always going to be a priority for my portfolio once we had met our commitment to fruit growers to increase their capacity to manage crop damage by these species.

Author	Cleared by	Cleared by	Recommended:
Name: Rebecca Williams Position: Director, Wildlife MU Tel No: 3330 5512 Date: 5 March 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 12 April 2103 12.04.13	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 sch4p3(3) P Date: 12.04.13	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:

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The management of flying foxes is complex and complete deregulation would have the potential to cause unintended problems. But the intent of the review is to make it easier and quicker to deal with problematic roosts (and in particular to make it easier for local governments to do so). This could involve for example removing the requirements for councils to get permits in urban areas provided they abide with a code of practice. But it is not expected to include culling.

MINISTER'S COMMENTS

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Rebecca Williams Position: Director, Wildlife MU Tel No: 3330 5512 Date: 5 March 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 12 April 2103	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:

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Chief of Staf..... OK
Dated 12/10/12
Approved Not Approved Noted
Further information required
Minister.....
Dated 13/10/12

CTS No. 13930/12

Department of National Parks, Recreation, Sport and Racing
MINISTERIAL BRIEFING NOTE

TO: **Minister for National Parks, Recreation, Sport and Racing**

SUBJECT: **Acquisition of part of Bramwell and Richardson Holdings**

TIMEFRAME

- Noting of this matter is required urgently to allow an offer to be made to the leaseholder pursuant to a revised valuation.

RECOMMENDATION

It is recommended that the Minister:

- **note** the proposal by the Honourable Andrew Powell MP, Minister for Environment and Heritage Protection (EHP), to offer up to $2.2 million to the lessee of the Bramwell and Richardson pastoral leases in northern Cape York Peninsula for the acquisition of part of both holdings and the amalgamation of the residual areas into one consolidated holding commencing under a new term;
- **note** this acquisition would afford the opportunity for the State to ensure a practical fence and fire break alignment between Bramwell Holding and Olive River Environmental Reserve; and
- sch3(2)(1)(c) Cabinet matter - Budgetary process

BACKGROUND/KEY ISSUES

- The Australian Government has provided funds to the Queensland Government under the *Caring for our Country* program for the acquisition of land in Cape York Peninsula for the dual purposes of national park and Aboriginal land.
- The funding agreement provided $16 million for land acquisition in Cape York Peninsula, of which $7.08 million remains.
- Minister Powell has instructed EHP to proceed with negotiations for the purchase of the property or part thereof, and for officers to provide a further briefing prior to making a formal offer to the vendor under this funding arrangement.
- The funding arrangement stipulates that any land acquired under this program will be considered for an approximately equal division between national park (Cape York Peninsula Aboriginal land - CYPAL) and Aboriginal land.
- The division of land is to be effected in a manner that allocates areas of high conservation value to national park and areas of economic and residential value to Aboriginal land under the Cape York Peninsula Tenure Resolution program being administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA).
- The properties have areas of high conservation value and adjoin existing State-owned and acquired lands including Heathlands, Shelburne, Bromley and Batavia, thereby assisting to create a contiguous area of land for future tenure resolution.
- Since acquiring Olive River and Shelburne Environmental Reserves, Queensland Parks and Wildlife Service (QPWS) has had ongoing difficulties associated with fire management in the area; and this acquisition would furnish QPWS with the ability to resolve this longstanding issue.

RTI DL Release

Author	Endorsed by	Endorsed by	Recommended:
Name: Buzz Symmonds Position: Director – Cape York Tel No: 42225269 Date:17 September 2012	Name: James Newman Position: Regional Director – Cape York Tel No: 42225310	Name: Annie Moody Position: Executive Director – Terrestrial Parks Tel No: 3330 5268	Name: Dr John Glaister Director-General, NPRSR Tel No: (07) 32246126 Date: 26/9/12
	Name: Jason Jacobi Position: Director – Strategy and Policy Tel No: (07) 33305272	Name: Andrea Leverington Position: DDG - QPWS Tel No: 3330 5270	

- The area to be acquired does not have any existing public access, recreational use or infrastructure. Management needs will be consistent with those currently being applied to adjoining properties being administered by QPWS including the Shelburne and Olive River Enviromental Reserves.
- DATSIMA and Department of National Parks, Recreation, Sport and Racing (NPRSR) staff recently completed a joint inspection of the property and have negotiated an in-principle boundary that identifies a potential acquisition area of approximately 78,169 hectares and a balance area of approximately 53,731 hectares that is proposed for amalgamation into a single lease to be issued on a new term (**Attachments 1** and **2** describe the area and values respectively).
- The proposed new lease area also incorporates two development nodes—a low key tourism facility at Bramwell Homestead and a roadhouse adjacent to the Peninsula Development Road. These arrangements will not be affected by the lease reconfiguration.
- The Australian Government will meet the full capital costs of the acquisition. DATSIMA will support NPRSR in providing necessary day to day management of the acquired area until tenure resolution is finalised.
- sch3(2)(1)(c) Cabinet matter - Budgetary process
-
-

MINISTER'S COMMENTS

Noting for recommendation 1 only. NPRSR understands EHP is proceeding but do not support the land becoming National Park (CYPAL) until ongoing maintenance funding arrangements with EHP finalised.

ATTACHMENTS

- Attachment 1 – Map of proposed acquisition area
- Attachment 2 – Summary of values of proposed acquisition area

RTI DL Release

Author	Endorsed by	Endorsed by	Recommended:
Name: Buzz Symmonds Position: Director – Cape York Tel No: 42225269 Date:17 September 2012	Name: James Newman Position: Regional Director – Cape York Tel No: 42225310	Name: Annie Moody Position: Executive Director – Terrestrial Parks Tel No: 3330 5268	Name: Dr John Glaister Director-General, NPRSR Tel No: (07) 32246126 Date:
	Name: Jason Jacobi Position: Director – Strategy and Policy Tel No: (07) 33305272	Name: Andrea Leverington Position: DDG - QPWS Tel No: 3330 5270	

CTS No. 04801/12

sch4p3(3) Prejudice the

Chief of Staff ..... OK
Dated 10 / 5 / 12
Approved Not Approved Noted
Further information required
Minister.....
Dated 10 / 5 / 12

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Issues raised by the Honourable Tony Burke**

RECOMMENDATION

It is recommended that the Minister:

- **note** the background information and key issues relating to the letter from the Honourable Tony Burke dated 17 April 2012.
- **Sign** the attached letter to Minister Burke.

BACKGROUND/KEY ISSUES

World Heritage Nomination

Background

- The previous Queensland Government and the Commonwealth Government committed to preparing a World Heritage nomination for suitable areas of Cape York Peninsula to proceed with Traditional Owner consent.
- The LNP made an election commitment supporting the World Heritage listing of suitable areas of Cape York Peninsula in consultation with the Traditional Owners and other stakeholders and to contribute $600 000 to the assessment process. The LNP also committed to developing a Bioregion Management Plan for Cape York and the Minister has instructed that all consultation for the World Heritage nomination is to be carried out under the umbrella of that process.
- The former Queensland Government allocated $3.5 million over three years commencing in 2009-2010 to develop the nomination. The final $600 000 tranche of that allocation was to be provided by Treasury in 2012-2013.
- The Commonwealth Government allocated $3 million to Queensland towards the nomination with particular emphasis on Traditional Owner engagement.
- Queensland and Commonwealth officers jointly developed a project plan for a nomination and have been working closely on implementation. Extensive work has been done on identifying natural and cultural values, broader community engagement and targeted Traditional Owner consultation.
- No boundaries have yet been identified, but it is clear that natural and cultural values of potential World Heritage status are widespread.

Issues

- The Minister has indicated his desire for the World Heritage nomination to proceed under the umbrella of the development of a Bioregion Management Plan for Cape York.
- Departmental officers are developing a scoping paper, consultation plan and project plan for the Minister's consideration to implement the Bioregion Management Plan commitment.
- Broader community and targeted Traditional Owner consultation has been placed on hold pending advice from the Minister on the process and scope of the Bioregion Management Plan. This advice will determine the roll out of the further engagement and the timing of completion of the nomination.
- The Commonwealth Minister, Hon Tony Burke has indicated his desire that the nomination be completed for submission to the World Heritage Committee in 2013. Commonwealth and Queensland officers have been working to that timetable. The submission of any nomination and its timing is at the discretion of the Commonwealth Minister. It is desirable for both Ministers to have a shared understanding of the work carried out to date, what is still to do and the process and timing of finalisation of the nomination – particularly the intersection with the Bioregion Management Plan.

DTI Disclosure

Rec'd - ODG
- 8 MAY 2012

Author	Cleared by ENDORSED	Cleared by ENDORSED	Recommended:
Name: Trevor Stanley	Name: Bob Speirs	Name: Tony Roberts	Name: Andrew Chesterman
Position: Manager	Position: General Manager, NRM Program & Policy	Position: Assistant Director-General, Natural Re sch3(7) In Environment	Director-General, DEHP
Tel No: 3330 5960	Tel No: 3330 5994	Tel No: 3330 5990	Tel No: 3330 6298
Date: 1 May 2012	Date: 3 May 2012	Date: 4/5/12	Date: 8/5/12

Voluntary acquisition of high environmental value land on Cape York Peninsula

Background

- In mid 2011, the Commonwealth Government sought a proposal from the Queensland Government for investment under the Commonwealth's "Caring for our Country" (CfoC) program incorporating land acquisition and Aboriginal land management in Cape York Peninsula.
- The Queensland Government had previously identified a number of target properties with high conservation values for potential acquisition and subsequent processing through the Cape York tenure resolution program. The Commonwealth Government reviewed these proposals and confirmed its support for the Queensland Government to negotiate the voluntary purchase of properties within an indicative funding allocation of $16 million to complement the historic State investment.

Issues

- Negotiations commenced in 2011 for a number of properties including Killarney, Wulpan and Dixie totalling 504 000 hectares. Settlement was reached with the vendors for these properties in early 2012. As part of the settlement, the lessees are to remain in occupation of the properties for three years to allow for destocking. $8.92 million of the CfoC allocation has been expended on the above acquisitions leaving a balance of $7.92 million which is currently held by the department.
- Negotiations had also commenced on the acquisition of the Richardson and Bramwell properties but agreement was not reached prior to the State election. The vendors remain interested in negotiating a part sale and boundary reconfiguration which is currently being investigated by the department for consideration by the Minister.
- An additional $4 million was allocated by the Commonwealth to support Aboriginal land trusts and corporations to undertake priority on ground management activities on land that has or is proposed to be transferred under the tenure resolution program. Four land trusts have submitted proposals that have been given formal approval with a further eight proposals either awaiting approval or in the final stages of preparation.

Turtle and Dugong management

Background

- On 8 September 2011 the Minister for Sustainability, Environment, Water, Population and Communities (SEWPaC), Hon Tony Burke, and the then Queensland Minister for Environment and Resource Management announced $5 million in Commonwealth funding to support better management of dugongs through supporting the role of Indigenous communities. The initiative is over two financial years finishing in June 2013.
- The initiative is jointly managed through a Steering Committee co-chaired by State and Commonwealth officers and includes a representative from the Great Barrier Reef Marine Park Authority.
- In January 2012 following two Sea Country Forums attended by Traditional Owner representatives from across Queensland's Sea Country, Minister Burke decided on five strategies to support the initiative. They are Direct Traditional Owner support to undertake eligible activities, a Cape York Sea Country Strategy delivered by Balkanu, Compliance Training and Data Collection/Monitoring, On-ground Indigenous Ranger Support and a Sea Country Network.

Issues

- Progress has been ongoing between the State and Commonwealth to develop and deliver on this initiative with much of the detail now agreed upon. Since the Indigenous Sea Country Forums, Balkanu has been engaged to delivery on the first stage of the Cape York Sea Country Strategy. The remaining four strategies are approaching agreement.
- Although in-principle support between all parties exists specific details and agreement regarding the actual delivery of the Balkanu Cape York Sea Country Strategy, the amount of funds available for the Grants and the financial support given to the State for administration are still being finalised.

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Trevor Stanley Position: Manager Tel No: 3330 5960 Date: 1 May 2012	Name: Bob Speirs Position: General Manager, NRM Program & Policy Tel No: 3330 5994 Date: 3 May 2012	Name: Tony Roberts Position: Assistant Director-General, Natural Resources & Environment Tel No: 3330 5990 Date:	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:

- A workshop to review the Cape York sea turtle management program was convened by Cape York NRM on 23-24 April 2012. The outcomes of this workshop include:
  - Recognition of the need for a regional strategy for the program with clear program governance arrangements to facilitate greater integration and coordination of contributing programs, investments and on-ground effort.
  - Emphasis on improving collaboration, cooperation and coordination across all components of the program including monitoring, data collection consistency, data return and data sharing agreements; ranger support and training; feral animal control; community capacity building and awareness; and research.
  - Recognition of the need to specifically target nest and hatchling survival for Olive Ridley turtles in the short term.
  - Focus on increasing Indigenous ranger groups' involvement in turtle conservation management through monitoring, local community education and awareness and feral animal control.
  - Need to promote community leadership and ownership of turtle management to better facilitate local acceptance and approval of feral animal culling.

MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1 - Letter to Minister Burke

RTI DL Release

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Hon Andrew Powell MP
Member for Glass House

Queensland Government

Minister for Environment and Heritage Protection

Our Ref CTS 04801/12
Your ref C12/4593

10 MAY 2012

The Honourable Tony Burke MP
Minister for Sustainability, Environment, Water, Population and Communities
PO Box 6022
Parliament House
CANBERRA ACT 2600

RTI DL Release

Dear Minister

Thank you for your letter of 17 April 2012 concerning initiatives funded under the Australian Government's *Caring for our Country* program.

World Heritage Nomination
The Queensland Government supports the World Heritage listing of suitable areas of Cape York Peninsula in consultation with the Traditional Owners and other stakeholders. I am advised that officers from our respective departments have been working closely together to gather information that would support a nomination and I acknowledge the Australian Government's contribution. I am keen to ensure that the process for progressing a World Heritage nomination is part of the Queensland Government's commitment to a Bioregion Management Plan for Cape York Peninsula and I would welcome the opportunity to discuss with you how this can be achieved.

Voluntary acquisition of high environmental value land on Cape York Peninsula
I am advised that the previous Queensland Government had agreed to the Australian Government's broad allocation of $16 million for land acquisition and $4 million for Aboriginal land management. I acknowledge that considerable funds have already been committed under this initiative, including the expenditure of $8.92 million on land acquisition that has contributed to the purchase of the Killarney, Dixie and Wulpan properties.

This government is committed to the protection of the significant natural and cultural values in the Peninsula and recognises that land acquisition can be an appropriate strategy in delivering conservation outcomes. However, it is also very important to consider the economic and social impact of land acquisitions in the Cape York region and what alternative opportunities exist for achieving long term sustainable conservation outcomes. To this end, we are committed to the preparation of a Bioregion Management Plan for the Peninsula to ensure an integrated approach to natural resource management. This planning process will better inform government and the community about the best way to achieve a balance between protection of the environment and the sustainable allocation and use of natural resources.

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At this stage, I am prepared to support our respective departments continuing to investigate opportunities for the expenditure of the remaining $7.08 million of the acquisition allocation in accordance with the previously agreed arrangements. However, any decision by the Queensland Government to proceed to any specific acquisition under this funding will be made in consideration of the benefits to conservation and the impacts on the community. For example, I am advised that negotiations have been going on for some months with regard to the Richardson and Bramwell aggregation of properties in the northern Peninsula and I look forward to a proposal for resolution of this dealing for my further consideration.

With respect to the $4 million nominally allocated to Aboriginal Land Management, I am pleased to see that considerable progress has been made to date with 13 Aboriginal land trusts invited to submit proposals for funding under this program. Four land trusts have submitted proposals that have been given formal approval, with a further eight proposals either awaiting approval or in the final stages of preparation. This program is very much in accordance with this government's commitment to build capacity in Aboriginal communities and to support active on-ground land management.

To ensure effective coordination across this program, I support the ongoing role of the Cape York Peninsula Tenure and Heritage Committee to oversee these initiatives and report to our respective governments. With the recent changes to administrative arrangements in Queensland, I can advise that Mr Terry Wall, Associate Director-General of the Department of Environment and Heritage Protection will replace Ms Andrea Leverington as co-chair.

Turtle and dugong management

The Queensland Government has committed to the policy of Protecting Queensland's Precious Wildlife: Stepping up protection for Queensland's iconic Dugongs and Turtles. Our program will progressively expand the successful permit and licensing system developed in the Northern Peninsula Area of Cape York into all key habitats, with the guidance of Traditional Owners and Indigenous organisations. To do this, we will seek to partner with other government agencies, especially the Great Barrier Reef Marine Park Authority. Also, the Queensland Government will work with Indigenous stakeholders to protect Queensland's dugong and turtle populations from poachers and stop brutality against these iconic creatures.

I am advised that your expectation is that Queensland officers would contribute to the administration of the entire program through the system established for *Caring for Country* program implementation. As part of your proposed improved management for these species, I also note that the Commonwealth has previously indicated that funding would be available for employing the new Queensland Parks and Wildlife rangers and program support for them. Given the convergence of our objectives and on the basis of funding arrangements, the Queensland Government will continue to support progressing those initiatives for dugong and turtles that you have outlined.

I hope this information is of assistance. Should you have any further enquiries, please contact my Chief of Staff, Mr Troy Collings on telephone 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

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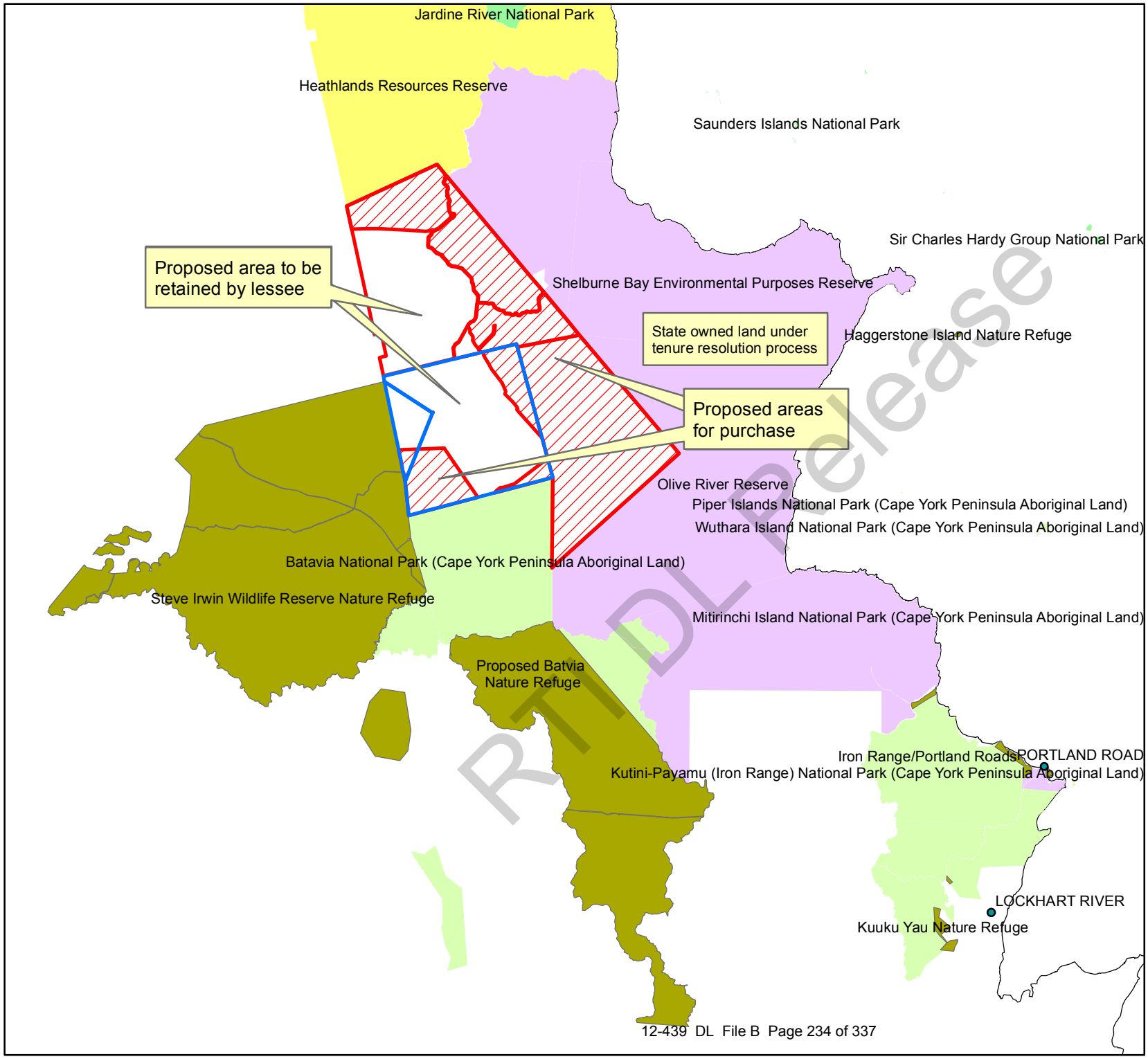
Attachment 3

Negotiated Boundary
Bramwell Richardson

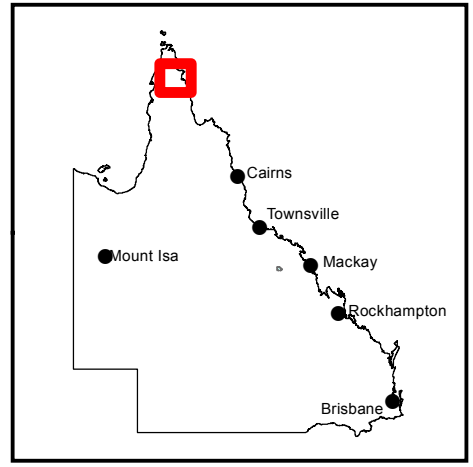


Bramwell Station
Richardson
Negotiated area

Protected Areas of Queensland (estate) and Other Lands

Estate Type

- National Park (scientific)
- National Park
- National Park (Cape York Peninsula Aboriginal Land)
- National Park (recovery)
- Conservation Park
- Resources Reserve
- Forest Reserve
- State Forest
- Timber Reserve
- Other Lands
- Nature Refuges and Coordinated Conservation Areas



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Map Production
TCU
April 2013, DP

Data Source:
Digital Cadastral Database,
NRW 2007

Disclaimer
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Queensland Government

sch4p3(3) Prejudice the

Chief of Staff [redacted] OK
Dated 30/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 01/05/13

Note comments overpage.

CTS No. 06848/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Acquisition of part of Bramwell and Richardson Holdings**

RECOMMENDATION

It is recommended that the Minister:

- **note** that the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA) and the Department of National Parks, Recreation, Sport and Racing (NPRSR) have negotiated the boundary for the potential purchase of parts of the Bramwell and Richardson Stations with the lessee's [redacted] and a joint valuation has been finalised.
- **note** that the Department of Environment and Heritage Protection (EHP) is at the stage where an offer (up to $2.2 million) could be made to the lessee.
- **note** the Honourable Steven Dickson MP, Minister for National Parks, Recreation, Sport and Racing's comments regarding this proposal (refer Attachment 1) in September 2012,which indicates he would not support the gazettal of the land (if purchased) without resolution of the management funding issue.
- sch3(2)(1)(c) Cabinet matter - Budgetary process
-

BACKGROUND

- This brief was requested by the Minister's Office to provide background information following receipt of an email from [redacted] on 18 March 2013.

CURRENT ISSUES

- The Australian Government has provided funds to EHP under the Caring for our Country program for the acquisition of land on Cape York Peninsula for the dual purposes of national park and Aboriginal land (Attachment 2).
- The funding agreement provided $16 million of which $7.08 million remains unexpended.
- The agreement stipulates that any land acquired under this program will be considered for an approximately equal division between national park (Cape York Peninsula Aboriginal Land (CYPAL)) and Aboriginal land.
- The partitioning of land is to be undertaken in a manner that allocates areas of high conservation value to national park and areas of economic, social, cultural and residential value to Aboriginal land.
- The Bramwell and Richardson aggregation covering 131,900 hectares was one of the key targets identified by the former Queensland Government for acquisition. Purchase negotiations commenced in September 2011.
- The properties have areas of high conservation value and adjoin existing state owned and acquired lands including Heathlands, Shelburne, Bromley and the newly dedicated Batavia National Park (CYPAL), thereby providing a contiguous area of land for conservation protection and future tenure resolution (Attachments 3 and 4 describe the area and values respectively).
- DATSIMA and NPRSR staff completed a joint inspection of the property in 2012 and negotiated an in-principle boundary that identifies a potential acquisition area of approximately 78,169 hectares

Rec'd - ODG
24 APR 2013

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Name: Darren Phillips Position: Program Manager, Tenures and Covenants Unit Tel No: 3330 5365 Date: 09 April 2013	Name: Ashley Williams Position: A/Manager, TCU Tel No:3330 5337 Date: 11 April 2013	Name: Geoff Clare Position: ED, NCS Tel No:3330 5390 Date: 22 April 2013	Name: Tamara O'Shea Position: A/DDG CSS [redacted] Tel No: 3330 6240 Date 22.04.13	Name: Andrew Chesterman Position: Director General Tel No: 3330 6298 Date: 24.4.13
	Cleared by Name: Allan Williams Position: Director, TCU Tel No:3330 5392 Date: 16 April 2013	Cleared by Name: Leslie Shirreffs Position: ED EO Tel No: 3330 6228 Date: 23 April 2013		

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and a balance area of approximately 53,731 hectares that is proposed for amalgamation into a single lease to be issued on a new term to the current lessee. All departments agree that the most suitable tenure for the acquisition area is national park (CYPAL).

The proposed new lease area also incorporates two development nodes – a low key tourism facility at Bramwell homestead and a roadhouse adjacent to the Peninsula Development Road. It is not proposed to provide any changes of tenure to either of these facilities given the constraints of native title and the benefits of these ongoing commercial operations.

EHP and the lessee have jointly sought an updated valuation based on the revised boundaries and subsequently DATSIMA supports an initial offer of $2 million, with provision of an upper figure of $2.2 million to secure a settlement.

The lessee is also seeking additional conditions regarding commitments to boundary fencing, access to the acquired areas for personal purposes and improved lease conditions. These matters will be considered on their merits and in accordance with current land tenure policies in arriving at an agreed settlement.

Australian Government officers have noted the revised boundaries and support an offer being made on this design and for the amount determined.

Once acquired, the property will be dealt with under the Cape York Peninsula Tenure Resolution Program administered by DATSIMA.

A partnership arrangement between NPRSR and EHP has been agreed to ensure that the Government election commitment for Indigenous rangers will deliver on better environmental outcomes for new National Park estates on Cape York Peninsula. The arrangements would involve the transfer of 15 positions and funds to NPRSR to employ Indigenous Rangers in a shared approach to delivering the Cape York Land and Sea Ranger election commitment.

There should be no further obstacles to acquiring this area however this will be confirmed with NPRSR.

CONSIDERATIONS

Budget: The Australian Government will meet the full capital costs of the acquisition. DATSIMA has provided funding to NPRSR to provide necessary day to day management of the acquired area until tenure resolution is finalised. The Australian Government has agreed to provide funding that can be designated for fencing the new boundary.

Consultation: Continual consultation with DATSIMA and NPRSR has and will be sought throughout the negotiation phase of this potential acquisition.

MINISTER'S COMMENTS

have spoken to the local MP and Cabinet Colle accordance acceptable negotiated

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ATTACHMENTS

Attachment 1- Minister Dickson Briefing Note (CTS 13930/12)
Attachment 2 - BN regarding Cape York issues and reply letter to Minister Tony Burke (CTS 04801/12)
Attachment 3 - Map of proposed acquisition area
Attachment 4 - Summary of values of proposed acquisition area

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Recommended:
Name: Andrew Chesterman
Position: Director General
Tel No: 3330 6298

CTS No. 06859/13

sch4p3(3) Prejudice the pro

Chief of St K
Dated 29/4/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 29/4/13

Department of Environment and Heritage Protection
MINISTERIAL DEPUTATION BRIEFING NOTE
2 May 2013 at 2:45 – 3:15pm
Alex Livingstone, Chief Executive Officer, Growcom
David Putland, Policy Manager, Growcom
John Bishop, Chair, Growcom (tentative)

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Flying-foxes, protected plants, climate adaptation, South East Queensland (SEQ)/Moreton Bay water quality.**

DEP REP: Geoff Clare, Executive Director, Nature Conservation Services, Conservation and Sustainability Services, telephone 3330 5390
Peter Hutchison, Executive Director, Environment and Water Quality, Environmental Policy and Planning, telephone 3330 5991.

RTI DL Release

BACKGROUND

- Growcom is the peak representative body for Queensland horticulture whose core membership consists of fruit and vegetable producers and individuals, groups and industries who have a stake or interest in the future of Queensland horticulture.
- Mr Alex Livingstone was appointed Chief Executive Officer of Growcom in 2008, and Mr David Putland as Policy Manager of Growcom has demonstrated a strong interest in climate change policy (see Attachment 1). John Bishop, Chair of Growcom might also attend the meeting.
- It is expected that the following issues will be raised for discussion during the course of the meeting:

(1) Flying-fox Code of Practice for crop protection

- In August–September 2012, the Department of Environment and Heritage Protection worked closely with Mr Putland (Growcom) and other stakeholders to develop a revised legal framework for the re-introduction of lethal control of flying-foxes for crop protection. As part of this process, the department committed to a review of the Code of Practice at the end of the first growing season following introduction of the new framework.
- Note: Peter Hockings (Bundaberg Fruit and Vegetable Growers) has also recently discussed the revision of the Code of Practice with you and the department.

(2) Protected plant legislative framework

- In March and this year, Growcom made a submission to the department as part of the Regulatory Impact Statement process regarding the proposed amendments to the *Nature Conservation Act 1992* (NCA). Growcom's submission supports the proposed amendments (preferred option) which will reduce red/green tape, but warns that they may increase costs associated with compliance.

(3) Climate adaptation strategy

- Growcom argues that the agriculture sector is highly susceptible to expected climate change and that the department's draft Climate Adaptation Strategy that was under development in 2011–12 should be continued/revisited. Mr Putland has noted that significant positive work has gone into the development this strategy. In particular, Growcom is of the view that the strategy would assist in identifying vulnerable crops/regions, and strategies to mitigate these risks.

(4) SEQ/Moreton Bay water quality

- Mr Putland has noted that the natural resources management sector is keen to lead/support projects to improve water quality in SEQ, particularly Moreton Bay. He does not favour a regulatory approach by the state but wishes to discuss the state's role with regard to future projects.

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Name: David Bennett Position: Project Manager Tel No: 3330 5376 Date: 17 April 2013	Name: Wade Oestreich Position: Director, KCU & WMS Tel No: 3330 5993 Date: 22 April 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 23 April 2013	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:
	Cleared by Name: Geoff Clare Position: ED, NCS Tel No: 3330 5990 Date: 23 April 2013	Cleared by Name: Tony Roberts Position: DDG EPP Tel No: 3330 5990 Date:	

CURRENT ISSUES

(1) Flying-fox Code of Practice for crop protection

Deputee Position

Growcom would like to be involved in the 1-year review of the Code of Practice (and associated documents) with a view to simplifying the application process for damage mitigation permits.
Growcom is also seeking commitments regarding research and development for methods of flying-fox control.

Suggested Response

Review of the Code of Practice is proposed to start in May–June 2013. The involvement of Growcom would be welcome and will be ensured by Nature Conservation Services.
The Queensland Government wishes to acknowledge Growcom for the time and expertise it has invested in working with the department to develop the Code of Practice.
There is currently no funding available for research and development for flying-fox control. If Growcom has any specific proposals in mind, the government will consider other ways in which it may be able to assist.

(2) Protected plant legislative framework

Deputee Position

Growcom would like the department to investigate combining the permitting systems and compliance frameworks for vegetation management and protected plants. Currently growers are required to go through the process of applying for a clearing permit under the Vegetation Management Act (VMA), then once they are granted a permit, are often required to go through a very similar process under the NCA for any protected plants—this constitutes unnecessary duplication.

Suggested Response

The proposed reforms seek to overhaul the existing protected plants legislative framework under the NCA, to streamline assessment processes, remove unnecessary administrative and regulatory burden, and simplify permit and licence requirements.
Alignment with the VMA and *Sustainable Planning Act 2009* (SPA) exemptions will be achieved wherever possible.
However, full integration with the VMA and the SPA is not possible at this stage, due to the existing timeframes of the NCA review, and the significant amendments that are currently being progressed under both the VMA and SPA.
The department will continue to pursue the option of integrating protected plant and vegetation management processes with the Department of Natural Resources and Mines, to determine how integration may be achieved once the current review is complete.

(3) Climate adaptation strategy

Deputee Position

Growcom is advocating deployment of additional resources including, specifically, a climate agriculture specialist, to support the government's climate adaptation work.

Suggested Response

Acknowledge that David Putland met with the department's adaptation staff following correspondence from the Premier.
Also note that, while a climate agriculture specialist would undoubtedly benefit the team, the team currently has access to climate-agricultural expertise, based both in the Department of Science, Information Technology, Innovation and the Arts, and the Department of Agriculture, Forestry and Fisheries (DAFF).
The cross-sectoral nature of adaptation policy makes it a whole-of-government issue. Recognise that adaptation and resilience is in the government's line of sight.
Note that the Premier, Minister Crisafulli, and you are all working to improve Queensland's resilience and adaptive capacity, and that it is highly probable climate adaptation will be raised as an issue for the state, as the community-driven Queensland Plan takes shape.

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Relevant work previously undertaken by departmental officers would of course be considered in the update to Queensland's adaptation strategy.

Deputee Position

On a related matter, Mr Putland is likely to mention the lack of a section on climate change in the Queensland Government's recently released draft Agricultural Strategy. He believes this to be a significant oversight as climate change and variability pose a risk (a) to the agriculture sector, and (b) to achieving the goals of the strategy itself.

Suggested Response

Agree that climate change is not something to be ignored in long term agricultural planning.
Acknowledge that while the discussion paper did not include any reference to climate change, you understand that such acknowledgement is now being incorporated throughout the strategy.
Confirm that since the discussion paper's release, the department's Director-General, Andrew Chesterman, has provided department-wide input into the draft, and that the Climate Adaptation team has provided climate change advice to DAFF to inform development of the agriculture strategy.

Deputee Position

Growcom is likely to seek some commitment toward R&D for climate adaptation.

Suggested Response

Emphasise that this is an area that will be given strong consideration as initiatives are developed during the update to the climate change adaptation strategy.
Highlight the importance of Growcom continuing to engage with the Climate Adaptation team to help identify and develop potential initiatives—with the priority being for low-cost, no-regrets initiatives.
Congratulate Growcom on being awarded a project under the Australian Department of Forestry and Fisheries 'Carbon Farming Futures Extension and Outreach Program' to deliver an extension program relating to mitigation of greenhouse gases.
Suggest asking Growcom what this project will mean on the ground for the agriculture sector.

(4) SEQ/Moreton Bay water quality

Deputee Position

Growcom is seeking in-principle commitment that the state will not pursue a regulatory approach with regard to water quality in SEQ (in particular Moreton Bay).
Growcom is working with a number of organisations involved in developing projects and funding proposals on this issue. Mr Putland may request a letter of support, or in-principle support for proposed projects.

Suggested Response

The department provides funding for projects related to improving water quality in SEQ through the $2 million per year Healthy Waterways Program. The state works in partnership through the Healthy Waterways Network with the regional natural resources management sector, SEQ Catchments, and local governments to implement collaborative projects.
A significant component of historical and current state funding goes to the Healthy Country Program for rural water quality improvement. A major factor in the success of this program is that it is based on working in partnership with landholders, natural resources management sector, government and research institutions.
The state is keen to continue to build on this engagement approach and does not believe a regulatory approach would be successful.
The department would be interested in being aware of any projects or funding proposals to ensure alignment and maximise co-investment into priority catchments and would be keen to maintain communication with Growcom and other groups as this progresses.

RTI DL Release

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MINISTER'S COMMENTS

ATTACHMENTS

Attachment 1 – GROWCOM background information sheet

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GROWCOM Background

John Bishop, Chair Growcom

Lockyer Valley fig and pomegranate grower, John Bishop is Chairman of the Growcom board.

Mr Bishop has been a Growcom board director since 1999 and has 30 years' experience in the large scale production of horticultural crops on his Lockyer valley farm.

He currently grows figs on his property, Bishops Farms, at Tenthill near Gatton, but was formerly a vegetable grower for more than 30 years.

He represents horticulture growers on the Queensland Farmers' Federation (QFF) Water Committee, on the Community and Industry Advisory Group for the Moreton Bay Waterways and Catchments Partnership and on the Austsafe Board.

He was formerly a Chairman of Growcom's heavy produce special interest group and represented growers on the QFF environmental committee, and was appointed to the Austsafe Pty Ltd Board as an employer representative director in 2003. He is currently the chairperson of the Fund's Audit and Compliance Committee and is also a member of the Investment Committee.

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Alex Livingstone, Chief Executive Officer

Alex Livingstone was appointed Chief Executive Officer of Growcom in 2008.

Since that time he has focused on securing the business operations of Growcom to ensure that it is able to continue its pivotal role in representing Queensland horticultural growers' interests to Federal, state and local governments; government agencies and statutory authorities; and industry supply chain participants.

Mr Livingstone joined Growcom seven years ago as Chief Operating Officer with responsibility for finances and legal operations and the land and water industry services team.

He joined the organisation at a pivotal time in its history as it grappled internally and externally with changing assumptions and attitudes of a peak body funded by compulsory statutory levy to those of a fully commercial business maintaining a continued strong and credible agri-political stance on behalf of Queensland's horticulture growers.

David Putland, Policy Manager

Current projects

Carbon & Sustainability - emissions demonstration. This project will demonstrate the effects of various farm management practices on greenhouse gas emissions and carbon levels. Practices under investigation include minimum till, fertiliser application methods, the addition of biochar and nitrification inhibitors. Field sites are located on production farms in the Granite Belt and Lockyer Valley. (Funded by the Climate Change Research Program of the Department of Agriculture, Fisheries and Forestry).

Enhancing resilience and recovery. This project will investigate aspects of farm design and practice that maximise resilience to natural disasters. It will also identify the steps required to enable producers to rapidly rebuild their lives and businesses following natural disasters. The primary output will be a disaster recovery toolbox. (Funded by a DEEDI Rural Resilience Package Industry Grant).

Climate risk management system. This project will develop a climate change risk management module for the Growcom Farm Management System (FMS). This FMS module will provide information, tools and training that will increase the capacity of horticultural growers to respond to the challenges and opportunities associated with climate change and ensure the long-term sustainability of the industry. (Funded under the ClimateQ program of the Department of Environment and Resource Management).

Horticulture workbook. This project will create a short booklet that provides horticultural producers with an easy-to-follow step-by-step guide to the climate risk assessment process. This would then allow individual growers to conduct a risk assessment for their own farm, identify the primary risks, and begin steps to manage those risks. (Funded by ClimateQ – DERM).

Economic impact of carbon price. This project will produce a detailed but easy-to-comprehend summary of the key mechanics of the proposed carbon pricing mechanism (Clean Energy Future policy). It will include an analysis of the economic impacts of the projected cost increases including bottom-line impacts on farm profitability, and outline strategies to minimise exposure to the carbon price. (Funded by Horticulture Australia Limited).

Opportunities in the Carbon Farming Initiative. This project will assess opportunities for horticultural enterprises to generate credits in the Carbon Farming Initiative (CFI). Particular topics will include the identification of possible activities and methodologies, an assessment of R&D requirements, estimates of the emissions abatement and carbon sequestration potential for a number of key commodity groups, and an estimate of realistic income potential from activities in the CFI. (Funded by Horticulture Australia Limited).

RTI DL Release

CTS No. 07151/13

sch4p3(3) Prejudice the

Chief of Staff OK
Dated 16/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 17/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Indigenous Sea Country Management Grants Program – Successful QuickStart Projects**

TIMEFRAME

- Noting of this Briefing Note is required by 22 April 2013 to ensure the announcement of successful grant by the end of April 2013.

RECOMMENDATION

It is recommended that the Minister:

- **note** that the Director-General has approved eight QuickStart projects under the *Indigenous Sea Country Management Grants Program* (the Grants Program) totalling $1,035,728 (excluding GST) (CTS 07149/13) (Attachment One includes the list of approved projects for the QuickStart round).
- **note** the list of unsuccessful projects for the QuickStart stream (Attachment One).
- **note** that letters to successful QuickStart applicants will be provided for your signature shortly and that the Department of Environment and Heritage Protection (EHP) will write to unsuccessful applicants.
- **note** that the Minister's office has advised that the announcement of successful applicants is to be made by Minster Burke.

BACKGROUND

- The Minister noted the initial briefing note regarding the Grants Program on 19 November 2012 (CTS No. 17339/12 – Attachment 2).

CURRENT ISSUES

- Eight applications to the value of $1,035,728 (excluding GST) were approved for funding by the Director-General for the QuickStart stream of the Grants Program.
- A summary of the eight successful projects and also provides a brief summary regarding the remaining 21 projects not recommended for funding at this time has been provided for the Minister's information (Attachment 1).
- The approved projects are geographically dispersed along the Queensland coast from Mapoon on Cape York Peninsula to North Stradbroke Island.
- Five of the eight recommended projects aim to develop and/or implement a sea country plan, hunting plan or Traditional Use of Marine Resources Agreement.
- These projects are expected to produce locally developed operational standards, which will apply to hunting arrangements of marine resources, and which will be consistent with the requirements of the *Animal Care and Protection Act 2012*.
- Following advice from the Minister's office, it is EHPs understanding that the announcement of successful applicants will be made by Minister Burke's office in the Australian Government Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC). EHP has liaised with DSEWPaC at an officer level to request that DSEWPaC provide advice on the timing of the announcement in advance.
- Following Minister Burke's announcement, Minister Powell will write to successful applicants to commence the contracting process with follow-up by the EHP Program Office.
- Details of successful projects will be published on EHPs website.
- An email will be sent from the EHP Program Office to QuickStart applicants who are not recommended for funding advising that their applications are still remaining on file for consideration should funds become available (ie SteadyStart funds are not fully expended).

Rec'd - ODG
15 APR 2013

RTI DL Release

Author	Cleared by	Cleared by	Cleared by	Recommended:
Name: Andrew Larkin Position: SPO, SO Tel No: 3330 5419 Date: 10/04/13	Name: Rod Goodbun Position: Director, SO Tel No: 3330 5865 Date: 10/04/13	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 12 April 2012	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 62 sch4p3(3) Date: 15.04.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 16.4.13

SteadyStart Applications

- SteadyStart applications closed on 31 March and 13 applications were received totalling $1.72 million (excluding GST).
- The SteadyStart recommendations will be submitted to the Director-General for consideration by mid June 2013 with an anticipated announcement date of late June / early July 2013.

CONSIDERATIONS (Remove section if not required)

- *Consultation:*
  - The Assessment Panel comprised of representatives from EHP, the Department of National Parks, Recreation, Sport and Racing (NPRSR), DSEWPaC, the Great Barrier Reef Marine Park Authority and the Indigenous Sea Country Strategic Policy Group (administered by Girringun).
  - The Steering Committee is comprised of representatives from EHP, NPRSR, the Department of Natural Resources and Mines, DSEWPaC and the Great Barrier Reef Marine Park Authority.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 – Approved successful and unsuccessful QuickStart projects
- Attachment 2 – CTS 17339/12

Author	Cleared by	Cleared by	Cleared by	Recommended:
Name: Andrew Larkin Position: SPO, SO Tel No: 3330 5419 Date: 10/04/13	Name: Rod Goodbun Position: Director, SO Tel No: 3330 5865 Date: 10/04/13	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 12 April 2012	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

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Chief of Staf
Dated 21/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 23/04/13

CTS No. 07270/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Acquisition of land for addition to the protected area estate**

TIMEFRAME

- Approval of this brief is required as soon as possible as the property is on the market at present.

RECOMMENDATION

It is recommended that the Minister:

- **approve** the acquisition of lot 11 on SP210443 (known as 'Giddings'), situated near the town of Stanthorpe on the New England Tableland, for inclusion in the protected area estate as conservation park under section 29(1)(d) of the *Nature Conservation Act 1992.*

BACKGROUND

- Lot 11 on SP210443 is a 20.5 hectare property wedged between two sections of Broadwater State Forest, that has recently been made available for sale on the open market by the landholder, sch4p3(3) Prejudice the prote (Attachment 1).
- The property has high conservation values and is also regarded as an important acquisition by the Queensland Parks and Wildlife Service (QPWS) within the Department of National Parks, Recreation, Sport and Racing (NPRSR) due to its strategic position in the landscape, which will assist in the holistic management of the area, improve recreational visitor access to existing state forests and reduce management costs over time.

CURRENT ISSUES

- QPWS currently manages the two blocks that make up Broadwater State Forest as separate entities.
- The acquisition of Lot 11 on SP210443 will bridge the gap between these two areas and in doing so will allow QPWS to administer the land as one contiguous unit. This, in turn, will help reduce threatening processes and lead to improved management outcomes across the broader landscape.
- The Girraween Management Unit Visitor Management Strategy and the Granite Belt Wine and Tourism organisation promotes bushwalking, horse riding, mountain bike riding and orienteering to occur in Broadwater State Forest, as it is only five minutes from the town of Stanthorpe. Local tourist operators such as Happy Valley Retreat would benefit from Broadwater State Forest encouraging a variety of visitor opportunities. Currently, visitors cannot access one section of the state forest from the other.
- This block predominately consists of *Eucalyptus andrewsii* and *E. youmanii* woodland with scattered stands of *E. prava*, *Angophora floribunda* and *Callitris endlicheri.* The understory consists of a variety of shrubs and is likely to include the endangered *Boronia repanda* and *Tylophora woollsii* and it is highly likely that other vulnerable species such as spotted-tailed quoll (*Dasyurus maculatus maculatus*), powerful owl (*Ninox strenua*), glossy black-cockatoo (*Calyptorhynchus lathami*), *Hibbertia elata*, *Conospermum burgessiourum* and *Rulingia hermannifolia* exist on the property as well.
- In addition, the property is in good condition with very little erosion and habitat disturbance. A detailed assessment of the property is attached (Attachment 2).

Rec'd - ODG
17 APR 2013

Author Name: Darren Phillips Position: Program Manager, Tenures & Covenants Unit Tel No: 3330 5365 Date: 08 April 2013	**Cleared by** Name: Ashley Williams Position: A/Manager, TCU Tel No: 3330 5337 Date: 11 April 2013	**Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 16 April 2013	**Recommended:** Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 18.4.13 Endorsed via email
	Cleared by Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 16 April 2013	**Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 17 April 2013 endorsed.	

RTI DL Release

- The block was previously listed at $80,000 and is now currently listed for $50,000 although a full market valuation will be commissioned and any offers will be based on this valuation.
- The Minister for National Parks, Recreation, Sport and Racing supports this proposed acquisition and subsequent gazettal as conservation park (Attachment 3).
- Conservation park affords a higher level of protection than state forest and is therefore the preferred tenure in this instance. There are no mining interests or exploration on the land at this point in time.
- Note there are mining interests over this proposed acquisition.

CONSIDERATIONS

- *Budget*: Approximately $55,000 acquisition cost including valuation and conveyancing fees.
- *Consultation:* NPRSR including staff from the QPWS Girraween Management Unit have been consulted and support this proposal.
- *Legislation:* Section 29(1)(d) of the *Nature Conservation Act 1992* pertaining to the dedication of land as conservation park.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 - Locality map
- Attachment 2 - Values assessment
- Attachment 3 - NPRSR Ministerial support

Author Name: Darren Phillips Position: Program Manager, Tenures & Covenants Unit Tel No: 3330 5365 Date: 08 April 2013	**Cleared by** Name: Ashley Williams Position: A/Manager, TCU Tel No: 3330 5337 Date: 11 April 2013	**Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 16 April 2013	**Recommended:** Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
	Cleared by Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 16 April 2013	**Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	

CTS No. 07558/13

sch4p3(3) Prejud

Chief of Staff ..... OK
Dated 16 04 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 17/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Everyone's Environment grants program – Round Two Guidelines**

TIMEFRAME

- Approval of this briefing note is requested by Friday 19 April 2013 to enable Corporate Communications to finalise the design component prior to the launch of Round Two.

RECOMMENDATION

It is recommended that the Minister:

- **approve** the attached *Everyone's Environment* grants program – Round Two Guidelines (Attachment 1) noting that final design by Corporate Communications will be completed following approval. note comment.
- **note** the Assessment Panel process with the Director-General as decision-maker (Attachment 2).
- **note** the current version of the Application Form (Attachment 3) – not yet finalised.
- **note** the draft media release provided by Media Services (Attachment 4) for the launch of Round Two.
- **note** that $10,000 will be provided in Round Two as per the election commitment to the Cubberla-Witton Catchment Group (also known as the Toowong Creek Rehabilitation Group) as approved by the Minister from Round One (Attachment 6 - CTS 16148/12).

BACKGROUND

- A review was undertaken of Round One with directions provided by the Minister and feedback secured from the Assessment Panel, the external Review Panel representatives and other relevant Department of Environment and Heritage Protection staff.

CURRENT ISSUES

- Following the review of Round One and the subsequent verbal and written briefings, the revised Round Two Guidelines are attached (Attachment 1).
- The Minister gave direction for a revised model of the Assessment Panel/Review Panel process and this revised model has been documented for inclusion in the governance manual for the program (Attachment 2).
- A copy of the current version of the Application Form is also attached for information, however the form is still being finalised in consultation with relevant areas within the department (Attachment 3).
- Changes to the Guidelines are consistent with those approved through Minister's Briefing Note (Attachment 7 - CTS 04931/13) and subsequent discussion at the Minister/DG's meeting on 21 March 2013.
- The Program Office also met with the Minister's Policy Advisor on 11 April 2013 to discuss changes to the Guidelines.
- The Minister can proceed to announce Round Two from 30 April 2013 with applications open from 1 May and closing at midnight on 31 May 2013.
- Once announced, the Guidelines and Application Form will be made available to the general public through a link on the department's website to the *Everyone's Environment* grants program SmartyGrants portal <http://ehp.smartygrants.com.au>.
- An email will be forwarded through Vision6 to a database containing over 1200 recipients. The Program Office, through Corporate Communications, will monitor statistics, including number of emails opened and number of recipients who have clicked through to the website for more information.

Rec'd - ODG
17 APR 2013

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Angela Siggery	Name: Rod Goodbun	Name: Tamara O'Shea	Name: Andrew Chesterman
Position: PPO, SO	Position: Director, SO	Position: A/DDG, CSS	Position: DG, DEHP
Tel No: 3330 5827	Tel No: 3330 5865	Tel No: 3330 6240	Tel No: 3330 6298
Date: 11 April 2013	Date: 12 April 2013	Date: 12 April 2013	Date: April 2013 12.4.13

- It is planned that an email will be sent out at the commencement of Round Two and a reminder email with one week to go.
- Information on the program will be included on the Queensland Government's grants portal <http://www.qld.gov.au/services/grants/index.html>.
- The Queensland Government call centre (13 QGOV) will be provided with the relevant script to answer simple questions, with calls regarding more complex matters to be directed through to the Grants Coordinator in the Program Office.
- Following assessment, a list of recommended projects for Round Two funding will be submitted to the Director-General for approval.
- The Minister will be provided with a verbal briefing on Round Two recommendations.
- Details of the approved recipients will be forwarded to the Minister for noting, along with Ministerial letters to be forwarded to successful grant recipients under Round Two.
- It is anticipated that announcement of successful recipients could occur from 31 August 2013.
- A Communications Activity Plan has been prepared in consultation with Corporate Communications and Media Services (Attachment 4).
- A draft Media Release has also been prepared in consultation with Media Services (Attachment 5).

CONSIDERATIONS

- sch3(2)(1)(c) Cabinet matter - Budgetary process
- *Consultation:* The review of Round One was undertaken in consultation with the Assessment Panel members, Review Panel members and other departmental staff as relevant. Fiona Procter, Minister's Office; Nathalie Sengers, Corporate Communications.
- *Key Communication Messages:* A Communication Activity Plan is also attached (Attachment 4). Draft media release attached (Attachment 5).
- *Election Commitment: Everyone's Environment* grants program relates to election commitments 303/304/305.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 – Round Two Guidelines
- Attachment 2 – Assessment Panel process
- Attachment 3 – Round Two Draft Application Form (not yet finalised)
- Attachment 4 – Round Two Communications Activity Plan
- Attachment 5 – Round Two Launch Media Release
- Attachment 6 – CTS 16148/12
- Attachment 7 – CTS 04931/13
- Attachment 8 – CTS 06716/13

Author	Cleared by	Cleared by	Recommended:
Name: Angela Siggery	Name: Rod Goodbun	Name: Tamara O'Shea	Name: Andrew Chesterman
Position: PPO, SO	Position: Director, SO	Position: A/DDG, CSS	Position: DG, DEHP
Tel No: 3330 5827	Tel No: 3330 5865	Tel No: 3330 6240	Tel No: 3330 6298
Date: 11 April 2013	Date: 12 April 2013	Date: 12 April 2013	Date: April 2013

ASSESSMENT PANEL PROCESS – ROUND 2

The following process for the Assessment Panel has been developed in response to the Minister's direction for the Assessment Panel and Review Panel to be merged into one, with representation from two EHP departmental staff and three external non-government representatives from the Queensland Conservation Council, NRM Groups Collective and Queensland Water and Land Carers:

Step 1: The Assessment Panel is appointed, provided with Terms of Reference and asked to consider Declarations of Interest/ Confidentiality Agreement.

Step 2: The Program Office undertakes the initial eligibility assessment of all applications.

Step 3: The Program Office makes full applications available to the EHP representatives on the Assessment Panel and summary information available to the three external non-government representatives[1].

why not full to both groups.

Step 4: The EHP representatives on the Assessment Panel source technical input as required through the Program Office from EHP, DNRM and Biosecurity Queensland.

Step 5: The Program Office collates the preliminary assessment findings from individual Assessment Panel members.

Step 6: The Program Office convenes and facilitates a meeting of the Assessment Panel to review the preliminary findings, moderate assessments and produce recommendations.

Step 7: The Program Office undertakes negotiations with applicants regarding any Assessment Panel recommendations that involve a change of scope and/or budget.

Step 8: The Program Office prepares briefing material for the Director-General to consider the recommendations of the Assessment Panel subject to the outcomes of negotiations at Step 7.

Step 9: The Director-General advises the Minister of his decision.

Step 10: The Minister advises successful applicants and EHP advises unsuccessful applicants.

Version: 12/04/13

[1] The three non-government representatives indicated through the review of Round One that their preference is to assess applications based on summary information rather than full applications.

PTI DL Release

CTS No: 07622/13

sch4p3(3) Prejud

Chief of Staff ... ...QK
Dated 23/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 23/04/13.

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Establishment of a Community Advisory Group for Crocodile Management**

RECOMMENDATION

It is recommended that the Minister:

- **approve** the proposed changes to the crocodile management advisory structure to establish a new North Queensland Community Advisory Group on Crocodile Management (NQCAGCM) to supplement the existing Crocodile Management Advisory Group (CMAG).
- **sign** the attached letters (Attachment 2 and 3) inviting those persons listed in Attachment 1 which the Minister has nominated for membership on the CAGCM to become a member of the group.
- **approve** the draft terms of reference for the CAGCM (Attachment 3).

BACKGROUND

- A Crocodile Management Advisory Group (CMAG) has been previously established to provide advice to the Minister. The Minister has indicated a desire to have this supplemented by another separate advisory group to provide crocodile management related advice from the perspective of affected local North Queensland communities.

CURRENT ISSUES

- The first meeting of the CMAG on 28 February 2013 demonstrated its potential as a valuable forum for communicating the Government's current policies and approaches to crocodile management and for ensuring that they are guided by science.
- An opportunity exists to increase the benefits derived from the advisory function by seeking additional input from key community representatives from North Queensland where the highest level of human/crocodile interactions occur.
- To best achieve this it is proposed to supplement the CMAG with a separate community based group (the NQCAGCM) to contribute crocodile management related advice from the perspective of affected North Queensland communities.
- The proposed membership of the NQCAGCM would be the below persons which the Minister has nominated:
  - a councillor representative for the Mayors of Cairn Regional Council; Hinchinbrook Shire Council; Pormpuraaw Aboriginal Shire Council and Cook Shire;
  - the Member for Townsville John Hathaway MP;
  - the Member for Barron River Michael Trout MP;
  - Mr Col Sparkes, President, Regional Manager NQ, Surf Life Saving Queensland;
  - Mr Mick Tabone and Mr Keith Cook from crocodile farming backgrounds;
  - Mr Brian Wright from Crocodile Consultancy International; and
  - Ms Angela Freeman, Hartley's Crocodile Farm.

note changes etc.

- Draft Terms of Reference for the CAGCM comprise Attachment 4.
- The revised advisory arrangement involving both the CMAG and the NQCAGCM would provide a greater opportunity for experts, academics, industry and community representatives to have direct dialogue with the Minister and the Department of Environment and Heritage Protection regarding implementation of government policy, current practices, emerging issues, suggest improvements and innovative solutions (within the bounds of government policy and commitments) and to canvas future possible strategies for crocodile management in Queensland.

Author	Cleared by	Cleared by	Recommended:
Name: Michael Devery Position: Manager Wildlife Operations Tel No: 3330 5257 Date: 12 April 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5270 Date: 18 April 2013	Name: Tamara O'Shea Position: A/DDG,CSS Tel No: 3330 6240 Date: 18 April 2013 *endorsed*	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:

RTI DL Release

- It is expected that both the NQCAGCM and the CMAG will meet separately twice a year, with the NQCAGCM ordinarily meeting in Cairns where community interest in crocodile management is most pronounced.
- Departmental staff will continue to meet with individual clients more frequently to discuss crocodile management and research issues as required.
- One aspect of the NQCAGMC that may need to be managed is the proposed membership of current crocodile farmers and a representative from a crocodile consultancy company.
- If either of these parties have a interest in submitting an offer to the pending private crocodile management Invitation to Offer (ITO) proposed for part of the Cairns northern beaches area, or in any further ITOs or tenders of this nature which may eventuate, this may need to be declared as a potential conflict of interest and their involvement in any discussions about such matters by the NQCAGMC managed to avoid any suggestion that an actual or perceived commercial advantage was derived.

CONSIDERATIONS

- *Election Commitment:*
- Balancing community safety and crocodile conservation
- A three-tiered approach to ensure community safety and a sustainable future for our crocodiles
- A scientific approach to crocodile management

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

1. Lisa of proposed invitees to the Community Advisory Group on Crocodile Management (NQCAGCM).
2. Draft letter of invitation to individuals/organisations to the NQCAGCM
3. Draft letter of invitation to mayors/councillors to the NQCAGCM
4. Terms of Reference for the NQCAGCM.

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Michael Devery Position: Manager Wildlife Operations Tel No: 3330 5257 Date: 12 April 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5270 Date: 18 April 2013	Name: Tamara O'Shea Position: A/DDG,CSS Tel No: 3330 6240 Date: 18 April 2013 *endorsed*	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:

Attachment 1

Nominees for the North Queensland Community Advisory Group for Crocodile Management

- Councillor representative for Mayor Bob Manning of Cairns Regional Council
- Councillor representative for Mayor Mansell (Rodger) Bow of Hinchinbrook Shire Council
- Councillor representative for Mayor Peter Scott of Cook Shire Council
- Councillor representative for Mayor Richard Tarpencha of Pormpuraaw Aboriginal Shire Council
- Mr Col Sparkes, President, Regional Manager NQ, Surf Life Saving Queensland,
- Mr Mick Tabone
- Mr Keith Cook
- Mr Brian Wright from Crocodile Consultancy International
- Member for Barron River, Michael Trout MP
- Member for Townsville John Hathaway MP
- Ms Angela Freeman from Hartley's Crocodile Farm

RTI DL Release

Ref CTS 07622/13

18 April 2013

«Title» «Firstname» «Lastname»
«Organisation»
<<Position>>
«Address_1»
«Town» «State» «Postcode»

Dear «Salutation»

As you would be aware, the Queensland Government is committed to improving crocodile management in Queensland with an increased focus on public safety. In this regard the government has adopted a crocodile management policy based on that of the Northern Territory's three-tiered approach.

Locations to which these new zones will be applied have been identified in consultation with North Queensland local governments. Crocodile management plans have been developed for Cairns, Innisfail, Hinchinbrook and Townsville council areas. The plans are available on the Department of Environment and Heritage Protection's website via the following links:

<www.ehp.qld.gov.au/wildlife/livingwith/pdf/cairns-cmp.pdf>
<www.ehp.qld.gov.au/wildlife/livingwith/pdf/cassowary-coast-cmp.pdf>
<www.ehp.qld.gov.au/wildlife/livingwith/pdf/hinchinbrook-cmp.pdf>
<www.ehp.qld.gov.au/wildlife/livingwith/pdf/townsville-cmp.pdf>

The potential for private providers to undertake crocodile management and capture activities will be explored as part of this exercise with a trial program currently being prepared.

I am keen to ensure that the government's approach to delivering the crocodile management policy is not only responsive and effective, but is informed by input from a local level where crocodile issues are most pronounced. I have therefore taken the step to establish a community focussed advisory group comprised of key representatives of the North Queensland community to provide this vital input.

In this regard, I would like to invite either yourself or an appropriate Councillor to become a member of the North Queensland Community Advisory Group for Crocodile Management (NQCAGCM).

The NQCAGCM will bring together several representative local Councillors, local Members and North Queensland identities with significant crocodile management experience. This group will be able to have direct dialogue with the department, and myself, to discuss new crocodile issues and suggest improvements and future management possibilities.

RTI DL Release

It is anticipated that the NQCAGCM will meet twice yearly in Cairns or at another suitable location in North Queensland. The terms of reference for the NQCAGCM are attached for your perusal.

If you would like to become a member of the NQCAGCM, please advise Ms Rebecca Williams, Director, Wildlife Management of the Department of Environment and Heritage Protection via email at <Rebecca.Williams@ehp.qld.gov.au> at your earliest convenience.

The department looks forward to your attendance and input. Should you have any further enquiries, please do not hesitate to contact Ms Rebecca Williams, Director, Wildlife Management Unit of the Department of Environment and Heritage Protection on telephone 3330 5512.

If your diary permits, I would like to meet with you in Cairns at the Shangri-La hotel for a breakfast meeting from 7am to 8am on 23 April 2013.

If you are able to meet with me for breakfast on 23 April, please contact my office manager Ms Margaret McCaul via email <Margaret.Mccaul@ministerial.qld.gov.au> or telephone 3239 0836.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

Att

RTI DL Release

Ref CTS 07622/13

18 April 2013

«Title» «Firstname» «Lastname»
«Organisation»
«Address_1»
«Town» «State» «Postcode»

Dear «Salutation»

As you would be aware, the Queensland Government is committed to improving crocodile management in Queensland with an increased focus on public safety. In this regard the government has adopted a crocodile management policy based on that of the Northern Territory's three-tiered approach.

Locations to which these new zones will be applied have been identified in consultation with local government. Crocodile management plans have been developed for Cairns, Innisfail, Hinchinbrook and Townsville local government council areas. The plans are available on the Department of Environment and Heritage Protection's website via the following links:

<www.ehp.qld.gov.au/wildlife/livingwith/pdf/cairns-cmp.pdf>
<www.ehp.qld.gov.au/wildlife/livingwith/pdf/cassowary-coast-cmp.pdf>
<www.ehp.qld.gov.au/wildlife/livingwith/pdf/hinchinbrook-cmp.pdf>
<www.ehp.qld.gov.au/wildlife/livingwith/pdf/townsville-cmp.pdf>

The potential for private providers to undertake crocodile management and capture activities will be explored as part of this exercise with a trial program currently being prepared.

I am keen to ensure that the government's approach to delivering the crocodile management policy is not only responsive and effective, but is also well informed by input from a local level where crocodile issues are most pronounced. I have therefore taken the step to establish a community focussed advisory group comprised of key representatives of the North Queensland community to provide this vital input.

In this regard I would like to invite you to become a member of the North Queensland Community Advisory Group for Crocodile Management (NQCAGCM).

The NQCAGCM will bring together several representative local councillors, local Members and North Queensland identities with significant crocodile management experience to provide them with an opportunity to have direct dialogue with the department and myself to discuss new crocodile issues and to suggest improvements and future management possibilities.

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It is anticipated that the NQCAGCM will meet twice yearly in Cairns or at another suitable location in North Queensland. The terms of reference for the NQCAGCM are attached for your perusal.

If you would like to become a member of the NQCAGCM please advise Ms Rebecca Williams, Director, Wildlife Management of the Department of Environment and Heritage Protection via email at <Rebecca.Williams@ehp.qld.gov.au> at your earliest convenience.

The department looks forward to your attendance and input. Should you have any further enquiries, please do not hesitate to contact Ms Rebecca Williams, Director, Wildlife Management Unit of the Department of Environment and Heritage Protection on telephone 3330 5512.

If your diary permits, I would like to meet with you in Cairns at the Shangri-La hotel for a breakfast meeting from 7am to 8am on 23 April 2013.

If you are able to meet with me for breakfast on 23 April, please contact my office manager Ms Margaret McCaul via email Margaret.Mccaul@ministerial.qld.gov.au or telephone 3239 0836.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

Att

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Attachment 4

Terms of Reference:

Department of Environment and Heritage Protection (EHP)
North Queensland Community Advisory Group on Crocodile Management

Objectives

The North Queensland Community Advisory Group on Crocodile Management (NQCAGCM) will provide an opportunity for the interests of North Queensland communities regarding crocodile management to be presented to the Minister for Environment and Heritage Protection and through key representatives from local government, local communities and individuals with significant experience in this field.

In particular, the NQCAGCM will function to:

- From a community perspective (with a focus on North Queensland communities) consider and discuss issues associated with crocodile management in Queensland, including but not limited to:
  - implications of crocodile management policies on public safety
  - community and industry interests
  - community views and expectations
- Propose innovative solutions to improve crocodile management through government policy.

Membership

The NQCAGCM will include representatives from EHP and the following:

- the Mayors of Cairns Regional Council; Hinchinbrook Shire Council; Pormpuraaw Aboriginal Shire Council and Cook Shire Council;
- the Member for Barron River, Michael Trout MP;
- the Member for Townsville, John Hathaway MP;
- the Member for Cook, David Kempton MP;
- Mr Col Sparkes, President, Regional Manager NQ; Surf life Saving Queensland;
- Mr Mick Tabone and Mr Keith Cook from crocodile farming backgrounds;
- Mr Brian Wright from Crocodile Consultancy International; and
- Ms Angela Freeman from Hartley's Crocodile Farm.

Meetings

The NQCAGCM will meet twice a year in North Queensland and more frequently if required.

Other than in exceptional circumstances, attendance at NQCAGCM meetings would be by invitation and EHP would not be in a position to meet costs, other than for venue and catering.

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Attachment 2										
Title	**Firstname**	**Lastname**	**Position**	**Organisation**	**Email address**	**Address 1**	**Town**	**State**	**Postcode**	**Salutation**
Ms	Angela	Freeman		Hartley's Crocodile Farm	angela@wildlifetnq.com	PO Box 171	PALM COVE	QLD	4879	Ms Freeman
Mr	John	Hathaway MP		Member for Townsville	townsville@parliament.qld.gov.au	PO Box 1101	TOWNSVILLE	QLD	4810	Mr Hathaway
Mr	Col	Sparkes		President Regional Manager NQ Surf Life Saving Queensland	csparkes@lifesaving.com.au		BRISBANE	QLD	4101	Mr Sparkes
Mr	Mick	Tabone				PO Box 2631	MAREEBA	QLD	4880	Mr Tabone
Mr	Keith	Cook		Cairns Crocodile Farms	info@australian.crocodile.com	Redbank Road	VIA GORDONVALE	QLD	4865	Mr Cook
Mr	Brian	Wright		Crocodile Consultancy International	brianwright.cci@[illegible]		FRESHWATER	QLD	4870	Mr Wright
Mr	Michael	Trout MP		Member for Barron River	barron.river@parliament.qld.gov.au	PO Box 1014	SMITHFIELD	QLD	4878	Mr Trout
Mr	David	Kempton MP		Member for Cook	cook@parliament.qld.gov.au	PO Box 2251	MAREEBA	QLD	4880	Mr Kempton
Attachment 3										
Title	**Firstname**	**Lastname**		**Organisation**	**Email address**	**Address 1**	**Town**	**State**	**Postcode**	**Salutation**
Councillor	Bob	Manning	Mayor	Cairns Regional Council	b.manning@cairns.qld.gov.au	PO Box 359	CAIRNS	QLD	4870	Councillor Manning
Councillor	Mansell (Rodger)	Bow	Mayor	Hinchinbrook Shire Council	mayor@hinchinbrook.qld.gov.au	PO Box 366	INGHAM	QLD	4850	Councillor Bow
Councillor	Peter	Scott	Mayor	Cook Shire Council	pscott@cook.qld.gov.au	PO Box 3	COOKTOWN	QLD	4895	Councillor Scott
Councillor	Richard	Tarpencha	Mayor	Pormpuraaw Aboriginal Shire Council		c/- Post Office	PORMPURAAW	QLD	4871	Councillor Tarpenc

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CTS No. 07724/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

Chief of Staff .....OK
Dated / /
Approved Not Approved Noted
Further information required
Minister.....
Dated / / .

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Additional information on NatureAssist properties**

TIMEFRAME

- Approval of this briefing note is requested as soon as possible to allow the negotiation of nature refuge agreements to commence and funding to be committed by the end of the 2012-13 financial year.

RECOMMENDATION

It is recommended that the Minister:

- **note** the additional information provided on this round of NatureAssist properties recommended and not recommended for funding (Attachment 1) as requested in CTS 06156/13 (Attachment 2).
- **approve** the offer of funding to, and commencement of negotiations with, the landholders of the nine recommended properties, including the potential commitment of a small portion of the 2013-14 incentives budget.
- **approve** the attached media release announcing the commencement of negotiations with successful tenderers (Attachment 3).

BACKGROUND

- Approval of offers of NatureAssist funding to nine NatureAssist properties was sought from you via a previous brief (CTS 06156/13 - Attachment 2). You requested additional information on those landholders and properties recommended for funding and not recommended for funding. This information is provided in Attachment 1.
- Fourteen tenders were submitted under the current round of NatureAssist. A panel of nature refuge officers assessed the tenders against criteria relating to the biodiversity value of each site and its viability as a nature refuge (including an assessment of connectivity and landscape resilience, and the appropriateness of the proposed tender activities). The resulting scores were entered into a decision-making support tool, the Multi Criteria Assessment Tool (MCAT). Developed by the CSIRO, MCAT helps determine the optimal investment portfolio (on the basis of the greatest conservation benefit for the least cost) from a set of tenders, where there is a fixed budget (i.e. $1.3 million in incentives for 2012-13).

CURRENT ISSUES

- The panel did not recommend five of the 14 tenders for funding based on serious reservations about the activities proposed for funding and/or the significance of the conservation values offered in the proposed nature refuges. This included projects that would not provide a clear conservation benefit to the proposed nature refuge, and projects with possible perverse environmental outcomes (such as grazing intensification, increase in weed spread and aquifer draw-down). In some cases, the areas offered up for nature refuge failed to include the conservation values targeted by the Department of Environment and Heritage Protection for inclusion in the nature refuge estate (details in Attachment 1).
- A small increase in the 2012-13 incentives budget is required in order to fund the remaining nine tenders recommended by the panel.
  A total of $1.3 million is currently available to fund tenders. The total cost of the recommended tenders exceeds this by $63,130. However, because some payments will only be made once milestones have been met in 2013-14, it is proposed to "top up" the available incentives budget from the $2 million 2013-14 incentives allocation by this amount, in order to secure these properties in this round and deliver conservation outcomes earlier.

Rec'd - ODG 24 APR 2013

Author	Cleared by	Cleared by	Recommended:
Name: Sarah Young Position: Program Manager Tel No: 3330 6172 Date: 17 April 2013	Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 18 April 2013 **Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 22 APR 13	Name: Tamara O'Shea Position: A/Deputy DG, CSS Tel No: 3330 6240 sch4p3 Date: 24.04.13	Name: Andrew Chesterman Director-General, EHP Tel No: 3330 6298 Date: 24.4.13

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- It is very desirable to make initial payments to the successful tenderers this financial year. In order to achieve this, those landholders will need to be notified as soon as possible, so that negotiations can be finalised by late May 2013 and nature refuge agreements executed soon after to enable payments to commence.

CONSIDERATIONS

- *Budget*: As per CTS 06156/13.
- *Consultation:* As per CTS 06156/13.
- *Key Communication Messages:* A Ministerial statement was prepared at the request of your office (CTS 07545/13) for the 16-18 April 2013 Parliamentary Sitting dates. A draft media release is at Attachment 3.
- *Election Commitment:* As per CTS 06156/13.

MINISTER'S COMMENTS

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ATTACHMENTS

- Attachment 1 – Information on recommended and non-recommended NatureAssist tenders
- Attachment 2 – Copy of the related previous brief CTS 06156/13
- Attachment 3 – Suggested media release regarding successful tenders
- Attachment 4 – Protected Area Estate and Nature Refuges Map

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Sarah Young Position: Program Manager Tel No: 3330 6172 Date: 17 April 2013	Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 18 April 2013	Name: Tamara O'Shea Position: A/Deputy DG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman Director-General, EHP Tel No: 3330 6298 Date:
	Cleared by Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date:		

Information on recommended and non-recommended NatureAssist tenders

Recommended tenders

Chidna

Chidna Station is 24,300ha in size. The proposed Chidna Nature Refuge forms part of Chidna Station and is 8117ha in size.

Landholder

Chidna Station is approximately 130km north of Mount Isa. The property is leased by sch4p3(3) Prej who operates a cattle breeding enterprise on it.

Values of the proposed nature refuge

The proposed Chidna Nature Refuge is located in the Leichhardt River catchment of the Northwest Highlands bioregion. The refuge has a critically important population of the endangered Gouldian finch (*Erythrura gouldiae*), and the near threatened golden-backed honeyeater (*Melithreptus gularis laetior*), pictorella mannikin (*Heteromunia pectoralis*), and painted turtle (*Emydura subglobosa*). The proposed nature refuge contains a mosaic of vegetation types described across 12 regional ecosystems, all with low representation in the protected area estate, including the endangered regional ecosystem 1.3.7 described as Red gum (*Eucalyptus camaldulensis*) woodland on channels and levees.

Tender details

The Chidna tender is for $232,100 and the proposed activities include clearing fence lines and construction of a stock proof fence. This activity will lead to a reduction in grazing pressure in wetland areas, increased ground cover and significant fauna habitat while reducing the incidence of degradation through erosion, turbulence and sedimentation of wetland areas. Another proposed activity is the installation of 3 watering points which will spread grazing pressure away from sensitive fauna habitat areas as well as sensitive endangered riparian and wetland ecosystems.

Recommendation

Chidna is recommended for funding on the basis that:

- Management intent and activities were assessed as beneficial to protecting significant fauna and flora habitats;
- The proposed nature refuge exhibits good diversity in a rugged landscape, and the larger property area also adds to the significance of the nature refuge;
- The MCAT assessment determined that the size, conservation significance and proposed management actions make it a project worth funding.

Crystalvale

The proposed Crystalvale Nature Refuge is about 25,972ha in size. The 90,600ha property, Crystalvale Station, is located 15km south-west of Coen in the Cape York Peninsula Bioregion.

Landholder

The lessee, sch3(10)(3) Infor resides in Brisbane. A permanent manager runs the property and has worked closely with in preparing the NatureAssist Tender.

Values of the proposed nature refuge

The proposed nature refuge protects a complex mosaic of vegetation types described across 23 regional ecosystems including 4 with low representation in reserves. Crystalvale is located in the upper catchment of the Holroyd River and supports extensive perennial and seasonal waterbodies, palustrine wetlands and

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riverine ecosystems. These significant wetlands and permanent waterbodies provide reliable habitat and movement corridors for wildlife species including threatened species and species endemic to Cape York Peninsula.

The proposed nature refuge has very high connectivity values. It adjoins Holroyd Nature Refuge, Strathburn Cattle Station Nature Refuge, Astrea Nature Refuge and Yarraden Nature Refuge and will provide a combined area of over 730,000ha of privately owned conservation reserve managed for sustainable cattle production.

Tender details

$148,900 for about 18km of fencing, 4 off-stream water points (solar pumps, poly pipe and water troughs), 2 artificial water points (small earth dams) and 6 associated trap paddocks. The landholder will exclude stock and feral animals from impacting on important wetland habitat including the Holroyd River. The NatureAssist activities are also intended to improve cattle management and feral animal control in a part of the property that is quite rugged, remote and not currently well fenced.

Recommendation

The tender is recommended for funding as:

- The proposed nature refuge area captured areas of high biodiversity value;
- The proposed nature refuge area was well connected to other nature refuges, extending the natural values and sustainable management regimes of those protected areas;
- The tender was assessed as representing sound value for money with substantial biodiversity outcomes balanced with improvement in the management of stock and the control of feral animals.

Fern Tree

The proposed Fern Tree Nature Refuge is 2,560ha in size which is part of the Well Station property which is 5,692ha in size and is located in the Brigalow Belt South bioregion, approximately 50km south-west of Mundubbera.

Landholder

The lessee of the proposed Fern Tree Nature Refuge is sch4p3(3) Prej who operates the area along with the remainder of Well Station as a cattle breeding enterprise. is a private landholder Nature Refuge to the north.

Values of the proposed nature refuge

The refuge has *Eucalyptus beaniana* that is listed as vulnerable and is known only from two locations at Isla Gorge and north-east of Baroondah station, Queensland. The total number of plants is unknown. Two other species on the refuge, *Eucalyptus rubiginosa* and *Grevillea singuliflora*, are listed as rare and are known only from scattered occurrences throughout Queensland. The regional ecosystem 11.12.21 described as *Acacia harpophylla* open forest on igneous rocks occurs on the proposed nature refuge and has low representation in the protected area estate and it has an endangered biodiversity status and is classified as endangered under the *Vegetation Management Act 1999*.

The proposed nature refuge forms part of a tract of remnant vegetation that has direct connectivity with Nature Refuge to the north, Brovinia Nature Refuge and Allies Creek State Forest to the east and Koko Sate Forest to the west. The refuge area protects 2560 hectares of remnant vegetation which includes Cadarga creek, adding to the diversity of habitats protected. The area is used for sustainable grazing and is in excellent condition.

Tender details

Fern Tree's tender for $24,830 includes fences to better manage grazing, installing off-creek water points to minimise access of stock to the creek, and improved access tracks for fire management and pest control.

Recommendation

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Fern Tree is recommended for funding on the basis that:

- Management activities are seen as beneficial to improving the quality and integrity of natural systems;
- It scored very highly through the MCAT, receiving the second highest cost benefit ratio;
- The area protects several important species of flora;
- The area is strategically located between protected areas, is adjoined to 2 existing nature refuges and forms an important part of a significant bioregional wildlife corridor.

Pelham Springs

Approximately 100ha of the 68,900ha Pelham Springs property is being proposed as the Pelham Springs Nature Refuge. It is located approximately 150km north west of Richmond.

Landholder

The lessees of Pelham Springs are sch4p3(3) Prejudice the protectio who currently operate a cattle grazing enterprise on the property.

Values of the proposed nature refuge

The proposed Pelham Springs Nature Refuge is located in headwaters of the Norman River catchment of the Gulf Plains bioregion. The proposed refuge will protect artesian mound springs described as regional ecosystem 2.3.39. This regional ecosystem has an endangered biodiversity status and is classified as endangered under the *Vegetation Management Act 1999*, and is not represented in the protected area estate. The springs provide permanent water and microclimates that are ecologically significant wildlife refugia within the broader semi-arid landscape.

Tender details

$19,600 has been tendered for, to fence cattle out of the most sensitive springs.

Recommendation

This project is recommended on the basis that:

- The high conservation value of the springs and their ability to recover once cattle access has been removed (fencing is the only way to protect the fragile spring environments from stock impacts);
- This proposal was recommended by the MCAT, and it was ranked third for the biodiversity benefit/cost ratio.

Piccaninny Plains

The proposed Piccaninny Plains Nature Refuge is 169,000ha and covers the entire property. Piccaninny Plains is situated 100kms south-east of Weipa in the upper catchment of the Archer and Wenlock Rivers, west of the Great Dividing Range within the Cape York Peninsula Bioregion.

Landholder

Piccaninny Plains is jointly leased by the Australian Wildlife Conservancy (AWC) and The Tony and Lisette Lewis Settlement Pty Ltd. The property is managed for cattle grazing and nature conservation. Combined with Brooklyn Nature Refuge, Mount Zero-Taravale Nature Refuge and Curramore Nature Refuge, the AWC own and manage over 287,000ha of high-value habitat in Queensland.

Values of the proposed nature refuge

The proposed Piccaninny Plains Nature Refuge adjoins Oyala Thumotang National Park (Cape York Peninsula Aboriginal Land) and Yuukingga Nature Refuge. The proposed nature refuge contains a complex mosaic of vegetation types described across 41 regional ecosystems including 7 regional ecosystems with of concern biodiversity status, 3 with low representation and one with no representation in the protected area estate. Piccaninny Plains supports extensive perennial and seasonal riverine, and associated lacustrine and palustrine wetlands and springs. These significant wetlands provide habitat and movement corridors

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for a diverse range of animal species including at least 8 plant species and 19 animal species with very restricted ranges.

Tender details

The $602,800 tender includes the construction of over 30km of stock and feral animal fencing to protect threatened wetland ecosystems and reduce feral animal numbers. It also includes establishment and implementation of integrated fire, weed and feral animal control strategies including the establishment of new fire control lines and undertaking up to 200 hours of feral animal control and 200 hours of weed eradication each year. Funds will also contribute to the establishment of an ecosystem health monitoring program that aims to monitor changes in ecosystem integrity across a wide range of habitat types and target species to allow management actions to be adapted in response to monitoring outcomes. It is intended that Piccaninny Plains will serve as an important research and monitoring centre for Cape York Peninsula. Tender funds will also assist the landholders to upgrade the management base to provide ongoing logistical support for visiting volunteers, scientist, contactors and Rangers.

Recommendation

The tender is recommended for funding as:

- The proposed nature refuge captures extensive areas of very high biodiversity value;
- The nature refuge area is well connected to other protected areas, extending and connecting the natural values and sustainable management regimes of those protected areas;
- The tender was assessed by MCAT and the panel as representing sound value for money with the property scoring the highest of all proposals for biodiversity benefit.

South Endeavour

The proposed 2,400ha extension to the 4,148ha South Endeavour Nature Refuge is located 16km west of Cooktown on the south branch of the Endeavour River within the Cape York Peninsula Bioregion.

Landholder

The 6,700ha freehold South Endeavour Station is owned by South Endeavour Pty Ltd, a private conservation Trust. The property is managed for nature conservation. The owners are seeking to extend the nature refuge to cover 97% of the property.

Values of the proposed nature refuge

The area is connected to Melsonby (Gaarraay) National Park and Melsonby (Gaarraay) Nature Refuge via the adjoining Upper Bridge Creek State acquisition area. The proposed nature refuge extension area contains a complex mosaic of vegetation types described across 15 regional ecosystems including 4 regional ecosystems with an of concern biodiversity status and 3 with low representation in the protected area estate. It includes a signficant 8km frontage to the Endeavour River South Branch that supports riparian vegetation and aquatic habitat, with associated nesting, hunting and resting sites for a diverse range of fauna species.

Tender details

The $27,500 tender includes 3.5kms of new cattle fences that aims to improve the management of feral stock and pest animals. Funds will also contribute to the establishment of an ecosystem health monitoring program that aims to monitor changes in ecosystem integrity across a range of habitat types to allow management actions to be modified in response to monitoring outcomes.

Recommendation

The tender is recommended for funding as:

- The proposal captures areas of high biodiversity value not included in the existing nature refuge;
- The extension area connects 2 separate sections of the existing nature refuge;
- The tender was assessed as representing sound value for money with a high benefit/cost ratio.

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South Head

Townley Station is 43,400ha in size and is located approximately 74km south-west of Georgetown. The property consists of 2 separate areas, and the entire southern area of 14,200ha is being proposed as South Head Nature Refuge.

Landholder

The lessee of Townley is sch4p3(3) Pre who currently operates a cattle grazing enterprise on the property. He [redacted] to the adjoining North Head Nature Refuge.

Values of the proposed nature refuge

The proposed South Head Nature Refuge is located in a junction of the Einasleigh Uplands and Gulf Plains bioregions. South Head covers part of the Gregory Range, which is a high priority target as it is a recharge zone for the Great Artesian Basin and the higher range country is relatively unimpacted by grazing and other human impacts. Connectivity values are very high. The North Head Nature Refuge is immediately to the north, and to the south are the properties Rungalla and Gilbert River recently purchased by the State for addition to the Protected Area Estate. Several spring-fed creeks emanate from the range and feed into the Gilbert River that runs along the north-eastern boundary, including Eva Creek that has of concern regional ecosystems noted to provide significant habitat as drought refuge and wildlife corridors.

Tender details

$229,700 has been tendered to drill 2 bores and install associated troughs and pipes for water points, and construct 24-28km of fencing to restrict access of cattle to sensitive springs, sandstone gorges and the Gilbert River, and allowing spelling of areas in rotation.

Recommendation

This tender is recommended as:

- It scored well on the MCAT (mid range) biodiversity benefit cost ranking;
- It offers protection to a diverse range of ecosystems;
- The proposed management will facilitate a far more controlled approach to grazing that will reduce the impact of cattle on the sensitive springs, sandstone areas and the Gilbert River;
- Currently the area has very little in the way of fencing and water points to draw cattle away from those sensitive areas;
- It is not expected that these works will increase the carrying capacity of the area as it is difficult for the owner to access and as such is used sparingly with cattle grazing to reduce fuel load and as emergency feed in tough times.

Strathtay

Strathtay Station is 40,144.0ha and located approximately 100km north east of Hughenden. The proposed Strathtay Nature Refuge is 37,450ha in size.

Landholder

The lessee of Strathtay is [redacted] who currently operates a cattle grazing enterprise on the property.

Values of the proposed nature refuge

The proposed Strathtay Nature Refuge directly adjoins the White Mountains National Park. Spectacular sandstone gorges and a diverse range of ecosystems extend from the national park through to the proposed nature refuge. Strathtay is home to two near threatened plant species (*Boronia eriantha* and *Aristida burraensis*) and provides important infill for the Great Artesian Basin as well as providing catchment protection for the Flinders River. The proposed nature refuge is in the junction of the Desert Uplands and Einasleigh Uplands bioregions and includes of concern regional ecosystems and several regional ecosystems that have low representation in the protected area estate. Strathtay also contributes

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to a landscape linkage between White Mountains National Park and Porcupine Gorge National Park located 15km to the west.

Tender details

The $11,000 tender is for control of parthenium weed and rubbervine along the 28km of the Flinders River that runs through Strathtay.

Recommendation

This tender is recommended for funding due to:

- Excellent value for money at $0.29/ha while protecting some very valuable natural resources;
- Highest MCAT ranking for low cost and high biodiversity benefit;
- The weed control along the Flinders River will also benefit White Mountains National Park that is downstream.

The 1959

The 1959 Nature Refuge is approximately 7,441ha in size which is part of the 24,103ha Navarra Station. It is located in the Mulga Lands bioregion about 160kms south-west of Longreach.

Landholder

The lessees of Navarra are sch4p3(3) Prejudice the protection of an indiv family first settled on the property in 1959. They run the Navarra Grazing Trust, a cattle and sheep grazing enterprise and their water tank and tank supplies business, Outback Aqua.

Values of the proposed nature refuge

The proposed nature refuge directly adjoins Welford National Park. It incorporates a mosaic of Mulga Uplands vegetation communities, including 11 regional ecosystems with low representation in the protected area estate. It also has an endangered spring community, RE 6.7.18.

Tender details

The $66,700 tender is for fences, installation of a new trough and for project accounting costs. The landholders are hoping to improve management of grazing pressure, pest species and native species.

Recommendation

The tender is recommended for funding on the basis that:

- MCAT gave it a high benefit cost ranking, and the panel agreed with this assessment;
- The management activities are seen as beneficial to improving the quality and integrity of natural systems within the Land;
- The proposal provides significant linkages to Welford National Park;
- The area is habitat for a number of significant species and the proposed activities will ensure improved management;
- The proposal was deemed appropriate for the outcomes prescribed and achievable within the timeframes;
- The landholders have strong ownership of the project and the on-ground skills to complete.

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Dunbar

The 95,000ha proposed as the Dunbar Nature Refuge represents about 14% of the 683,000ha Dunbar holding. Dunbar is situated 35kms south-east of Kowanyama, between the Mitchell River and Staaten River within the Gulf Plains Bioregion.

Landholder

Dunbar Holding is leased by MDH Pty Ltd, the sch4p3(3) Prejudice owned cattle enterprise. MDH is one of Australia's largest cattle operations, running over 175,000 head of cattle on 11 stations totalling over 3.3 million hectares. MDH Pty Ltd own Rutland Plains Nature Refuge that adjoins Dunbar.

The principal family contact for the tender was [redacted] a prominent cattle industry leader who recently died of injuries sustained from a fall from a windmill on his family property Devoncourt Station near Cloncurry. [redacted] was laid to rest in Cloncurry on Thursday 11th of April. He is survived by his wife Julie and his four young daughters.

Values of the proposed nature refuge

The tender area adjoins the Staaten River National Park and supports an extensive area of floodplain wetland habitat. The proposed nature refuge area does not capture the key biodiversity values of Dunbar Holding that have been identified as:

- The Mitchell River Fan Aggregation, a significant wetland aggregation as identified in *A Directory of Important Wetlands in Australia*;
- Connectivity to Errk Oykangand National Park;
- The Nassau River headwaters and associated ecosystems that are poorly represented in the protected area estate;
- Connectivity to Rutland Plains Nature Refuge;
- The corridor between Staaten River National Park and Inkerman Station and associated Southeast Kurumba Plain Aggregation, a significant wetland aggregation as identified in *A Directory of Important Wetlands in Australia.*

Tender details

The $625,000 tender includes installing a flowing bore with 10km of poly pipe and 6 water troughs and erecting over 50km of cattle fences and constructing a $225,000 set of cattle yards.

The tender aims to reduce the impacts of cattle and feral animals on Magnificent Creek, a significant wetland ecosystem 80km north of the proposed nature refuge. The tender also aims to improve cattle and feral animal management capacity for the south-west corner of the property.

Recommendation

The $625,000 tender is not recommended for funding due to:

- The proposal area does not include the most significant biodiversity values for the property. These areas were discussed with the late [redacted] and were withdrawn from the proposal by [redacted] late in the tender negotiation process;
- The tender was assessed as not representing value for money in terms of cost/benefit ratio – the MCAT biodiversity benefit score ranked it last out of the 14 tenders;
- The tender included substantial capital investment that was considered more aligned to property development than improving conservation outcomes;
- The assessment panel considered that the majority of the proposed activities would result in an increase in total grazing pressure and a subsequent negative impact of the natural values of the affected land;
- All tender activities are outside of the proposed nature refuge and were considered to be of only minor benefit to the proposed nature refuge area.

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Glenmore

The proposed Glenmore Nature Refuge is 10,179ha in size. The property, Glenmore Station, is 77,100ha and is located in the Einasleigh Uplands bioregion approximately 135kms south-east of Georgetown.

Landholder

The lessees of Glenmore are sch4p3(3) Prejudice the pro and [redacted] who operate a cattle grazing enterprise on the property.

Values of the proposed nature refuge

The proposed nature refuge directly adjoins Blackbraes National Park/Resource Reserve and Werrington Nature Refuge, and regional ecosystems include endangered RE 2.10.3 and several REs that have low or no representation in the protected area estate. The headwaters of the locally significant Gilbert River start at Blackbraes NP/RR and then run through Glenmore. Around 70kms of the Gilbert River runs through Glenmore, and only around 5kms of the river would be under the protection of the proposed nature refuge.

Tender details

The $207,000 tender is for 30kms fencing, 3 dams, 4 concrete troughs, 800m polypipe, and project accounting costs. The tendered activities will better control grazing cattle and their access to the proposed nature refuge, by dividing two large paddocks into five.

Recommendations

Tender is not recommended for funding due to:

- The areas of greatest significance on the proposed nature refuge (aside from the river) that gave it a high biodiversity benefit score through MCAT are the connectivity to protected areas and the endangered RE. These values are currently not greatly impacted by grazing due to the higher altitude and gorge country, and the presence of poison heartleaf, a native plant that is toxic to cattle. The proposed activities would likely result in limited or no improvement to these values.
- The Gilbert River contributed to a high biodiversity score through MCAT, however the landholder was only willing to put forward around 5km of the possible 70km of the river that runs through Glenmore. Unfortunately the landholder was not amenable to increasing the area despite recommendations by nature refuge officers. The proposed activities would likely result in limited or no improvement to the riparian values of those 5km.
- Increased water points and proposed fencing are mainly outside of the proposed nature refuge and would likely only enable a greater intensity of grazing than that currently occurring, and with questionable conservation outcomes. The potential for increased grazing intensity would be both within and outside of the proposed nature refuge.

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Glenora

The proposed Glenora Nature Refuge is just over 30,000ha in size. The property, Glenora Station, is 55,500ha and is located in the Gulf Plains bioregion approximately 95kms south-west of Georgetown.

Landholder

The lessee of Glenora is Deracroft Pty Ltd, owned/managed by [redacted] who operates a cattle grazing enterprise on the property.

Values of the proposed nature refuge

Part of the proposed refuge covers the eastern side of the Gregory Range, which is a recharge area for the Great Artesian Basin and an area largely without humans or cattle impact due to the inaccessibility of the higher range country. There is one endangered and four of concern regional ecosystems, at least one active

spring, and the headwaters and a large section of the Yappar River. Glenora is directly adjacent to Esmeralda Nature Refuge to the north, and provides connectivity to North Head Nature Refuge and the proposed South Head Nature Refuge to the east. The landholder has also proposed one isolated section of Glenora to the east.

Tender details

The $498,240 tender is for 7 bores and water infrastructure, 104km fencing, feral animal control, one-way fence spears, fenceline regrowth control. The fencing will prevent cattle accessing the range and the Yappar River and the bores will provide an alternative water source for cattle no longer able to access the river.

Recommendations

Tender is not recommended for funding due to:

- The low MCAT ranking based on the high cost of the tender versus the biodiversity benefit it would provide;
- The NatureAssist panel assessed the proposed management as unsuitable. Although a large area of interest is within the proposed nature refuge area, there is significant concern about the impact of tender activities on the areas outside of the refuge, which are still areas of high conservation value. Currently there are small cattle numbers in the area. The large number of bores and potentially unlimited number of water points that could be reticulated from these bores could substantially increase grazing in areas currently minimally grazed. Any areas being overgrazed or mismanaged would be beyond the scope of the nature refuge agreement to intervene, and this tender has an unacceptably high likelihood of NatureAssist actually funding inappropriate management of areas with significant conservation values.

Narran and Yarramanbar

The proposed Narran Nature Refuge is 8,074ha of the 15,346ha Narran Station and the neighbouring proposed Yarramanbar Nature Refuge is 12,795ha of the 18,557ha Yarramanbar Station. Both are located in the Mulga Lands bioregion approximately 80kms south of Charleville.

Landholder

The lessee of Narran Station is sch4p3(3) Prejudice th and the lessee of Yarramanbar Station is [redacted] manages cattle grazing enterprises on both properties.

Values of the proposed nature refuge

Narran and Yarramanbar are mainly flat properties with numerous ephemeral wetlands that provide significant habitat for birds and aquatic species, and provide habitat for species travelling further west to Lake Eyre.

Tender details

Both the $269,018 Narran tender and the $409,204 Yarramanbar tender are for fencing, polypipe, troughs, cattle yards and accounting costs.

The tender activities will better control grazing cattle by dividing larger paddocks into smaller, more manageable paddocks, enabling increasing of spelling periods and providing greater control of grazing on the temporary wetlands. Note that each proposed nature refuge is one paddock, with the proposal dividing Narran into 4 and Yarramanbar into 10 smaller paddocks.

Recommendations

Tender is not recommended for funding due to:

- The low MCAT ranking for Yarramanbar (however Narran ranked higher due to the lower tender cost);

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- The tender activities for both properties would result in significantly smaller paddocks for grazing. Cells of these sizes would require grazing over short periods of time to prevent over-grazing. The panel agreed that extreme vigilance would be required by the manager at all times to ensure the cells wouldn't be overgrazed. The long-term potential for over-grazing is considered very high;
- Both tenders included $10,000 for a cattle yard (ie one per property), which the panel agreed were not appropriate or necessary for any conservation outcome for the properties. Prior to tender submission, the nature refuge officer recommended the landholder either remove these from the tender or provide an explanation as to how they would be used to improve conservation values, however this was not addressed in the tender.

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Chief of Staff ... OK
Dated 12/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 18/04/13

CTS No. 06156/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: Approval for NatureAssist

TIMEFRAME

- Approval of this briefing note is requested by 17 April 2013 to allow the negotiation of nature refuge agreements to commence and funding to be committed by the end of the 2012-13 financial year.

RECOMMENDATION

It is recommended that the Minister: more info pls.

- **approve** negotiations with landholders for the proposed nature refuges detailed in Attachment 1 including the potential commitment of a small portion of the 2013-14 incentives budget.
- **approve** the attached Ministerial statement announcing the commencement of negotiations with successful tenderers (Attachment 2).
- **note** that the nine recommended tenders will potentially add 268,076 hectares to the nature refuge estate.

BACKGROUND

- The LNP election commitment is to invest $37.7 million for protected area estate acquisitions (including North Stradbroke Island) and the NatureAssist program for nature refuges.
- $7.4 million has been allocated to NatureAssist: $1 million in 2012-13; $3.2 million in 2013-14; and $3.2 million in 2014-15.
- Implementation of the current round of NatureAssist began in November 2012.
- Sixteen landholders who had previously expressed interest in NatureAssist and whose properties were assessed as having very high conservation values were targeted for participation and invited to submit a tender for funding.
- Fourteen of these landholders submitted tenders. These tenders were assessed by an expert panel using a multi-criteria assessment tool to determine which provided the best overall conservation outcomes for the least cost.
- Nine tenders are recommended for funding covering 268,076 hectares for a total cost of $1,363,130. The average cost per hectare of $5.03 represents excellent value for money for Queensland Government investment. This is consistent with the overall average cost per hectare of previous rounds. Tenders recommended for funding are listed in Attachment 1.
- The remaining five tenders are not recommended for funding. The panel determined that they either did not represent sufficient value for money, or the proposed activities would result in either little or no conservation outcome or were not consistent with the objectives of the program. For example, the Glenmore tender excluded the areas of highest conservation interest and proposed activities, such as fencing and installation of watering points that, while benefiting the grazing enterprise, would achieve no conservation outcome on the proposed nature refuge area.

CURRENT ISSUES

- $1.3 million is currently available to fund tenders. The total amount for recommended tenders in this round exceeds this figure by $63,130. However, some payments will be made once milestones have been met in 2013-14, so it is proposed to "top up" the available incentives budget with funding from the 2013-14 allocation for incentives of $2 million in order to secure these properties and deliver earlier conservation outcomes.
- The remainder of the 2013-14 and the entirety of the 2014-15 funding of $2 million for incentives would represent the incentives pool for the next round of NatureAssist, in total about $3.94 million.

Author	Cleared by	Cleared by	Recommended:
Name: Phil Bourke Position: Program Coordinator Tel No: 4796 7789 Date: 27 March 2013	Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 4 April 2013 **Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 8 April 2013	Name: Tamara O'Shea Position: A/Deputy DG, CSS Tel No: 333[redacted] Date: 09.04.13	Name: Andrew Chesterman Director-General, EHP Tel No: 3330 6298 Date: 9.4.13

Rec'd - ODG - 9 APR 2013

RTI DL Release

- It is recommended that the Ministerial statement announcing the commencement of negotiations with the successful tenderers (Attachment 2) is released as soon as possible. If approved, the Tenures and Covenants unit will liaise with the Minister's office to formalise the release.
- It is hoped that negotiations with landholders can be finalised by late May 2013 with nature refuge agreements executed soon after, so that initial payments to landholders in the 2012-13 financial year.

CONSIDERATIONS

- *Budget*: The budget implications are outlined above.
- *Consultation:* AgForce, as the primary NatureAssist partner, is fully supportive of this round. Three of the nine recommended tenders were submitted by AgForce members.
- *Key Communication Messages:* A draft Ministerial statement is at Attachment 2.
- *Election Commitment:* NatureAssist forms part of an election commitment, as outlined above.

MINISTER'S COMMENTS

Can I pls see details of successful property owners and also details on five unsuccessful properties.

Ta.
AP.

RTI DL Release

ATTACHMENTS

- Attachment 1 – List and map of recommended NatureAssist 4 tenders
- Attachment 2 – Suggested Ministerial announcement of successful tenders
- Attachment 3 – Outstanding conservation values of NatureAssist 4 properties

Author	Cleared by	Cleared by	Recommended:
Name: Phil Bourke Position: Program Coordinator Tel No: 4796 7789 Date: 27 March 2013	Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 4 April 2013 **Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 8 April 2013	Name: Tamara O'Shea Position: A/Deputy DG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman Director-General, EHP Tel No: 3330 6298 Date:

CTS No. 07917/13

sch4p3(3) Prejudice th

Chief of Staff OK

Dated 30/04/13

Approved Not Approved Noted

Further information required

Minister.....

Dated 30/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Funding recommendations for the Koala Research Grant Program**

TIMEFRAME

- Approval is required by 30 April 2013,to allow time to finalise arrangements to announce the funding recipients on 7 May 2013 in a joint media opportunity with one of the successful applicants. To achieve this deadline, confidential contract negotiations must occur as soon as possible.

RECOMMENDATION

It is recommended that the Minister:

- **approve** the evaluation panel's recommendations for funding.
- **note** the Department of Environment and Heritage Protection will commence confidential contract negotiations with applicants recommended for funding.

BACKGROUND

- The *Investing to protect our koalas* policy includes funding of up to $3.2 million for high quality scientific research into koala diseases and other preventable causes of death, injury and illness in Queensland's koala populations through the Koala Research Grant Program.

CURRENT ISSUES

- The Koala Research Grant Program application period closed on 28 February 2013 and 29 applications were received from universities and research institutions across Australia. Funding requests total more than $15 million.
- Details of applications are attached (Attachment 1).
- An expert panel (Attachment 2), has assessed the applications in accordance with the approved assessment process (CTS 18461/12 - Attachment 3) and the panel members have confirmed that, to the best of their knowledge, there were no conflicts of interest that impacted on their impartiality.
- The panel have ranked applications in order of merit using the criteria that was available to applicants in the program's guidelines.
- There are eight top ranked applicants that can be funded from the $3.2 million budget allocation.
- The top ranked applicants are:
  - Professor Hamish McCallum, Griffith University, funding of $408,747 for the project titled: *Modelling to assess the risk posed by disease to the viability of Queensland's koala populations;*
  - Dr William Ellis, University of Queensland, funding of $293,477 for the project titled: *Pathways of pathogen transmission in the koala*;
  - Dr Steve Johnson, University of Queensland, funding of $596,250 for the project titled: *The pathology incidence, treatment and management of Chamydiosis in the male koala;*
  - School of Veterinary Science, University of Queensland, funding of $382,476 for the project titled: *KoalaBase – standardised diagnostic procedures and epidemiological approaches, enhancing passive surveillance of SEQ koala disease;*
  - Dr William Ellis, University of Queensland, funding of $479,307 for the project titled: *Behavioural and physiological adaptation to heat in the koala; and dynamics.*
  - Dr Adam Polkinghorne, University of Queensland, funding of $207,224 for the project titled: *Koala Chlamydia pecorum virulence profiling: tools to inform management of health and diseased koala populations;*
  - Dr Greg Simmons, University of Queensland, funding of $311,513 for the project titled: *Investigation into koala retrovirus pathogenesis for the improvement of koala*

Rec'd - ODG
26 APR 2013

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Catherine George Position: Team Leader Tel No: 3330 5313 Date: 17 April 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 26 April 2013	Name: Tamara O'Shea Position: A/ DDG, CS sch4p3(3 Tel No: 3330 6240 Date: 26.04.13	Name: Andrew Chesterman DG, EHP Tel No: 3330 6298 Date: 26.4.13

conservation; and
  - Dr Wilhelmina Huston, Queensland University of Technology, funding of $165,489 for the project titled: *Development of a koala chlamydia specific therapy.*
- The research projects will deliver a variety of outcomes for koala conservation including:
  - Modelling tools to assess threats posed by infectious disease to the continued viability of Queensland's koala populations;
  - Identification of how infectious disease is transmitted within and between populations of koalas;
  - An impact study on the effects of Chlamydia on infertility rates in male koalas, an areas that has not been well researched in the past;
  - Development of a standardised post-mortem examination and disease recording nomenclature for koala mortality and morbidity, including a reference diagnostic service, a centralised tissue collection bank and an online database and research tool summarising koala mortality in Queensland;
  - Modelling tools which will incorporate eco-physiological data into predictions of the effect of climate change on koala populations;
  - Identification of virulent and avirulent strains of chlamydia that may be responsible for different levels of disease;
  - Identify the link between koala retrovirus and disease to produce tools for management of koala retrovirus in Australia's koala populations; and
  - Further develop and evaluate a chlamydia specific antimicrobial for use in anti-chlamydia therapy.
- The top ranked applicants are all delivering research projects that are in at least one of the research priority areas that were identified as a priority (CTS 16614/12—Attachment 4).
- The department will commence confidential contract negotiations prior to an announcement with the applicants recommended for funding to ensure contracts can be signed and the first payments finalised prior to 30 June 2013.

CONSIDERATIONS

- *Budget*: Funding of up to $3.2 million has been allocated over four years. Funding recommendations total $2,844,483 ($3,128,931 GST inclusive).
- *Key Communication Messages:* Once funding recommendations have been approved, a suitable location will be organised to announce successful applicants with one of the funding recipients. A draft media statement will be submitted once this location has been finalised. Congratulatory letters to the successful funding recipients will be submitted for signature prior to the announcement of funding recipients.
- *Election Commitment:* The Koala Research Grant Program is an implementation of the government's *Investing to protect our koalas* policy commitment.

MINISTER'S COMMENTS

Pls prepare letters of thanks to expert panel.

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ATTACHMENTS

- Attachment 1 - Research Projects overview
- Attachment 2 - Assessment panel members
- Attachment 3 - CTS 18461/12
- Attachment 4 - CTS 16614/12

Author	Cleared by	Cleared by	Recommended:
Name: Catherine George Position: Team Leader Tel No: 3330 5313 Date: 17 April 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 26 April 2013	Name: Tamara O'Shea Position: A/ DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, EHP Tel No: 3330 6298 Date:

Department of **Environment** and **Heritage Protection**

Draft Media release

Deadline	**Briefing officer** Catherine George
Media Services contact Marla Spackman	**Phone** 07 3330 5313
Media Services phone 3339 5853	**A/DDG** Tamara O'Shea
Approved by: Approvals obtained with briefing note	**Phone**

Koala research gets $3 million funding boost

The Queensland Government has launched a program with funding of more than $3 million to support research into disease and other preventable causes of death, injury and illness in the state's koala population.

Environment Minister Andrew Powell said the Koala Research Grant Program was part of a $26.5 million investment by the government to protect koalas.

"There is more to koala conservation than habitat protection, which is why the government is backing high quality research that ultimately will have a real impact on koala management in the field," Mr Powell said.

"The aim is to balance existing commitments with a further funding boost for research into preventable causes of koala disease and mortality.

"There are a number of top scientists in Australia with a dedicated interest and proven track record in the field of koala conservation and populations and these grants will support that work."

Mr Powell said the research would provide tangible outcomes to better inform koala management in the field.

In addition to the Koala Research Grants, $800,000 is available for rescue and rehabilitation services and $22.5 million is available under the Koala Habitat Program, which will target degraded koala habitat for acquisition and rehabilitation back to bushland.

Applications open on 30 November 2012 and will close on 28 February 2013.

For more information visit: <www.ehp.qld.gov.au> or phone 3330 6317.

ENDS

RTI DL Release

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Chief of Staff OK
Dated 13/12/12
Approved / Not Approved / Noted
Further information required
Minister.....
Dated 14/12/12

CTS No. 18461/12

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Koala Research Grant Program – applicant assessment process**

RECOMMENDATION

It is recommended that the Minister **endorse** the assessment process for the Koala Research Grants.

BACKGROUND

- The Koala Research Grant Program is an initiative under the *Investing to protect our koalas* policy, providing funding of $3.2M over four years to fund high quality research into koala diseases and other preventable causes of death, injury and illness in Queensland's koalas.
- A briefing note has been approved for the launch of the Koala Research Grant Program and the research priority areas (CTS 16614/12 – Attachment 1).

CURRENT ISSUES

- It is expected that the grants will attract interest from Australia's top researchers with a dedicated interest in koalas and a proven track record in koala research.
- The program was launched on 30 November 2012 and applicants will be accepted until 28 February 2013.
- Applications will be competitively assessed by a panel and recommendations will be forwarded for Ministerial approval.
- The panel will be selected for their experience, skills and expertise across the research priority areas. The panel will also be supplied with detailed instructions for assessment to ensure a transparent and impartial assessment process.
- Applications for research funding will be assessed against:
  - Demonstrated contribution to at least one of the research priority areas. The research priority areas were established in consultation with the Koala Research Network (Attachment 2);
  - Significance and innovation – the intrinsic scientific value and practical management outcomes for the research;
  - Approach – the conceptual framework, design and research methods;
  - Value for money – if the project is feasible, well budgeted and can be delivered within four years;
  - Delivery capability of the applicant – experience and proved track record, such as publishing in peer reviewed literature;
  - Ability of the project to fill legitimate research gaps; and
  - Applicant eligibility – applicants must be associated with an education institution or an entity involved in scientific research.
- The key dates for the next seven months, including Ministerial opportunities and items for approval are:

Task	Date	Minister's opportunities and approvals
Applications close	28 February 2013	• Briefing note on the number and type of applications received • Media release on the number of applications received
Panel assessment	April 2013	• Briefing note detailing funding recommendations
Applicants notified of outcomes	April 2013	• Letter to successful applicants • Media release on the successful research projects
Approved projects to commence	June 2013	• Nil

Rec'd - ODG
11 DEC 2012

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Catherine George Position: A/Manager Tel No: 3330 5313 Date: 30 November 2012	Name: Wade Oestreich Position: A/ED, NCS Tel No: 3330 5393 Date:	sch4p3(3) Pr Name: Geoff Cl Position: A/DDG, CSS Tel No: 3330 5390 Date: 7-12-12	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 11.12.12

CONSIDERATIONS

- *Communications:* The grants will be actively promoted through research networks and key academic institutions across Australia.
- *Election Commitment:* The Koala Research Grant is an initiative under the *Investing to protect our koalas* policy.

MINISTER'S COMMENTS

OK.

ATTACHMENTS

- Attachment 1 - CTS 16614/12 – Launch and update on the Koala Research Grant Program
- Attachment 2 - Research Priority Areas

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Catherine George Position: A/Manager Tel No: 3330 5313 Date: 30 November 2012	Name: Wade Oestreich Position: A/ED, NCS Tel No: 3330 5393 Date:	Name: Geoff Clare Position: A/DDG, CSS Tel No: 3330 5390 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

sch4p3(3) Prejudic

CTS No. 16614/12

Chief of Staff ( ) OK
Dated 20/11/12
Approved Not Approved Noted
Further information required
Minister.....
Dated 22/11/12

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Launch and update on the Koala Research Grant Program**

TIMEFRAME

- Approval of this brief is requested to allow launch of the Koala Research Grant Program on 30 November 2012.

RECOMMENDATION

It is recommended that the Minister:

- **approve** the launch of the first round of the Koala Research Grant Program on 30 November 2012 under the *Investing to protect our koalas* policy and in line with the election commitment delivery deadline of November 2012.
  approve the media release on the launch of the Koala Research Grant Program. (Attachment 1)
- **note** the koala research priority areas. (Attachment 2)

29th.

BACKGROUND

- Pledge three of the government's six month plan, launched on 13 July 2012, supports the *Investing to protect our koalas* policy, and includes a commitment to commence a four year koala research grant program.
- This policy includes funding of up to $3.2 million to fund high quality scientific research into koala diseases and other preventable causes of death, injury and illness in Queensland's koala populations.

CURRENT ISSUES

- The Koala Research Grant Program will result in a significant contribution to the body of academic knowledge about koalas and will help to fill information gaps by supporting and stimulating important research into preventable causes of koala disease and mortality.
- Research projects will provide tangible outcomes that can better inform koala management.
- In September 2012, the Koala Conservation Unit, in consultation with the Koala Research Network, convened a workshop to identify research priority areas that would best serve the government's commitment to fund research into koala diseases and other preventable causes of death, injury and illness in Queensland's koalas.
- The advantages, disadvantages and possible outcomes of each research area were explored by the workshop participants, a multi-disciplined group of scientists who are considered experts in aspects of koala biology, ecology and epidemiology.
- To be eligible for funding, research must contribute to at least one of the research property areas. Details of research priority areas are attached at Attachment 2.
- It is anticipated that the $3.2 million funding allocation for the Koala Research Grant Program will be distributed over the life of the project with an expression of interest (EOI) round commencing in November 2012 and closing in February 2013.
- Any unallocated funding after 2013 will result in further funding rounds annually until all funds have been allocated.
- The competitive assessment process will consider factors such as:
  - the ability of the project to deliver tangible management tools and outcomes within the four year time frame
  - value for money
  - demonstrated contribution to at least one of the priority research areas
  - significance and innovation

Excellent

Rec'd - ODG
16 NOV 2012

Author	Cleared by	Cleared by	Recommended:
Name: Rosalind Leslie Position: Conservation Officer Tel No: 3330 5526 Date: 17/10/12	Name: Geoff Clare 14.11.12 Position: Executive Director, NCS Tel No: 3330 5390 Date:	Name: Tamara O'Shea Position: A/Deputy Director-General, CSS Tel No: 3330 6240 sch4p3(3) P Date: 15.11.12.	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 16-11-12

File Ref: (Remove if N/A)

Partial Release

- the ability to fill research gaps integral to reducing koala mortality illness and injury
- the delivery capability of the proponent

- The program criteria and priorities have been aligned with the *Investing to protect our koalas* policy to ensure that research funded has the potential to provide real and practical koala conservation outcomes according to the government's current commitments.
- After closure of the EOI process, all research grant applications will be competitively assessed to ensure scientific rigor, value for money and alignment with the Queensland Government's *Investing to protect our koala* policy.

CONSIDERATIONS

- *Budget*: No financial commitment is required at this stage to launch the program. Funding of up to $3.2 million has been allocated over four years.
- *Key Communication Messages:* The launch of the program will help ensure the long-term future of koalas in Queensland and achieve a balance between the protection of koalas, economic development and the social wellbeing of Queensland communities.
- *Election Commitment:* The launch of the Koala Research Grant Program is an implementation of the government's *Investing to protect our koalas* policy commitment.

MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1: Media release
- Attachment 2: Research priority areas

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Rosalind Leslie Position: Conservation Officer Tel No: 3330 5526 Date: 17/10/12	Name: Geoff Clare Position: Executive Director, NCS Tel No: 3330 5390 Date:	Name: Tamara O'Shea Position: A/Deputy Director-General, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

Department of **Environment and Heritage Protection (EHP)**

Draft Media release

Deadline	**COB Mon 08.04.13**	**Briefing officer:**	Andrew Larkin
Media Services contact	**Maria Spackman**	**Phone:**	3330 5419
Media Services phone	**3339 5853**	**DDG:**	Tamara O'Shea
Approved	Andrew Larkin	**Phone:**	3330 6240

Grants support Indigenous sea country links

Eight Aboriginal groups will be the first to share in a $1.95 million grants program aimed at supporting traditional knowledge about sea country.

Queensland Minister for Environment and Heritage Protection Andrew Powell today welcomed the announcement by Federal Environment Minister Tony Burke of successful grant recipients under the new Indigenous Sea Country Management Grant Program.

"These grants are intended to support Traditional Knowledge about sea country and the sustainable and humane use of dugong, turtles and other marine resources," Mr Powell said.

"Traditional Owners have an important role to play in preserving our marine environment and this funding aims to recognise local leadership and the importance of involving local communities in conservation and management of marine resources.

"I would like to congratulate the eight successful grant recipients and I look forward to seeing the positive outcomes of their projects for the Queensland marine species."

The grants range from $50,000 to $190,000 and are funded by the Australian Government's Caring for our Country initiative and administered by the Queensland Department of Environment and Heritage Protection.

The successful grant recipients are:

- Yuku-Baja-Muliku – Yuku-Baja-Muliku Indigenous Land and Sea Ranger Turtle Rescue Program.
- Mapoon Interim Land Sea Advisory Committee – Mapoon Turtle and Dugong Program
- Gunggandji PBC Aboriginal Corporation – Implementation of the Gunggandji Land and Sea Country Plan
- Manbarra Nangarra Wangarra Aboriginal Corporation – Palm Island Sea Management
- Wanyurr-Majay Aboriginal Corporation – Wanyurr-Majay Sea Country Management Plan
- Quandamooka Yoolooburrabee Aboriginal Corporation – Increasing the skills and capacity of Quandamooka to undertake the management of Moreton Bay Sea Country
- Gudjuda Reference Group Aboriginal Corporation – Increase community awareness of the cultural importance and values of marine turtles for Juru Traditional Owners within Juru Sea Country

RTI DL Release

Koala Research Grant Program 2012 – Research Priority Areas Koala Research Grant Program 2012 – Research Priority Areas

Research priority and key outcome	Description	Possible sub categories	Examples
Epidemiology *Outcome: reduction in disease and mortality*	Epidemiological research relating to the distribution and determinants of health, and the control of diseases and other health issues in wild koala populations.	◦ Baseline information for better management of koala diseases and improvements to clinical treatments. ◦ Best practice for koala rehabilitation. ◦ Increased information about koala immunology.	◦ Diagnostics that determine whether treated animals are sterile or have compromised DNA. ◦ Further development of a prototype vaccine for reduced Chlamydia infection levels and improved reproductive levels.
Drivers and treatments for disease, illness and injury *Outcome: increased survival after rehabilitation*	Identification of drivers of disease, including behavioural and geographical considerations, analysis of treatment regimens and drug effectiveness in the rehabilitation of diseased or injured koalas. Identification of stressors and their thresholds to inform direct on-ground actions and planning decisions.	◦ Identification of the most effective treatment regimes. ◦ Information to support koala volunteers. ◦ Identification of precursors of disease and associated abatement techniques.	◦ Guidelines for treatment and rehabilitation. ◦ Best practice drug use guides. ◦ List of impacts of known drivers of disease in a defined region.
Threat identification and abatement *Outcome: decreased mortality, injury and illness with threat abatement*	Threat identification and effective abatement measures, especially with regards to regional variations.	◦ Assessment of threats identified regionally and their impacts. ◦ Development of management tools, such as threat maps and planning guidelines.	◦ Maps of significant threats to koalas. ◦ Guidelines for wild dog management.
Population health and dynamics *Outcome: healthy koala populations*	Description of a healthy koala or population to assist in determining the timing and type of response to koalas and population or disease management. Research into population dynamics to understand what drives increases and decreases, the reproductive success of a population and dispersal patterns.	◦ Definition of a healthy population. ◦ Standardised methodologies as a response to disease management. ◦ Baseline information for the management of discreet populations and their habitat. ◦ Investigation of a 'koala ark', including suitable location, the logistics of the operation of the ark.	◦ A health score card for individuals and populations. ◦ A reporting mechanism for populations. ◦ Historical population and dispersal models.
Social science *Outcome: reduced koala mortality, injury and illness*	Research into targeting human behaviour for improved koala conservation, such as drivers for behavioural change.	◦ Community support for koala conservation and willingness to protect koalas and their habitat. ◦ Education opportunities through the	◦ Best practice community engagement and education techniques. ◦ Case studies on koala friendly development and infrastructure

RTI DL Release

Research priority and key outcome	Description	Possible sub categories	Examples
		evaluation of the effectiveness of social programs and identification for strategies.	design.
Evaluation of existing management actions *Outcome: reduced koala mortality, injury and illness*	Evaluation of existing management actions to determine the effectiveness of current and past actions and what can be learnt of previous actions.	◦ Critical assessment of common mitigation measures such as road crossings. ◦ Review of information previously unpublished that would inform future management actions.	◦ Guidelines for designing road crossing structures.
Genetic research *Outcome: reduction in disease*	Identify and fill information gaps about koala biology and ecology to reduce mortality, injury and illness, including research to provide information on innate immunity.	◦ Improved management in light of historical / regional exposure to chlamydia strains. ◦ Use of virulent or non-virulent strains of disease as a vaccine. ◦ Information on innate immunity, especially where chlamydia is concerned.	◦ Genetic mapping for: ◦ The identification of sub species on a broader scale ◦ Translocation / movement management ◦ The management of gene pools and breeding depression

RTI DL Release

Koala Research Grant Program 2012 – Research Priority Areas Koala Research Grant Program 2012 – Research Priority Areas

Research priority and key outcome	Description	Possible sub categories	Examples
Epidemiology *Outcome: reduction in disease and mortality*	Epidemiological research relating to the distribution and determinants of health, and the control of diseases and other health issues in wild koala populations.	• Baseline information for better management of koala diseases and improvements to clinical treatments. • Best practice for koala rehabilitation. • Increased information about koala immunology.	• Diagnostics that determine whether treated animals are sterile or have compromised DNA. • Further development of a prototype vaccine for reduced Chlamydia infection levels and improved reproductive levels.
Drivers and treatments for disease, illness and injury *Outcome: increased survival after rehabilitation*	Identification of drivers of disease, including behavioural and geographical considerations, analysis of treatment regimens and drug effectiveness in the rehabilitation of diseased or injured koalas. Identification of stressors and their thresholds to inform direct on-ground actions and planning decisions.	• Identification of the most effective treatment regimes. • Information to support koala volunteers. • Identification of precursors of disease and associated abatement techniques.	• Guidelines for treatment and rehabilitation. • Best practice drug use guides. • List of impacts of known drivers of disease in a defined region.
Threat identification and abatement *Outcome: decreased mortality, injury and illness with threat abatement*	Threat identification and effective abatement measures, especially with regards to regional variations.	• Assessment of threats identified regionally and their impacts. • Development of management tools, such as threat maps and planning guidelines.	• Maps of significant threats to koalas. • Guidelines for wild dog management.
Population health and dynamics *Outcome: healthy koala populations*	Description of a healthy koala or population to assist in determining the timing and type of response to koalas and population or disease management. Research into population dynamics to understand what drives increases and decreases, the reproductive success of a population and dispersal patterns.	• Definition of a healthy population. • Standardised methodologies as a response to disease management. • Baseline information for the management of discreet populations and their habitat. • Investigation of a 'koala ark', including suitable location, the logistics of the operation of the ark.	• A health score card for individuals and populations. • A reporting mechanism for populations. • Historical population and dispersal models.
Social science *Outcome: reduced koala mortality, injury and illness*	Research into targeting human behaviour for improved koala conservation, such as drivers for behavioural change.	• Community support for koala conservation and willingness to protect koalas and their habitat. • Education opportunities through the	• Best practice community engagement and education techniques. • Case studies on koala friendly development and infrastructure

FOI DL Release

Research priority and key outcome	Description	Possible sub categories	Examples
		evaluation of the effectiveness of social programs and identification for strategies.	design.
Evaluation of existing management actions *Outcome: reduced koala mortality, injury and illness*	Evaluation of existing management actions to determine the effectiveness of current and past actions and what can be learnt of previous actions.	• Critical assessment of common mitigation measures such as road crossings. • Review of information previously unpublished that would inform future management actions.	• Guidelines for designing road crossing structures.

Genetic research *Outcome: reduction in disease*	Identify and fill information gaps about koala biology and ecology to reduce mortality, injury and illness, including research to provide information on innate immunity.	• Improved management in light of historical / regional exposure to chlamydia strains.
		• Use of virulent or non-virulent strains of disease as a vaccine.
		• Information on innate immunity, especially where chlamydia is concerned.
			• Genetic mapping for:
			  • The identification of sub species on a broader scale
			  • Translocation / movement management
			  • The management of gene pools and breeding depression

RTI DL Release

CTS No. 08018/13

Chief of Staff ..... OK Dated / / Approved Not Approved Noted Further information required Minister..... Dated / /

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Indigenous Sea Country Management Grants Program – communication material regarding QuickStart projects**

RECOMMENDATION

It is recommended that the Minister:

- **note** that Minister for Sustainability, Environment, Water, Population and Communities, Hon Tony Burke MP, will announce the successful recipients of the *Indigenous Sea Country Management Grants Program* QuickStart funding.
- **approve** the draft media release prepared in consultation with Media Services (Attachment 1) to support Minister Burke's announcement.
- **note** the draft website content announcing the successful applicants and providing a summary of their project. (Attachment 2).
- **sign** the draft letters to be sent to successful QuickStart applicants with a sponsor (Attachment 3).
- **sign** the draft letters to be sent to successful QuickStart applicants without a sponsor (Attachment 4).
- **note** the draft email to be sent by the Director, Sustainability Outcomes to QuickStart applicants not recommended for funding at this time advising that their application will remain on file for consideration should funds become available following SteadyStart consideration (Attachment 5).

BACKGROUND

- You noted the successful QuickStart applicants under the *Indigenous Sea Country Management Grants Program* on 18 April 2013 (CTS 07151/13 - Attachment 6).

CURRENT ISSUES

- Advice received from the Minister's office is that Minister Burke will announce successful QuickStart recipients with a supporting media release by Minister Powell (Attachment 1).
- Details of successful applications will be uploaded to the Department of Environment and Heritage Protection website (Attachment 2).
- Once announced, a letter to successful recipients is to be sent, signed by Minister Powell. Draft letters have been developed and are attached – Attachment 3 is for those recipients with a sponsor and Attachment 4 is for those recipients without a sponsor.
- The Program Office will commence contract negotiations with the successful recipients in early May 2013.
- The Program Office will email QuickStart applicants who were not recommended for funding at this time, advising that their application will remain on file for consideration should funds become available, that is if SteadyStart funds are not fully expended. The draft email is at Attachment 5.

MINISTER'S COMMENTS

Rec'd - ODG
26 APR 2013

ATTACHMENTS

- Attachment 1 – Draft media release
- Attachment 2 – Draft website content
- Attachment 3 – Draft letter to successful QuickStart applicants with a sponsor
- Attachment 4 – Draft letter to successful QuickStart applicants without a sponsor
- Attachment 5 – Draft email to be sent by the Program Office to unsuccessful QuickStart applicants.
- Attachment 6 – CTS 07151/13

Author	Cleared by	Cleared by	Cleared by	Recommended:
Name: Andrew Larkin Position: SPO, SO Tel No: 3330 5419 Date:	Name: Rod Goodbun Position: Dir, SO Tel No: 3330 5865 Date: 21 April 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 24 April 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6[sch4p3(3)] Date: 22.05.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 26.4.13

RTI DL Release

- Mandubarra Aboriginal Land and Sea Incorporated – Mandubarra Land and Sea Country Monitoring/Turtle Triage.

Further successful grant recipients will be announced later in the year.

ENDS

RTI DL Release

Indigenous Sea Country Management Grant Program

QuickStart recipients announced

Eight recipients will receive over $1 million under the QuickStart round of the Indigenous Sea Country Management Grants Program. Further successful grant recipients will be announced later in 2013.

Grants ranging from $5,000 to $200,000 will support Queensland Traditional Owner groups to develop sustainable management practices in relation to dugong, turtles and other marine resources.

Funding is provided by the Australian Government's Caring for Our Country initiative and is administered by the Queensland Department of Environment and Heritage Protection.

Successful QuickStart projects

Organisation	Project description	Amount (ex GST)
Yuku-Baja-Muliku	**Yuku-Baja-Muliku Indigenous Land and Sea Ranger Turtle Rescue Program** Implement a turtle rescue program, a sea country management plan and Traditional Use of Marine Resources Agreement (TUMRA). Rehabilitate seagrass areas, monitor sea country and assess the effectiveness of management actions. Develop a junior ranger program with two schools.	$142,873
Mapoon Interim Land and Sea Advisory Committee	**Mapoon Turtle and Dugong Program** Conduct dugong and sea grass surveys in Port Musgrave and surrounding estuaries. Refurbish the Mapoon turtle camp. Form the Marine Hunters group to establish hunting plans, permit systems and education video.	$152,350

DRAFT Release

Gunggandji PBC	**Implementation of the Gunggandji Land and Sea Country Plan** Develop a framework for sustainable management of turtles and dugong within Gunggandji sea country. Establish the Gunggandji Ranger Service and develop a Traditional Use of Marine Resources Agreement (TUMRA). Establish Gunggandji Land and Sea Country Advisory Group to raise the communities awareness of sea country management.	$153,000
Manbarra Nangarra Wangarra Aboriginal Corporation	**Palm Island Sea Management** Develop Sea Country plan based on best practices from surrounding Traditional Owner groups.	$97,000
Wanyurr-Majay Aboriginal Corporation	**Wanyurr-Majay Sea Country Management Plan** Develop a sea country management plan and Traditional Use of Marine Resources Agreement (TUMRA).	$50,610
Quandamooka Yoolooburrabee Aboriginal Corporation	**Increasing the skills and capacity of Quandamooka to undertake the management of Moreton Bay Sea Country** Provide training to map and assess the condition and diversity of mangrove, coral, and seagrass communities and undertake a monitoring program to assess the ongoing condition of these ecosystems. Provide training to monitor turtles nesting on North Stradbroke Island. Replace 10 moorings at Dunwich with environmentally friendly designs that assist in the recovery of seagrass beds.	$179,740
Gudjuda Reference Group Aboriginal Corporation	**Increase community awareness of the cultural importance and values of marine turtles for Juru Traditional Owners within Juru Sea Country** Deliver education programs to raise awareness of cultural values and importance of marine turtles for Juru people to community and schools. Produce a DVD of Juru Elder's traditional knowledge. Clean-up marine debris from 30km of turtle nesting beach. Deliver on-ground activities to protect turtle nests.	$190,155

DRAFT Release

Mandubarra Aboriginal Land and Sea Incorporated	**Mandubarra Land and Sea Country Monitoring/Turtle Triage** Establish a turtle rehabilitation centre in co-operation with Cairns Turtle Rehabilitation Centre. Pass on traditional knowledge from Elders to youth.	$70,000

DRAFT
RTI DL Release

Ref CTS 08018/13

«Title» «Firstname» «Lastname»
«Organisation»
«Address_1»
«Town» «State» «Postcode»

Dear «Salutation»

Indigenous Sea Country Management Grants Program – «Appn_No»

Thank you for your application for funding under the Indigenous Sea Country Management Grants Program. I am pleased to inform you that your application for «Project_Title» has been successful to an amount of $«Amount» (ex GST). The Department will contact your sponsoring organisation in May 2013 to commence negotiation and completion of the Grant Deed.

Please note that if the activities proposed under your application require any licences, permits or other authorities, it is your responsibility to apply for them. In addition, all permissions must be provided with the Grant Deed.

The Grant Deed must be signed by both the sponsoring organisation and a delegated representative of the Queensland Government Department of Environment and Heritage Protection before payments can be made. Payments will be made on receipt of a valid invoice from your sponsoring organisation.

Should you have any further questions about the program, please contact the Grants Coordinator on (07) 3330 6076 or by email at seacountrymanagement@ehp.qld.gov.au.

Congratulations on the success of your application. I look forward to learning more about the progress of your project as you assist in managing Queensland's marine resources.

ANDREW POWELL MP
Minister for Environment and Heritage Protection

cc: «Sponsor»

RTI DL Release

Title	Firstname	Lastname	Organisation	Address 1	Town	State	Postcode	Salutation
sch4p3(3) Prejudice the protection of an individuals			Manbarra Nanggarra Wanggarra Aboriginal Corporation	C/- Post Office	Palm Island	QLD	4816	
			Quandamooka Yoolooburrabee Aboriginal Corporation	PO Box 235	Dunwich	QLD	4183	

RTI DL Release

Ref CTS 08018/13

«Title» «Firstname» «Lastname»
«Organisation»
«Address_1»
«Town» «State» «Postcode»

Dear «Salutation»

Indigenous Sea Country Management Grants Program – «Appn_No»

Thank you for your application for funding under the Indigenous Sea Country Management Grants Program. I am pleased to inform you that your application for «Project_Title» has been successful to an amount of $«Amount» (ex GST). The Department will contact you in May 2013 to commence negotiation of the Grant Deed.

Please note that if the activities proposed under your application require any licences, permits or other authorities, it is your responsibility to apply for them. In addition, all permissions must be provided with the Grant Deed.

The Grant Deed must be signed by both you and a delegated representative of the Queensland Government Department of Environment and Heritage Protection before payments can be made. Payments will be made on receipt of a valid invoice from your organisation.

Should you have any further questions about the program, please contact the Grants Coordinator on (07) 3330 6076 or by email at seacountrymanagement@ehp.qld.gov.au.

Congratulations on the success of your application. I look forward to learning more about the progress of your project as you assist in managing Queensland's marine resources.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

PTI DL Release

Title	Firstname	Lastname	Organisation	Address 1	Town	State	Postcode	Salutation
sch4p3(3) Prejudice the protection of an individua			Yuku Baja Muliku Landowner and Reserves Ltd	PO Box 1011	Cooktown	QLD	4895	
			Mapoon Aboriginal Shire Council	PO Box 213	Weipa	QLD	4874	
			Gunggandji PBC Aboriginal Corporation	C/- Post Office	Yarrabah	QLD	4871	
			Wanyurr-Majay Aboriginal Corporation		Gordonvale	QLD	4865	
			Gudjuda Reference Group Aboriginal Corporation	PO Box 255	Ayr	QLD	4807	
			Mandubarra Aboriginal Land and Sea Incorporated	PO Box 96	Innisfail	QLD	4860	

RTI DL Release

DRAFT email to be sent to Indigenous Sea Country Management Grant Program QuickStart applicants who were unsuccessful in obtaining funding

SUBJECT: Your Indigenous Sea Country Management Grant Program Application

Dear <<Contact name>>

Thank you for your application for funding under the Indigenous Sea Country Management Grant Program.

Your application for <<Project Title>> has been assessed and at this point it has not been successful in obtaining funding.

The Department of Environment and Heritage Protection is continuing to review applications and will retain your application on file for consideration should funds become available.

Should you have any further questions about the program or would like feedback on your application, please contact the Grants Coordinator on (07) 3330 6076 or by email at seacountrymanagement@ehp.qld.gov.au.

Yours sincerely

Rod Goodbun
Director
Sustainability Outcomes
The Department of Environment and Heritage Protection

DRAFT
RTI DL Release

CTS No. 07151/13

sch4p3(3) Prejudice th

Chief of Staff OK
Dated 16/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 17/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Indigenous Sea Country Management Grants Program – Successful QuickStart Projects**

TIMEFRAME

- Noting of this Briefing Note is required by 22 April 2013 to ensure the announcement of successful grant by the end of April 2013.

RECOMMENDATION

It is recommended that the Minister:

- **note** that the Director-General has approved eight QuickStart projects under the *Indigenous Sea Country Management Grants Program* (the Grants Program) totalling $1,035,728 (excluding GST) (CTS 07149/13) (Attachment One includes the list of approved projects for the QuickStart round).
- **note** the list of unsuccessful projects for the QuickStart stream (Attachment One).
- **note** that letters to successful QuickStart applicants will be provided for your signature shortly and that the Department of Environment and Heritage Protection (EHP) will write to unsuccessful applicants.
- **note** that the Minister's office has advised that the announcement of successful applicants is to be made by Minster Burke.

BACKGROUND

- The Minister noted the initial briefing note regarding the Grants Program on 19 November 2012 (CTS No. 17339/12 – Attachment 2).

CURRENT ISSUES

- Eight applications to the value of $1,035,728 (excluding GST) were approved for funding by the Director-General for the QuickStart stream of the Grants Program.
- A summary of the eight successful projects and also provides a brief summary regarding the remaining 21 projects not recommended for funding at this time has been provided for the Minister's information (Attachment 1).
- The approved projects are geographically dispersed along the Queensland coast from Mapoon on Cape York Peninsula to North Stradbroke Island.
- Five of the eight recommended projects aim to develop and/or implement a sea country plan, hunting plan or Traditional Use of Marine Resources Agreement.
- These projects are expected to produce locally developed operational standards, which will apply to hunting arrangements of marine resources, and which will be consistent with the requirements of the *Animal Care and Protection Act 2012*.
- Following advice from the Minister's office, it is EHPs understanding that the announcement of successful applicants will be made by Minister Burke's office in the Australian Government Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC). EHP has liaised with DSEWPaC at an officer level to request that DSEWPaC provide advice on the timing of the announcement in advance.
- Following Minister Burke's announcement, Minister Powell will write to successful applicants to commence the contracting process with follow-up by the EHP Program Office.
- Details of successful projects will be published on EHPs website.
- An email will be sent from the EHP Program Office to QuickStart applicants who are not recommended for funding advising that their applications are still remaining on file for consideration should funds become available (ie SteadyStart funds are not fully expended).

Rec'd - ODG
15 APR 2013

Author	Cleared by	Cleared by	Cleared by	Recommended:
Name: Andrew Larkin Position: SPO, SO Tel No: 3330 5419 Date: 10/04/13	Name: Rod Goodbun Position: Director, SO Tel No: 3330 5865 Date: 10/04/13	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 12 April 2012	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 62[sch4p3(3)] Date: 15.04.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 16.4.13

RTI DL Release

SteadyStart Applications

- SteadyStart applications closed on 31 March and 13 applications were received totalling $1.72 million (excluding GST).
- The SteadyStart recommendations will be submitted to the Director-General for consideration by mid June 2013 with an anticipated announcement date of late June / early July 2013.

CONSIDERATIONS (Remove section if not required)

- *Consultation:*
  - The Assessment Panel comprised of representatives from EHP, the Department of National Parks, Recreation, Sport and Racing (NPRSR), DSEWPaC, the Great Barrier Reef Marine Park Authority and the Indigenous Sea Country Strategic Policy Group (administered by Girringun).
  - The Steering Committee is comprised of representatives from EHP, NPRSR, the Department of Natural Resources and Mines, DSEWPaC and the Great Barrier Reef Marine Park Authority.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 – Approved successful and unsuccessful QuickStart projects
- Attachment 2 – CTS 17339/12

Author	Cleared by	Cleared by	Cleared by	Recommended:
Name: Andrew Larkin Position: SPO, SO Tel No: 3330 5419 Date: 10/04/13	Name: Rod Goodbun Position: Director, SO Tel No: 3330 5865 Date: 10/04/13	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 12 April 2012	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

CTS No. 15017/12

sch4p3(3) Prejudice th

Chief of Staff ... OK
Dated 19/2/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 20/02/13.

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Conditions of Operation for dolphin feeding in Tin Can Bay**

RECOMMENDATION

It is recommended that the Minister:

- **sign** the letter to Barnacles Café (Attachment 1). – to be held over
- **approve** the draft media release (Attachment 2). – to be modified by Min office
- **sign** the letter to Mr David Gibson MP (Attachment 3). – to be held over.

BACKGROUND

- It is not possible to grant a licence, permit or other authority for dolphin feeding in Tin Can Bay under existing legislation.
- The activity currently operates outside the legislation under an agreement signed in 2006 by a previous Minister for Environment and the then proprietor of Barnacles Café.

CURRENT ISSUES

- A review of the *Nature Conservation (Whales and Dolphins) Conservation Plan 1997* (conservation plan) is currently underway as a requirement of the *Nature Conservation Act 1992* and the review process will provide a means for authorising dolphin feeding in Tin Can Bay under new legislation.
- This review is considering a range of issues pertinent to marine mammal management and will not be completed until mid 2013.
- To avoid delaying implementation of the Queensland Government's commitment to the continued feeding of dolphins in Tin Can Bay, Conditions of Operation have been developed, that will supersede the previous agreement and eventually be the authority under the new legislation.
- The amended Conditions of Operation (Attachment 4) have been approved by the Director-General and are ready to be provided to the proprietors of Barnacles Café.
- The Conditions of Operation reflect the high standard required of the feeding program at Tangalooma to ensure risks to dolphins are minimised and feeding is managed in an environmentally responsible way.
- There are some key improvements in the Conditions of Operation, in particular, the ability to recruit additional dolphins to ensure feeding can continue on an ongoing basis. There is also opportunity to review the arrangements after five years, with ongoing reviews to be conducted every 10 years.
- There has been extensive consultation with representatives from the Tin Can Bay feeding program and the Conditions of Operation include a number of their recommendations.
- This version of the Conditions of Operation includes the most recent amendments submitted by the Tin Can Bay feeding program representatives in January and February 2013 and the owners of Barnacles Café have confirmed their approval.
- In particular, six dolphins are now identified as participants, four more than the previous agreement.
- The additional number of participating dolphins provides greater security for an ongoing feeding program and additional dolphins can be easily accommodated in the program with the rigor that will be applied under the new Conditions of Operation.

RTI DL Release

Rec'd - ODG
15 FEB 2013

Author	Cleared by	Cleared by	Recommended:
Name: Catherine George Position: Team Leader Tel No: 3330 5313 Date: 12 February 2013	Name: Andrew Mullens Position A/Director, KCU and WMS Tel No: 3330 5393 Date: 12 February 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 13 February 2013 **Cleared by** Name: Tamara O'Shea Position: A/DDG, C[redacted] Tel No: 3330 6240 Date: 14.02.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 15.2.13

- The new conditions also allow for recruitment of offspring to participating females or recruitment of other dolphins from the Tin Can Bay population if a participating dolphin has not joined a feeding session for three months or is known to be deceased.
- The inclusion of recruitment provisions is also an improvement on the previous agreement, which did not allow for any recruitment.
- The Conditions of Operation also take into account issues raised by the member for Gympie, Mr David Gibson, in October 2012; in regards to ensuring the feeding can continue on an ongoing basis, in particular there are provisions for transfer and for the Chief Executive to be able to issue an approval to another operator.
- Additionally, the legislative changes will allow for an ongoing feeding program.
- A draft media release is attached (Attachment 2) ready for release, however until the review process of the new legislation is finalised, dolphin feeding in Tin Can Bay is operating outside of legislative authority and can potentially attract criticism.

CONSIDERATIONS

- *Consultation:* The Conditions of Operation have been developed in consultation with the proprietor of Barnacles Café and representatives of the Tin Can Bay feeding program.
- *Election commitment:* Dolphin feeding in Tin Can Bay is to continue in an environmentally responsible way.

MINISTER'S COMMENTS

Letters to be sent once "announcement" date arranged with Member for Gympie.

RTI DL Release

ATTACHMENTS

- Attachment 1 - Letter to Barnacles Café
- Attachment 2 - Media release
- Attachment 3 - Letter to David Gibson MP with a copy of the signed Conditions of Operations attached
- Attachment 4 – Amended Conditions of Operation (signed by the Chief Executive and listed as Attachment 1 to DG BN CTS 01873/13)

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Catherine George Position: Team Leader Tel No: 3330 5313 Date: 12 February 2013	Name: Andrew Mullens Position A/Director, KCU and WMS Tel No: 3330 5393 Date: 12 February 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 12 February 2013 **Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:

sch4p3(3) Prejudice the protection of an individual

CTS No. 16127/12

Chief of Staff
Dated 1 / 13
Approved N t Approved Noted

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

Minister
Dated

Minister for Environment and Heritage Protection

SUBJECT: Proposed revocation of Glastonbury Forest Reserve to exclude an area currently leased for grazing purposes

RECOMMENDATION

It is recommended that the Minister:

approve in-principle the proposed revocation of Glastonbury Forest Reserve, involving an area of approximately 55.9 hectares that is subject to a term lease for grazing; and

endorse the proposal to seek advice from the Department of the Premier and Cabinet (DPC) to progress this revocation to Cabinet using the Matters-to-Note process.

BACKGROUND

In 1999, part of Glastonbury State Forest was converted to forest reserve status under the South East Queensland Forest Agreement (SEQFA) process. Part of the newly created Glastonbury Forest Reserve was subsequently dedicated as national park in 2006, with a small area retained as forest reserve due to it being subject to a term lease for grazing.

The term lease was identified as a crucial part of an existing grazing enterprise through the SEQFA grazing hardship program and in 2008, the state committed to revoking the area to make it available for future dealings under the *Lan*

CURRENT ISSUES

In 2008, the then Minister approved in-principle that 43 hectares be revoked from e forest reserve and 1 hectare from the national park. However, the revocation did not proceed at this time due to issues with locating and describing the boundary of the term lease and forest reser e.

In 2010, the area of the term lease was recalculated based on more accurate survey data, identifying the lease area to be approximately 55.9 hectares. This data was also used to re-describe the boundary of Glastonbury Forest Reserve under the *Nature Conservation Act 1992*.

As the area of the forest reserve and the term lease has now been aligned, the revocation can proceed by revoking the entire Glastonbury Forest Reserve (See Attachment 1).

The forest reserve is predominantly cleared, improved pasture and does not have natural values suitable for conservation as a protected area tenure. If revoked, the area will revert to Unallocated State Land (USL) and the Department of Natural Resources and Mines will assess its suitability for issuance of a long-term lease under the *Land Act 1994*.

The proposed revocation is in accordance with the recent forest reserve tenure review led by the Department of National Parks, Recreation, Sport and Racing and is supported by it and the Department of Agriculture, Fisheries and Forestry.

Ministerial in-principle approval is required to progress the proposed revocation of the whole of Glastonbury Forest Reserve, approximately 55.9 hectares, for consideration by the Legislative Assembly and Governor-in-Council.

As this proposal is considered to be low profile and in the public interest, it is recommended that the Department of Environment and Heritage Protection utilise the Matters-to-Note process to notify Cabinet of the revocation proposal.

RTI DL Release

Rec'd - ODG
- 7 JAN 2013

Author
Name: Luke Navie
Position: Project Manager, Tenure and Acquisitions Unit
Tel No: 3330 5341
Date: 3 Janua

Cleared by
Name: Ashley Williams
Position: Manager, Tenures and Covenants
Tel No: 3330 5337
Date: 3 January 2013

Cleared by
Name: Allan Williams
Position: Director, Tenures and Covenants
Tel No: 3330 5392
Date: 3 Janua 2013

Cleared by
Name: Geoff Clare
Position: ED, Nature Conservation Services
Tel No: 3330 5390
Date: 3 January 2013

Cleared by
Name: Tamara OShea
Position: A/DDG, Conservation and Sustainability Ser sch4p3(
Tel No: 3330 6240

Recommended:
Name: Andrew Chesterman
DG, DEHP
Tel No: 3330 6298

7.1.13

CONSIDERATIONS

Consultation: Department of Natural Resources and Mines' State Land Asset Management Unit; Department of National Parks, Recreation, Sport and Racing; Mr Pat Hartigan (current lessee).

Legislation: Section 32 of the *Nature Conservation Act 1992*, allows the Governor-in-Council to revoke the dedication of a protected area in whole or part by regulation subject to the Legislative Assembly resolving to support the revocation action.

MINISTER'S COMMENTS

Pls prepare a letter to local MP to no

the matter to

ATTACHMENTS

Attachment 1 – Sketch outlining scope of proposed revocation.

RTI DL Release

Author
Name: Luke Navie
Position: Project Manager, Tenure and Acquisitions Unit
Tel No: 3330 5341
Date: 3 Janua 2013

Cleared by
Name: Ashley Williams
Position: Manager, Tenures and Covenants
Tel No: 3330 5337
Date: 3 January 2013

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Name: Allan Williams
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Date: 3 Janua 2013

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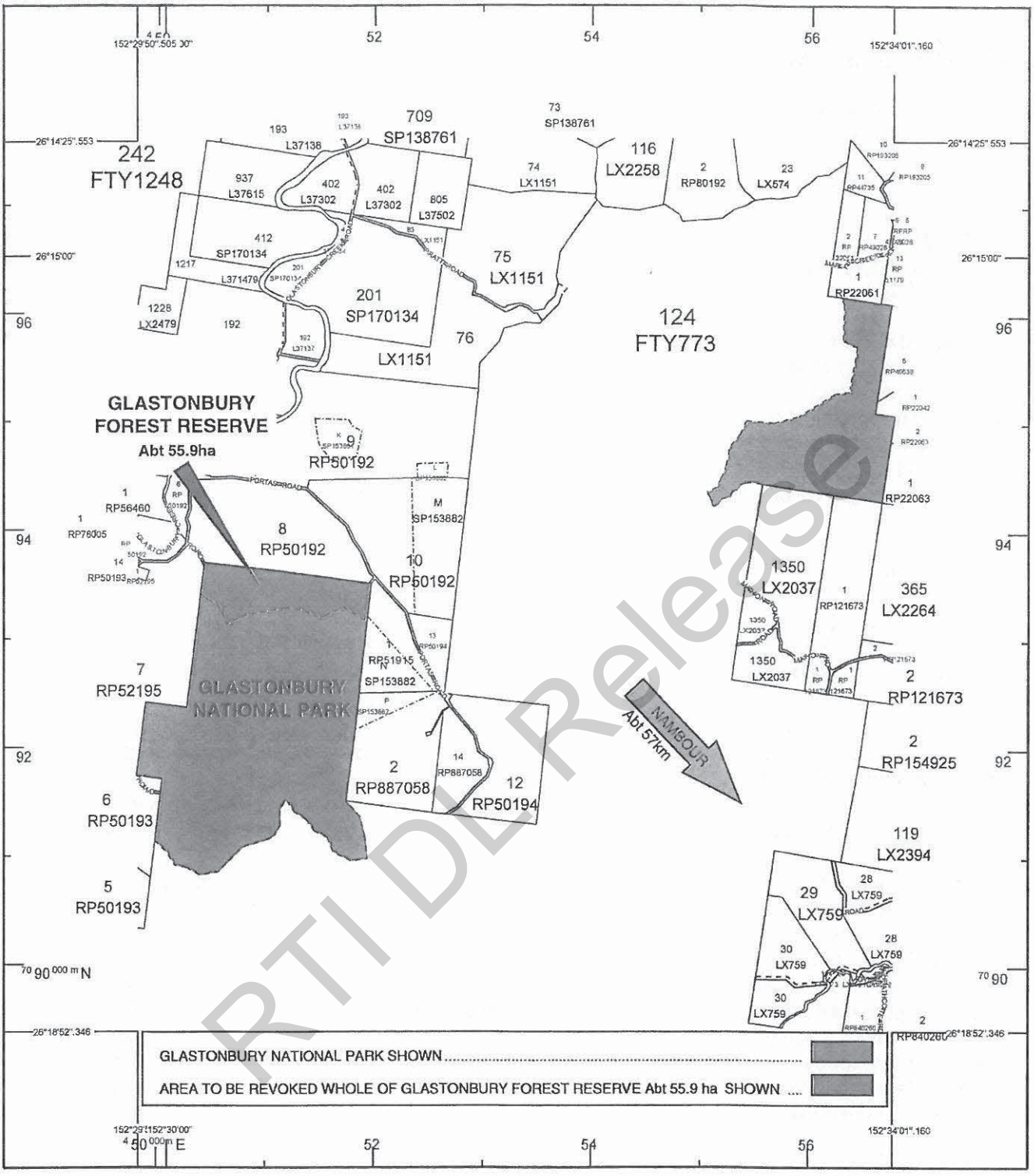
Name: Geoff Clare
Position: ED, Nature Conservation Services
Tel No: 3330 5390
Date: 3 January 2013

Cleared by
Name: Tamara OShea
Position: A/DDG, Conservation and Sustainability Services
Tel No: 3330 6240

Recommended:
Name: Andrew Chesterman
DG, DEHP
Tel No: 3330 6298



RTI DL Release

STANDARD MAP NUMBER
9445-34413

0 10 20 30 40 50 km
HORIZONTAL DATUM:GDA94 ZONE:56 SCALE 1 : 50000

MAP WINDOW POSITION & NEAREST LOCATION

152 31'55".833
26 16'38".949
UPPER GLASTONBURY
4.89 KM

GDA

SUBJECT PARCEL DESCRIPTION

DCDB

Lot/Plan	211/NPW769
Area/Volume	531.3ha
Tenure	NATIONAL PARK
Local Government	GYMPIE REGIONAL
Locality	UPPER GLASTONBURY
Parish	GLASTONBURY
County	LENNOX
Segment/Parcel	46288/508

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 13/10/2010
For additional information regarding this SmartMap see page 2
Shading Rules have been applied

DCDB 12/10/2010 (Lots with an area less than 1 000ha are not shown)

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Queensland Government

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sch4p3(3) Prejudice the pr

CTS No. 18248/12

Chief of Staff
Dated

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

Further in

Minister for Environment and Heritage Protection

Minister
Dated

SUBJECT: Letter to Premier seeking his attendance at the next meeting of the Gladstone Healthy Harbour Partnership (GHHP)

TIMEFRAME

Response is sought from the Premier by 1 February 2013 to enable a meeting date to be scheduled.

RECOMMENDATION

It is recommended that the Minister:

sign the attached letter to the Premier (**Attachment 1**) recommending that he:

meet with Dr Ian Poiner, Chair of the Gladstone Healthy Harbour independent science panel, to discuss what is required to implement a Gladstone Healthy Harbour Report Card.

endorse the template letter for signature by the Premier to all industry participants seeking financial contributions towards the GHHP (**Attachment 2 an ttachment 3**)

invite the Premier to the next GHHP meeting scheduled f r 19 arch 2013 or advise a suitable alternative date.

BACKGROUND

All prospective partners that attended the meeting on 23 November 2012, including industry representatives, have given in-principle support for Stage One of the GHHP as outlined in the Stage One Framework (**Attachment 4**). However a commitment to funding from industry partners has yet to be secured.

CURRENT ISSUES

At the GHHP meeting on 23 November 2012, the Member for Gladstone, Ms Liz Cunningham MP, sought an assurance from the Premier and Deputy Premier that "decisions won't be made that undermine the work of GHHP". Ms Cunningham is well respected by the broader Gladstone community, and it would be beneficial for GHHP's public standing for the Premier to attend the next meeting in March 2013. The Premier's attendance would demonstrate government support at the highest level.

Chair of the GHHP independent science panel, Dr Ian Poiner, has requested the discussion with the Premier to outline the work program and funding required to support report card. To date, $500,000 of Queensland Government funding has been allocated, of which $200,000 has been announced to fund a Chair of the Science Panel, meet science panel costs and commence essential projects (mapping of existing monitoring and research and synthesis; commence report card program design). EHP is also providing in-kind secretariat support valued at $185,000 to the Partnership. A meeting between the Premier and Dr Ian Poiner would provide an opportunity to explain what further resourcing is required to develop a credible report card by highly regarded scientists, the Gladstone community and industry partners.

While industry representatives have agreed to progress the GHHP, they remain cautious about formalising any funding agreements. Currently, industry perceives the GHHP as an additional environmental licensing cost above their current licence conditions.

While the science panel are likely to identify aspects where savings can be made to components of the monitoring program, there will a net cost to industry in becoming a financial member of the GHHP.

The value proposition to industry in investing in a functional GHHP is that a well established and respected Independent Science Panel and highly regarded report card could help counter existing

RTI DL Release

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Position: Policy Officer
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Date:22 January 2013

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Name: Liz King
Position: Director Environment and Water Quality
Tel No: 3330 5993
Date: 22 January 2013

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Name: Peter Hutchison
Position: A/Deputy Director-Environmental Policy and Planning
Tel No: 3330 5991
Date: 22 Janua 2013

Recommended:
Name: Tony Roberts
A/DG, DEHP
Tel No: 3330 6298
Date: 23 January 20

community concerns. It could reduce the risk of future intervention by the Commonwealth government or action by the UNESCO World Heritage Centre creating delays for future proposals.
The Department has endeavoured to identify the "return on investment" for prospective partners. Essentially there is little, if any, tangible or financial return to prospective partners, however the following reputational benefits include:

- working with other industry, research organisations, community and government to pool the best expertise to understand and manage Gladstone Harbour health
- recognition of their organisation's commitment to the Gladstone community
- access to independent, world-renowned scientists on the science panel
- efficient, cost effective, coordinated and targeted monitoring and research activities
- a report card which brings together the best information available in one publication to demonstrate the health of the harbour
- community participation in the process which will lead to increased community confidence in local industries.

The next GHHP meeting scheduled for March 2013 will discuss funding models and a budget. Experience with the SEQ Healthy Waterways Partnership model has demonstrated that to achieve early milestones and demonstrate commitment to prospective partners, a substantial funding commitment by the Queensland Government is necessary. There is a risk that in the absence of a demonstrated substantial funding commitment from the government, prospective partners will be reluctant to commit financially.

sch3(2)(1)(c) Cabinet matter - Budgetary process

For the Partnership to operate in the way the Premier intended there needs to be financial investment from Gladstone industry and statutory bodies. Gladstone Regional Council is already providing significant in-kind investment, and research institutions will be asked to commit in-kind and cash investment into any science proposals arising from Partnership activities.
While detailed costings and funding models are still to be finalised in consultation with all prospective partners an estimated average contribution of approximately $100,000 each per year for five years would meet the project's needs. This assumes matching Queensland Government investment, which ill be the likely industry expectation. In total $3 million per year over five years ($1.5 million from industry and $1.5 million from the Queensland Government) will be required.

sch3(2)(1)(c) Cabinet matter - Budgetary process

A letter from the Premier to industry leaders and his attendance at the next Partnership meeting would be beneficial in enlisting the financial commitment required from industry.
The GHHP provides an opportunity for industry to demonstrate to the community its social and environmental commitment. The letter from the Premier to industry leaders outlines the value proposition for investors.
A separate brief outlining funding models would be provided to assist with preparations closer to the 19 March 2013 Partnership meeting.

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CONSIDERATIONS

Budget: In addition to the budget issues discussed above. Another funding model that could be considered is as a component of the Gladstone Ports Corporation, Port Service Agreement or through the profit dividends paid to the Queensland Government. Alternative funding options are being explored with Queensland Treasury and Trade and will be discussed further with prospective Partnership members. sch3(2)(1)(c) Cabinet matter - Budgetary process

Consultation:

External: The GHHP Stage One Framework was collaboratively drafted by all prospective partners of the GHHP (see **Attachment 4**) and outlines its purpose, benefits, risks and responsibilities, as well as a draft workplan for the first twelve months of the Partnership.

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Date: 22 Janua 2013

Recommended:
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A/DG, DEHP
Tel No: 3330 6298
Date: 23 January 2013

Internal: Queensland Treasury and Trade, Gladstone Fish Health Interdepartmental Committee, Department of Science Information Technology, Innovation and the Arts and the Department of Agriculture Fisheries and Forestry.

Key Communication Messages:

The GHHP provides the opportunity for government and industry to harness community support and demonstrate how a major international port and its associated industries can continue to operate without affecting the area's World Heritage values.

Premier Commitment: This relates to a commitment made by the Premier at a press conference on 4 May 2012 and is detailed in the Premier's Six Month Action Plan.

MINISTER'S COMMENTS

ATTACHMENTS

Attachment 1 – Letter to the Premier
Attachment 2 – Template letter for Premier to write to all Gladstone Healthy Harbour industry participants
Attachment 3 - Premier letter industry mail merge list
Attachment 4 – Stage One Framework, Gladstone Healthy Harbour Partnership

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Author	Cleared by	Cleared by	Recommended:
Name: Lucy Hall Position: Policy Officer Tel No:3330 5346 Date:22 January 2013	Name: Liz King Position: Director Environment and Water Quality Tel No: 3330 5993 Date: 22 January 2013	Name: Peter Hutchison Position: A/Deputy Director-Environmental Policy and Planning Tel No: 3330 5991 Date: 22 Janua 2013	Name: Tony Roberts A/DG. DEHP Tel No: 3330 6298 Date: 23 January 2013

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

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Ref CTS 18248/12

25 JAN 2013

The Honourable Campbell Newman
Premier of Queensland
PO Box 15185
CITY EAST QLD 4002

RTI DL Release

Dear Pre

I wish to advise you of the progress made following your commitment to establish a Gladstone Healthy Harbour Partnership.

On 23 November 2012, all prospective partners including industry, research institutions, universities, local and Commonwealth governments and key community stakeholders provided in-principle support for the first stage of the Partnership, and endorsed the establishment of an Independent Science Panel and the appointment of Dr Ian Poiner to the position of Chair.

Dr Poiner has more than 30 years experience in the research of tropical marine systems and how they are influenced by human activities such as onshore and offshore mining, port development and fisheries. His experience will be a valuable asset to the science panel's ability to provide independent advice to the Gladstone Healthy Harbour Partnership. I think it would be very useful if you were able to meet Dr Poiner to discuss how best to produce a successful, highly regarded report card.

Your personal involvement would be invaluable in leveraging the financial commitment required from industry to guarantee completion of the initial work program. There will be an expectation from industry that the state government match any funding that they provide

sch3(2)(1)(c) Cabinet matter - Budgetary process

Identifying the tangible benefits to individual organisations participating in the Partnership is difficult, however a number of intangible benefits can be identified as a value proposition to industry and are included within the letter. Enclosed is a draft letter for your consideration.

would like to invite you to attend the next Partnership meeting currently proposed for 27 March 2013 (or an alternative date depending on your availability) where you can share your vision and commitment to the industrial port; unique environmental values of Gladstone and the World Heritage Great Barrier Reef as well as endeavouring to secure a financial commitment from the partners.

I support your objective of developing community confidence about the future of Gladstone Harbour, the environment and the protection of the reef, and together I think we can demonstrate to industry the social and environmental benefits of being a financial partner in the Gladstone Healthy Harbour Partnership.

Yours sincerely

Mi is er for Environment and Heritage Protection

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For reply please quote: *Work Area/Author Initials – TRIM Tracking Folder No – TRIM Document No (*delete whichever not applicable)*
Your reference: *(*delete if not applicable)*

Space for Date Stamp

Name
Address 1
Address 2
Address 3

Dear *Salutation*

I would like to acknowledge your commitment to the Gladstone Healthy Harbour Partnership

I proposed the Gladstone Healthy Harbour Partnership to give the community confidence about the future of the Gladstone Harbour environment and protection of the World Heritage listed Great Barrier Reef. The Partnership enables us to work together to share information to collectively manage and report about the health of the Gladstone Harbour, determine what actions are required for its future protection and genuinely involve the community in the process. I understand that at the last Gladstone Healthy Harbour Partnership meeting in-principle support was provided for the independent science panel to map existing monitoring and research work in the harbour and to develop the report card design.

Based on experience with similar programs, to produce the Gladstone Healthy Harbour Report Card requires considerable resourcing. I will be looking to industry to provide a substantial contribution to this initiative into the future. Potential funding models for the Gladstone Healthy Harbour Partnership will be discussed at the next meeting on 27 March 2013.

I am confident that your investment in the Gladstone Healthy Harbour Partnership will bring your organisation and the Gladstone community many social and environmental benefits including:

- working with other industry, research organisations, community and government to pool the best expertise to understand and manage Gladstone Harbour health
- recognition of your organisation's commitment to the Gladstone community
- access to independent, world-renowned scientists on the science panel
- efficient, cost effective, coordinated and targeted monitoring and research activities
- a report card which brings together the best information available in one publication to demonstrate the health of the harbour
- community participation in the process which will lead to increased community confidence in local industries.

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I look forward to seeing you at this meeting where we can discuss how we can work together to support the Gladstone Healthy Harbour Partnership.

Please contact Kirstin Kenyon, on telephone 3330 5961, at the Gladstone Healthy Harbour Secretariat at healthyharbour@ehp.qld.gov.au for further information. Please RSVP to the same address by 1 March 2013 for the upcoming meeting.

Yours sincerely

CAMPBELL NEWMAN

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First Name	Last Name		Position	Company	Address 1	Address 2	Address 3
Prospective Industry Partners							
	Maxson	Mr Robert Gibb	Chief Executive Officer	Australia Pacific LNG		GPO Box 148	BRISBANE QLD 4000
		Ms Shona Markham	General Manager	Boyne Smelters Ltd		PO Box 524 Gladstone	GLADSTONE QLD 4680
	Zussino	Mr John Sheriff	Chief Executive Officer	Gladstone Ports Corporation Ltd		PO Box 259	GLADSTONE QLD 4680
Glenn	Schumacher		General Manager	NRG Gladstone Operating Services	Gladstone Power Station	Hanson Road	GLADSTONE QLD 4680
	Smith	Mr Sean Winstone	Managing Director and Chief Executive Officer (CEO)	ORICA Australia		1 Nicholson Street	EAST MELBOURNE VIC 3002
Armando	Torres	Mr Ross Greenhalgh	Chairman	Queensland Alumina Ltd		Parsons Point	GLADSTONE QLD 4680
Catherine	Tanna	Ms Tracey Winters	Chairman - BG Australia	Queensland Curtis LNG		GPO Box 3107	BRISBANE QLD 4001
Pearce	Bowman	Mr John Linden	Chief Executive Officer	Queensland Energy Resources		375 Landing Rd	VIA GLADSTONE QLD 4680
	Singer	Mr Mike Dunstan	General Manager - External Affairs	Rio Tino Alcan		123 Albert St	BRISBANE QLD 4000
	Macfarlane	Mr Garry Scanlan	President Santos GLNG	Gladstone LNG		60 Edward Street	BRISBANE QLD 4000
Andrew	Faulkner	Mr Colin Whyte	Chief Executive Officer	Arrow Energy		GPO Box 5262	BRISBANE QLD 4001
Peter	Freyberg	Mr Pieter Swart	Chief Executive Officer	Xstrata Coal	Level 38, Gateway	1 Macquarie Place	SYDNEY NSW 2000
	Gra son	Mr Ga Larsen	Chief Executive Officer	Gladstone Area Water Board		PO Box 466	GLADSTONE QLD 4680

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CTS No. 18452/12

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Chief of Staf OK
Dated 21 / 1 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 22 / 01 / 13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Commencement of final round of consultation on marine mammal legislation**

TIMEFRAME

- Approval of this brief is required prior to the proposed commencement of consultation on new draft legislation for marine mammals in Queensland on 24 January 2013, to ensure the new legislation is in effect before the commencement of the whale watching season at the end of May.

RECOMMENDATION

It is recommended that the Minister:

- **approve** the Department of Environment and Heritage Protection to commence targeted stakeholder consultation on the draft legislation for marine mammals.

BACKGROUND

- Whales, dolphins and dugongs in Queensland are currently managed under the *Nature Conservation (Whales and Dolphins) Conservation Plan 1997* and *Nature Conservation (Dugong) Conservation Plan 1999* (the conservation plans).
- Conservation plans are subordinate legislation under the *Nature Conservation Act 1992* (NCA).

CURRENT ISSUES

- The department is conducting a review of the whale and dolphin, and dugong conservation plans, which are due to expire in August 2013.
- The department is proposing to simplify the existing marine mammal legislative framework by incorporating the current and amended provisions of the conservation plans into one existing piece of subordinate legislation under the NCA—the *Nature Conservation (Wildlife Management) Regulation 2006 (wildlife management regulation).*
- The Minister has previously endorsed the key proposed legislative amendments (CTS 11771/12 and advice provided to the Executive Director, Nature Conservation Services).
- The key issues being addressed through the legislative amendments include:
  - Allowing commercial whale watching in state waters outside of marine parks (specifically in waters off the Gold and Sunshine Coasts). This is currently prohibited.
  - The continuation of dolphin feeding at Tin Can Bay in an environmentally responsible way.
  - Amending marine mammal approach distances for vessels, aircraft and persons in the water for greater consistency with the *Australian National Guidelines for Whale and Dolphin Watching 2005.*
  - Simplifying and streamlining the declaration process for areas of special interest and special interest whales and dolphins (including special interest whale declarations for white and predominantly white whales such as the humpback whale 'Migaloo') and introducing special interest provisions for dugongs to facilitate comparable protection for these animals.
- With the assistance of the Office of the Queensland Parliamentary Counsel, the department has drafted amendments to the wildlife management regulation (see Attachment 1).
- The department proposes to seek comment on the draft legislation through public consultation including with commercial whale watching operators, local governments and other Queensland Government departments (see Attachments 2 and 3 for the list of proposed parties to be contacted directly and a letter that will accompany the draft legislation).

RTI DL Release

Author Name: Michelle Sauter Position: Senior Project Officer Tel No: 3330 5314 Date: 16 January 2013	**Cleared by** Name: Andrew Mullens Position: A/Director, KCU & WMS Tel No: 3330 6172 Date: 18 January 2013	**Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 21 January 2013 *Endorsed.*	**Recommended:** Name: Tony Roberts A/DG, EHP Tel No: 3330 6298 Date:
Cleared by Name: Ilze Brieze Position: Mgr, Wildlife Strategy Tel No: 3330 5259 Date: 18 January 2013	**Cleared by** Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 18 January 2012		

- Additional to the draft legislation, a 'Guide to the draft legislation', has been developed which explains the suite of provisions in plain English (see Attachment 4).
- A four week consultation period is proposed, with submissions closing on 22 February 2013.
- A communication plan, draft media release and Q&As will be provided prior to the proposed commencement of consultation on 24 January 2013.
- The legislative amendments will be finalised following consideration of submissions received and the Minister's approval of final policy positions.
- It is intended to seek Governor-in-Council endorsement of the final legislative amendments prior to the next whale watching season (i.e. by the end of May 2013). Progress is on track to meet this deadline providing consultation is able to proceed as planned.

CONSIDERATIONS

- *Consultation:* Two rounds of public consultation have previously been undertaken as part of the review of marine mammal legislation, with 49 submissions received from key interest groups and members of the public during the first round, and 136 submissions received during the second round that was concluded at the end of January 2012.
- *Election Commitment:* The government made an election commitment to ensure the continuation of the Tin Can Bay dolphin feeding in an environmentally responsible way. The draft legislation provides for the authorisation of this activity under the Nature Conservation legislation.
- Introduction of revised marine mammal regulations to allow environmentally responsible Tin Can Bay dolphin feeding is a commitment in the government's Six Month Action Plan (January–June 2013).

MINISTER'S COMMENTS

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ATTACHMENTS

- Attachment 1 – Draft Nature Conservation Legislation Amendment and Repeal Regulation (No. …) 2013
- Attachment 2 – List of stakeholders to receive letter about consultation
- Attachment 3 – Letter to stakeholders seeking comment on the draft legislation
- Attachment 4 – Guide to the draft legislation
- Attachment 5 – CTS 11771/12

Author Name: Michelle Sauter Position: Senior Project Officer Tel No: 3330 5314 Date: 16 January 2013	**Cleared by** Name: Andrew Mullens Position: A/Director, KCU & WMS Tel No: 3330 6172 Date: 18 January 2013	**Cleared by** Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 3330 6240 Date: 21 January 2013 *Endorsed.*	**Recommended:** Name: Tony Roberts A/DG, EHP Tel No: 3330 6298 Date:
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Attachment 1. Key management issues and recommended policy positions

1. Commercial whale watching outside of marine parks

- EHP considers whale watching in non-marine park state waters to be essentially an incidental activity, given the large amount of time migrating whales spend in Commonwealth waters of SEQ (estimated at around 90% of the time for northward migration and around 75% for southward).
- Commercial whale watching is considered by Queensland's leading humpback whale researcher, Dr Michael Noad, to be of low or no impact.

Current legislative framework		
Section 10 of the whale and dolphin conservation plan restricts commercial whale watching in Queensland to marine parks. Commercial whale watching operators in Great Sandy and Moreton Bay Marine Parks are authorised under the *Marine Parks Act 2004*.		
Proposed legislative framework	**Advantages**	**Potential issues**
Option 1 (recommended) Allow commercial whale-watching in state waters outside of marine parks, without the requirement for a permit. Commercial whale-watching would be managed through regulatory approach distances and special management declarations (see item 4).	Facilitates tourism by allowing whale watching operators based on the Gold and Sunshine Coasts to operate in closer, more sheltered waters when whales are present. Reduces some costs for operators and provides an improved experience for tourists. Consistent with the Commonwealth Government's current management model of not requiring operators in Commonwealth waters adjoining the subject state waters to obtain permits. No increase in green tape and administrative burden for the department and clients. Licensed operators in marine parks (Hervey Bay and Moreton Bay) continue to have the advantage of exclusive access to prime whale watching areas.	Potential for growth in the industry off the Gold and Sunshine Coasts, which may result in further increased competition with licensed operators in marine parks (Hervey Bay and Moreton Bay). Although the proposed approach is consistent with many commercial operations where a fee exists within a protected area but not outside, it may be perceived as unfairly advantaging "off-park" operators. There will be no revenue from permits to off-set compliance costs outside of marine parks. Under the proposed arrangement, there will be limited facility to cap operator numbers using the subject waters.

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Option 2 Allow commercial whale-watching in state waters outside of marine parks, under a permit system. Commercial whale-watching would be managed through the granting of permits, regulatory approach distances and special management declarations (see item 4).	As with option 1, Facilitates tourism by allowing whale watching operators based on the Gold and Sunshine Coasts to operate in closer, more sheltered waters when whales are present. Reduces some costs for operators and provides an improved experience for tourists. Licensed operators in marine parks (Hervey Bay and Moreton Bay) continue to have the advantage of exclusive access to prime whale watching areas. Provides certainty to industry, giving operators an incentive to invest in their business. Provides a means of capping the total number of operators through a limit on the number of permits granted.	Increased green tape and administrative burden through the introduction and administration of a permit system, which would be a new regulatory function for the department that is not currently resourced. Potential for growth in the industry off the Gold and Sunshine Coasts, which may result in further increased competition with licensed operators in marine parks (Hervey Bay and Moreton Bay). Inconsistent with the Commonwealth Government's current management model of not administering a permit system in Commonwealth waters.

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2. Tin Can Bay dolphin feeding (Election Commitment)

Current legislative framework
Section 7 of the whale and dolphin conservation plan states that it is illegal to intentionally feed a dolphin in the wild in Queensland unless as part of a dolphin feeding program permitted under the *Marine Parks Act 2004*. Tangalooma Island Resort in Moreton Bay is the only program in the state that operates under such an authorisation. Dolphin feeding at Tin Can Bay operates under an agreement reached in 2006 between a former Minister for the Environment and a former proprietor of Barnacles Café.
Proposed legislative framework
The department is currently negotiating the conditions of the proposed new agreement for Tin Can Bay dolphin feeding with the operators. However, until the legislation can be changed, the new agreement will continue to operate outside the Nature Conservation legislation as the existing agreement does. This will be addressed through the marine mammal legislation review by authorising the dolphin feeding activity at Tin Can Bay under the new legislation and allowing limited recruitment and habituation of new animals, to provide certainty for the continuation of the activity and ensure it is conducted in an environmentally responsible way through the application of appropriate conditions. The feeding activity will be conditioned in a way similar to the standard of operation required of the feeding program at Tangalooma Island Resort where a number of Indo-Pacific bottlenose dolphins are fed under a marine parks permit.

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Approach distances to whales and dolphins for vessels and aircraft

Current legislative framework

Section 6 of the whale and dolphin conservation plan describes the distance a person can approach a whale or dolphin to mitigate disturbance or harassment of the animal while providing for safe human-wildlife interactions.

Approach distances vary according to whether the person is in the water, a vessel, jet ski or aircraft. For example:

- a vessel must not, without reasonable excuse, approach within 100 metres of a whale
- a person in water must not, without reasonable excuse, approach within 300 metres of a whale or 100 metres of a dolphin.

The provisions also aim to limit the number of vessels in close proximity to an animal, restrict vessel speed and ensure vessels do not follow too closely or chase the animal.

Proposed legislative framework

The marine mammal legislation review provides an opportunity for Queensland to formally adopt the *Australian National Guidelines for Whale and Dolphin Watching 2005* (the National Guidelines), as agreed by all state and territory governments and the federal government.

Amongst other matters, the National Guidelines provide guidance on approach distances to whales and dolphins for vessels and aircraft, and behaviour around whales and dolphins.

The requirements under the National Guidelines are similar to those under the existing Queensland legislation in regard to whales, with a key difference being a requirement to apply a greater approach distance when pods contain calves. It is not proposed to implement this additional requirement in Queensland as it would introduce greater restrictions for the whale watching industry than currently exist.

The National Guidelines also differ in regard to approach distances to dolphins for vessels and aircraft. Under the existing Queensland legislation, approach distances to dolphins are only prescribed for jet skis and persons entering and in the water. It is proposed to implement the additional requirements for dolphins in regard to vessels and aircraft as research indicates inshore dolphins are subject to disturbance from vessel traffic, with detrimental impacts on individuals and populations.

During the second round of public consultation for the marine mammal legislation review, the department consulted on potentially introducing similar approach distances for vessels and aircraft around dugong. Although there was no significant opposition to this concept revealed during consultation, it is now believed more effective protection for dugong could be achieved through negotiating go slow areas with the Department of Transport where these would help reduce boat strike and applying special management declarations where and when required (see item 4). This will be progressed in 2013.

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END OF GOVERNMENT POLICY
RTI Disclosure

Special management declarations

Current legislative framework
Special interest whales and dolphins Approach distances for declared special interest whales and dolphins for vessels and aircraft are greater than those for other whales and dolphins. Declarations for special interest whales and dolphins must be made by the Minister and remain in force for no more than 30 days (extendable by up to six months). This system presents an unnecessary administrative burden (e.g. two declarations are required for 'Migaloo' each year to cover the length of the whale season) and is unresponsive and costly (a declaration only takes effect once it's published in a newspaper). Areas of special interest Four 'areas of special interest' are described in the current whale and dolphin management program, with only one area legislated in the whale and dolphin conservation plan. The purpose of the current areas is to ensure conservation of the species by protecting whales from harassment and providing for continued integrity of long-term scientific research programs (e.g. population monitoring off Point Lookout, North Stradbroke Island).
Proposed legislative framework
It is proposed to introduce a provision to provide for a permanent or temporary "special management declaration" for animals (whales, dolphins and dugongs) or areas. Under such a provision, 'predominantly white whales' such as Migaloo could be declared permanently, while other animals at risk (e.g. an injured whale) could be declared temporarily until the situation is resolved. Similarly, areas could be declared temporarily or permanently in response to management or conservation needs. Examples of when this provision might be applied are: • identification of the boundary of the Tin Can Bay 'dolphin feeding area' • identification of whale watching 'zones' in state waters outside marine parks • increase in approach distances for vessels in areas known to represent significant breeding (and calving) habitat • identification of 'go slow zones' for marine mammals outside of marine parks where data indicate there is a significant risk of boat strike or disturbance • temporarily restricting activities in significant dugong habitat (e.g. sea grass beds) in the event these areas become impacted by flood events leading to reduced food and starvation. During the second round of consultation, the department proposed that permanent declarations would be made through a regulation, thereby requiring full consultation and Ministerial approval. Temporary declarations would be made by the chief executive (for an animal(s) – maximum period of 1 year; for an area – 60 days, extendable by 120 days and includes consultation with affected parties for any extension).

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WHALE WATCHING IN NON-MARINE PARK STATE WATERS

EHP Proposal (refer also attachment 2)

- EHP proposes that whale watching be allowed without permits in non-marine park state waters (less than three nautical miles) off the Sunshine and Gold Coasts.
- Operators would be required to abide by a set of requirements that would be set out in the wildlife management regulation under the NCA.
- This approach would parallel the arrangements for Commonwealth waters (greater than three nautical miles from the coast) where whale watching occurs already without permits. Requirements for whale watchers in Commonwealth waters are set out in the *Environment Protection and Biodiversity Conservation Act 1999*.
- EHP considers whale watching in non-marine park state waters to be essentially an incidental activity, given the large amount of time migrating whales spend in Commonwealth waters (estimated at around 90% of the time for northward migration and around 75% for southward).
- As such few (if any) new entrants to the whale watching industry is expected.
- Commercial whale watching is considered by Queensland's leading humpback whale researcher, Dr Michael Noad, to be of low or no impact, further reducing the justification for permits.
- Introduction of a permit system for non-Marine Park state waters would require establishing a parallel framework to that for Marine Parks.
- Whale watching in Marine Parks is managed through the *Marine Parks Act 2004* (administered by Minister Dickson and NPRSR) while whale watching outside marine parks in state waters would be managed under the *Nature Conservation Act 1992* (Administered by the Minister and EHP).
- This would add to EHP's administrative costs, regulatory complexity and be inconsistent with the direction of the Government (i.e. to reduce regulatory burden).
- The Government could also reserve the right to introduce permits at a later date should the need arise.

Views of industry

- Gold and Sunshine Coast commercial whale watching operators have strongly advocated for the Government to allow commercial whale watching in state waters outside of marine parks.
- Views of the industry on the future of whale watching in Queensland waters have been expressed both in formal submissions and in meetings with the department. These are summarised below.

Gold Coast and Sunshine Coast Operators

- Gold Coast and Sunshine Coast operators want to be able to whale watch in state waters, principally as an incidental activity to their core business, which is watching whales in Commonwealth waters.
- Commercial whale watching in Commonwealth waters (i.e. greater than three nautical miles offshore) is allowed without a permit although operators are required to abide by Commonwealth regulations, including allowable approach distances to whales.
- Although whales are estimated to spend between 75 and 90% of their time in Commonwealth waters off SEQ , whale watchers on the Gold Coast and Sunshine Coast are concerned that they are not currently able to stop to view whales as they traverse state waters.

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RTI DL Release

- Gold Coast and Sunshine Coast operators have mixed views on whether a permit system is required to manage whale watching in state waters off the Gold Coast or whether the activity could be managed through regulations alone.
- The majority of operators in both locations seem to favour permits over no permits.
- The operators that support permits see it as a means of providing greater industry protection and a more certain investment environment, particularly if caps on permit numbers are imposed.

Likely industry response to proposal

- Gold Coast and Sunshine Coast operators are expected to support the Government's decision to allow whale watching in state waters outside of Marine Parks.
- They are also accept no permits for whale watching in state waters outside of marine parks in this area.

Hervey Bay Operators

- Most Hervey Bay operators oppose any expansion of whale watching opportunity beyond the current arrangements.
- They are concerned that any additional whale watching opportunity will detract from Hervey Bay's market.
- If whale watching is to be allowed in state waters outside of marine parks, their preference is that it be managed under a capped permit system, and to provide zones where the activity is not allowed at all.
- Damien Massingham, formerly of Fraser Coast Tourism, has recommended a statewide cap on the number of whale watching operations (whether in marine parks or not).
- Hervey Bay operators have also raised concerns of commercial inequity should no permits be required for state waters outside of marine parks.
- Commercial operators in marine parks currently pay between $4500 and 18500 (based on Hervey Bay arrangements) for permits to watch whales in marine parks.
- This disparity is consistent with the arrangements for commercial operators in terrestrial protected areas. They must also pay permit fees to conduct commercial activities in those places.

Likely industry response to proposal

- Hervey Bay operators are expected to criticise the Government's decision to allow any whale watching in state waters outside of Marine Parks and likely to express concern on the basis of a potential commercial impact on Hervey Bay and their operations.

Proposed Ministerial response to questions

- I have asked EHP to provide me with options for how whale watching might be allowed in state waters off the Gold Coast and Sunshine Coast prior to next year's whale watching season.
- I understand they have discussed these issues with some operators and have submissions from a number of others.
- The options are being worked up with input from industry in mind and I am happy to take your views on board.

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CTS No. 19422/12

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Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

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Minister for Environment and Heritage Protection

Minister
Dated 03/13.

SUBJECT: Wildlife Trade Management Plan – Queensland Crocodile Farming

TIMEFRAME

Approval of this briefing note is requested as soon as possible (prior to the implementation of the new crocodile management plans).

RECOM DATION

It is rec mended that the Minister:

prove the Wildlife Trade Management Plan – Queensland Crocodile Farming (Attachment 1).
note that the plan will be advertised for 20 days on the Australian Government Department of Sustainability, Environment, Water, Population and Communities' (SEWPaC) website.
note that the Wildlife Trade Management Plan will not change the conditions under which industry currently operates.

BACKGROUND

The export and import of crocodiles and crocodile products is controlled under the Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES) and is regulated under the *Environment Protection and Biodiversity Conservation Act 1999* (the Act), which is administered by the Australian Government as signatory to the agreement.

The export for commercial purposes of an Australian native wildlife specimen must come from a program that approved under the Act, such as a Wildlife Trade Management Plan (WTMP) where the animal is taken from the wild or an approved captive breeding program where the animal is bred in captivity.

Crocodile farming in Queensland has been accredited as a captive breeding program, as historically, all the commercial crocodile products had come from animals bred in captivity.

Wildlife Trade Management Plans have a 20 day consultation period as part of the approval process.

CURRENT ISSUES

Queensland is currently in breach of the conditions of its Australian Government accreditation as a captive breeding program.

Captive breeding programs must be maintained without relying on augmentation of crocodiles from the wild, which can only be introduced into a captive breeding program if they have been removed from the wild, to ensure ongoing genetic viability or to dispose of animals that have been confiscated, seized, rescued or removed from the wild for public health and safety.

Some Queensland crocodile farms source crocodiles or eggs from legitimate wild harvest or ranching activities in the Northern Territory or Western Australia (under approved WTMPs).

This is not consistent with the approved captive breeding program Queensland has and is most properly dealt with through a WTMP.

A new WTMP has been developed (see Attachment 1) to replace the existing captive breeding program approval.

ange to the Wildlife Trade Management Plan will not impact on the operations or impose any latory additional regulatory burden on the crocodile farms.

ill simply legitimise current practice.

Rec'd - ODG
11 MAR 2013

RTI DL Release

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Position: Senior Ranger
Tel No: 3330 6320
Date: 7 March 2013

Cleared by
Name: Rebecca Williams
Position: Director, Wildlife Management
Tel No: 3330 5512
Date 8 March 2013

Cleared by
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Position: A/ED, NCS
Tel No: 3330 5390
Date: 8 March 2013

Cleared by
Name: Tamara O'Shea
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Tel No: 3330 6240
Date:

Recommended:
Name: Andrew Chesterman
DG. DEHP
Tel No: 3330 6298
11.3.13

A potential consequence of not having an appropriately approved program (in this case the Wildlife Trade Management Plan), is that the Queensland crocodile industry would be prevented from exporting any of its products by SEWPaC.

CONSIDERATIONS

Consultation: SEWPaC is seeking finalisation of the WTMP as soon as possible to overcome Queensland's current non-compliant state.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENT 1

Attachment 1 - Wildlife Trade Management Plan - Queensland Crocodile Farming (1 January 2013 – 31 December 2017)

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for

Chief of Staff ..... OK

Dated 14 / 1 / 13

Approved Not Approved Noted

Further information required

Minister.....

Dated 14/01/13

CTS No. 19487/12

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Koala Sightings and Australia Wildlife Zoo Admissions Records Discrepancies in Moreton Bay**

RECOMMENDATION

It is recommended that the Minister:

- **note** that there is a discrepancy between the Koala Action Pine Rivers (KAPR) organisation's records of koala sightings and admissions to Australia Zoo Wildlife Hospital (AZWH) and the Department of Environment and Heritage Protection's spatial representation records.
- **note** that the discrepancy is due to a lack of accurate spatial reference in the data that AZWH and KAPR provided to Moggill Hospital.

BACKGROUND

- KAPR has requested the department to explain why records of koala sightings and admissions to AZWH are substantially higher than the department's spatial representation of the records.
- At a meeting with the Minister in late 2012, KAPR presented some department-generated maps, including (Attachment 1), of koala sightings and rescues in the Moreton Bay area. KAPR compared these records with their own records and with those from AZWH and found substantial discrepancies. KAPR records of koala sightings and AZWH admissions were far higher than those shown in the Koala Hospital Information System (KHIS) generated maps.
- In December 2012, the department provided the Minster with a briefing note on KAPR concerns (CTS 17833/12 – Attachment 3).
- Following this briefing, the Minister sought clarification on several issues, to which this brief responds.

CURRENT ISSUES

- The KHIS contains records of all koalas admitted to various wildlife hospitals, including Moggill Hospital and the AZWH, and by private veterinary surgeons and the RSPCA.
- The KHIS also contains records of koala sightings which are records of animals reported but not taken to hospital. Sightings data originates from a variety of sources including koala protection organisations, members of the public, wildlife hospitals and the Daisy Hill ambulance service.
- To ensure consistency in reporting standards, the department distributes Koala Record Sheets to all major hospitals and koala rescue organisations, including KAPR. The sheet is used to record all hospital admissions and is also used to record koala sightings.
- The Koala Record Sheet includes a mandatory section describing the exact location the koala was found or sighted, that is, the street address and/or map grid/GPS coordinates.
- Where an exact location, or accurate spatial data, is provided on the Koala Record Sheet, it is possible to generate a point on a map. Attachment 1 (for example), shows a map of the total number of koala rescues and sightings in the Moreton Bay Regional Council Area in 2008.
- There have been a substantial number of Koala Record Sheets provided to Moggill Koala Hospital in the past that did not include any spatial data or contained inaccurate or incomplete spatial data. Without accurate spatial data, koala sightings or rescues cannot be converted to a point on a map.
- The main reason for these discrepancies is that AZWH and KAPR submitted incomplete or inaccurate spatial data on the Koala Record Sheets, that is, the sheets did not contain any coordinates nor exact addresses for animals rescued or sighted.
- Attachment 2 shows both the total number of Koala Record Sheets supplied by the AZWH to Moggill Hospital (including hospital admissions and sightings records) and the number of records that are

Rec'd - ODG
10 JAN 2013

RTI DL Release

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File Ref: (Remove if N/A)

lacking spatial data. In 2008, a total of 531 records out of 550 records (or 97 per cent) supplied by the AZWH were missing spatial data and could not, therefore, be converted to points on a map. The map in Attachment 1 is correct as it shows only points that have coordinates.

- A further issue with inaccurate spatial data occurs when only a partial address is submitted on a Koala Record Sheet. An example of this is where a street name is provided but no house number. In this case, the KHIS automatically converts this data as a point in the middle of the street. If numerous sightings are recorded in this way on the same street, points can occur on top of each other but appear as only one point on a map.
- Correct completion of koala locations on the Koala Record Sheet has been an ongoing issue for a number of years. However, due to the continuing efforts of Moggill Koala Hospital staff and ongoing volunteer training, the situation has significantly improved since 2008. Attachment 2 shows that in 2011, only 39 records out of a total of 735 had missing spatial data (5 per cent) and in 2012 only 4 per cent were missing spatial data compared to 97 per cent missing data in 2008. Noted.
- Although historical records remain inaccurate due to missing locational data, these records are present in the KHIS and are used for other statistical analyses apart from mapping. Data collected in the KHIS helps to identify koala habitat, monitor koala populations, and produce maps and reports which guide the department's koala management decisions.

MINISTER'S COMMENTS

Is there a way to show multiple "dots" in one location - a different colour for 0-10, 10-20 etc.

RTI DL Release

ATTACHMENTS

- Attachment 1 - Moggill Koala Hospital Records of Rescues and Sightings in the Moreton Bay Regional Council Area 2008
- Attachment 2 - Australian Wildlife Hospital Total Records Submitted to Moggill Hospital
- Attachment 3 – CTS 17833/12

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CTS No. 19839/12

Chief of Sta... OK
Dated 16 / 1 / 13
Approved Not Approved Noted
Further information required
Minister.....
Dated 16/01/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Fraser Island Dingo Management Strategy Review - Ecosure and Review Steering Committee final reports**

TIMEFRAME

- Noting of this brief is recommended prior to the Minister's meeting with the Fraser Island Dingo Management Strategy (FIDMS) Review Steering Committee at 9.30am on 17 January 2013.

RECOMMENDATION

It is recommended that the Minister:

- **note** that Ecosure's final report on the FIDMS review was delivered on-time to the department on 21 December 2012 (Attachment 1).
- **note** that the external Review Steering Committee has prepared a report for the Minister on its peer-review of Ecosure's work (Attachment 2).

BACKGROUND

- In April 2012, the Minister approved the process for the FIDMS review, including the establishment of terms of reference (Attachment 3) and a Review Steering Committee to oversee the work of the consultant conducting the review and provide comment on any proposed revisions for the FIDMS.
- On 25 June 2012, the Director-General executed a contract to commission environmental consultancy Ecosure to conduct an objective and independent scientific review of the FIDMS and provide recommendations to improve the strategy in relation to managing risk and visitor safety and maintaining a sustainable wild dingo population on Fraser Island.

CURRENT ISSUES

- On 21 December 2012, Ecosure delivered its final report on the FIDMS review (Attachment 1) in accordance with project milestones as defined in the review terms of reference.
- On 11 January 2013, the FIDMS Review Steering Committee convened to finalise its collective feedback from its peer-review of Ecosure's report. The committee has provided a report to the Department of Environment and Heritage Protection for the Minister's review on its comments and recommendations arising from this peer-review process (Attachment 2).
- The committee will meet with the Minister and departmental representatives on 17 January 2013 to present and discuss their feedback on Ecosure's FIDMS review.
- The Minister has previously endorsed the committee's proposal for both Ecosure's final report and the committee's subsequent peer-review report to be publically released following provision of these documents to the Minister (Attachment 4).

CONSIDERATIONS

- *Consultation:* In accordance with the FIDMS review terms of reference, Ecosure conducted significant consultation to inform their draft report. This included consultation with Queensland Parks and Wildlife Service within the Department of National Parks, Recreation, Sport and Racing; Fraser Island World Heritage Area (FIWHA) Indigenous, Scientific and Community Advisory Committees; relevant scientific and research organisations; individuals and groups representing the local community including Traditional Owners; tourism industry representatives; Fraser Island residents and special interest groups.
- *Election Commitment:* This brief relates to the 100 day election commitment: *Commission an immediate independent scientific review of the Fraser Island Dingo Management Strategy.* Implementation is currently on track.

Rec'd - ODG
16 JAN 2013

Author	Cleared by	Cleared by	Cleared by	Recommended:
Name: Katrina Prior Position: Manager, BTS WMU, NCS Tel No: 3330 5373 Date: 15 January 2013	Name: Dave Wildermuth Position: A/Dir Wildlife, NCS Tel No: 3330 5295 Date: 15 January 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 15 January 2013	Name: Tamara O'Shea Position: A/DDG, CSS Tel No: 33 sch4p3(3) Date: 15.01.13	Name: ~~Andrew~~ Chesterman DG, DEHP Tel No: 3330 6298 Date: 16/1/13

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MINISTER'S COMMENTS

Extremely impressed by both reports.

Next steps:

1. Immediate assessment by DEHP/QPWS on Govt ability to accept or otherwise recommendations noting timeframes and resource implications. If not accepted, rationale and/or modified/alternative provided.
2. Prepare for docts to be made public following announcement on 31 January.
3. Establish regular reporting to Min office around attainment/ completion of recommendations

File Note: Have kept Attachments 1 & 2 as office copies.

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ATTACHMENTS

- Attachment 1 – Ecosure final FIDMS review report
- Attachment 2 – Review Steering Committee peer-review report
- Attachment 3 – FIDMS review terms of reference
- Attachment 4 – CTS18881/12 FIDMS review progress update

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CTS No. 01302/13

Chief of Staff…….. OK Dated / / **Approved Not Approved Noted** **Further information required** Minister……..…….. Dated / /

Department of Environment and Heritage Protection
MINISTERIAL DEPUTATION BRIEFING NOTE
Minister's office to confirm
Dominic Nolan, CEO, Australian Sugar Milling Council
Jim Crane, Senior Executive Officer, Australian Sugar Milling Council

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Meeting with the Australian Sugar Milling Council (ASMC) to discuss the management of mill by-products (i.e. mill mud)**

DEP REP: Andrew Chesterman, Director-General, 3330 6298
Tony Roberts, Deputy Director-General, Environmental Policy and Planning, 3330 5990
Peter Hutchison, Executive Director, Environment and Water Quality, 3330 5991
Scott Robinson, Director, Reef Water Quality, 3330 5031

BACKGROUND

- This meeting is required to discuss the milling industry's need to commit to, and implement actions to improve management of mill mud.
- Under reef regulatory requirements, introduced on 1 January 2010, sugarcane growers are required to account for mill mud nutrients when calculating the amount of nutrients to apply to their crop.
- The government first deferred this requirement for 18 months until 30 June 2011 to allow industry time to put in place the necessary infrastructure. As industry failed to implement adequate measures within this time, a second 12 month deferral until 30 June 2012 was granted.
- On 16 May 2012, Dominic Nolan, CEO, ASMC and Jim Crane, Senior Executive Officer, ASMC presented a proposal to Minister Powell to implement a staged approach to improve management of mill-mud. Based on this proposal, a further six month deferral, until 31 December 2012, was granted.
- Jim Crane met with Reef Water Quality (RWQ) staff on 4 December 2012, and provided informal advice that ASMC no longer supported their earlier proposal and offered no alternative plan for improved management of mill mud (see CTS19248/12 – **Attachment 1**).
- The department's response and proposal for addressing this issue was approved by Minister Powell on 21 January 2013, under CTS00823/13 (**Attachment 2**) and is outlined below.
- Minister Powell requested a deputation brief to support discussions with ASMC to firstly confirm the industry position, and secondly negotiate future actions to address mill mud management, including the department's proposal outlined below.

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CURRENT ISSUES

Departmental position regarding ASMC's informal advice to date

- To date the government has deferred the regulatory requirements for a total of three years (2010-2012) based on commitments from industry to address the management of mill mud.
- ASMC's recent informal advice conflicts with previous agreements which formed the grounds for the previous deferrals and raises concerns as to the cane industry's commitment to developing an industry-led BMP program that is a credible alternative to regulation.
- Continued inaction by industry to deliver a system that supports appropriate mill mud application and minimises loss of nutrients to the reef will impact on the ability to meet Reef Plan water quality targets and hinder individual growers' efforts to demonstrate best practice.

Department's proposal to address the lack of action to-date by industry (For negotiation)

- It is proposed that the department require industry to, by 30 May 2013, develop and commit to a staged mill mud management plan, incorporating milestone actions and target dates. This allows the opportunity to commence implementation of measures during the harvest season, beginning in May.
- The plan should have an end date of no later than 30 June 2014 and include:

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Name: Chris Johnson Position: Principal Project Officer Tel No: 3330 5647 Date: 4 February 2013	Name: Peter Hutchison Position: Executive Director, Environment and Water Quality Tel No: 3330 5991 Date:	Name: Tony Roberts Position: Deputy Director-General, Environmental Policy and Planning Tel No: 3330 5990 Date:	Name: Andrew Chesterman Director-General, DEHP Tel No: 3330 6298 Date:

- a staged reduction in mill mud application rates to ultimately allow conformance with the regulated method (**Attachment 3**)
- measures to restrict mill mud application in areas where the soil is already saturated with phosphorus (this limiting factor will be informed by scientific studies currently underway and due in early 2013 – **Attachment 4**)
- the provision of incremental progress reports and a final report to the department.

- The department will also review the current Beneficial Use Approval (BUA) to consider what conditions may be required to improve the management of mill mud and minimise the risk to reef water quality.
- In the interim, the regulatory requirements regarding mill mud application will be deferred for another 12 months until 31 December 2013 (a Director-General brief is currently being prepared), at which point progress will be assessed to determine the department's future direction.
- If ASMC does not commit to addressing the mill-mud issue, it should be highlighted that:
  - lack of action will inhibit industry and Queensland Government efforts to seek Australian Government support (via Reef Rescue) to improve mill mud management in priority areas, e.g. through new equipment or extension activities
  - the BUA may be reviewed and amended at anytime resulting in new conditions being applied prior to its current 31 March 2015 expiry date.

Benefits of department's proposal for growers

- When mill mud is applied at under 100 t/ha the regulatory requirement to account for the nutrients in mill mud will not apply (once the latest deferral ends).
- Once mills have put in place the necessary infrastructure, industry will be able adopt best practice.
- More growers will have access to mill mud and its agronomic benefits as a soil ameliorant and conditioner, improving productivity across a wider distribution area.
- The proposal is consistent with existing obligations as growers are currently required to conduct a soil test for phosphorus under the reef regulations and the BUA also requires growers and mills to keep records of mill mud application.

Issues likely to be raised by ASMC

1. View that the reef regulatory requirements are no longer in force

Deputee Position

- Jim Crane suggested that as growers believe the reef regulations are no longer in force, there is now less incentive for the milling industry to implement a plan to improve mill mud management.

Suggested Response

- The reef regulations will remain in place until the BMP is in effect and growers are expected to comply with requirements, except those relating to mill mud whilst a deferral is in place.
- It is anticipated that the preferred mill mud management approach would be recognised under the BMP system as either 'industry minimum standard' or 'best practice'.

2. Mill mud does not pose a risk to reef water quality

Deputee Position

- Mill mud is only applied to a small proportion of the cane growing area and therefore does not pose a risk to reef water quality.

Suggested Response

- Although mill mud is applied to a relatively small number of cane farms, it is applied to these same farms each year, concentrating nutrients in localised areas. This continual over-application of nutrients, and the saturation of the area with phosphorus, an element still subject to run-off and leaching losses, increases the risk of release of nutrients to the reef.
- Mill mud is also generally applied without any corresponding reduction in the amount of store purchased fertiliser applied, resulting in nutrients being applied in excess of crop requirements, which can then be lost to the environment, including to surface and ground water and the reef.
- This proposal aims to reduce the volume applied per hectare, and restrict application on land already saturated with phosphorus. The resource will be spread over more cane land, with more nutrients available for use by the crop and less available to be lost to the environment.

3. Cost-burden and technical difficulties in adopting the proposal

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RTI DL Release

Deputee Position

- There are economic and technical issues involved with putting in place infrastructure to allow mill mud to be spread at lower rates and over more farms which could make it difficult for mills to implement the preferred option.

Suggested Response

- Mackay Sugar has successfully implemented a mill mud management system at three mills that allows mill mud to be applied under 100 t/ha and across more farms. **Attachment 5** includes further information on work done by Mackay Sugar.
- The financial investment required by a mill is still significantly less than that required if mill mud was declared a regulated waste, rather than being subject to a BUA.

4. Difficulty in accurately determining nitrogen content of mill mud

Deputee Position

- There is no way of accurately determining the nitrogen content of mill mud.

Suggested Response

- EHP recognises that the nitrogen content is hard to calculate, so the amended approach does not require the determination of the nitrogen content of mill mud. The proposal encourages the application of mill mud at rates below 100 t/ha, removing the need for growers to account for the mill mud nitrogen when calculating additional nutrient application rates.
- The deduction rates when mill mud is applied at over 100 t/ha are conservative and considered best practice.

5. Mill mud phosphorus content and its impact on reef water quality

Deputee Position

- There is no evidence that phosphorus lost from cane land is impacting on reef water quality.

Suggested Response

- Mill mud applied at 100t/ha provides approximately 145kg/ha of phosphorous. Sugarcane in northern Queensland typically requires between 60 and 120 kg of phosphorous per 5 year crop cycle.
- Current information regarding application of mill mud suggests in some cases mill mud should not be reapplied to the same area for 5-7 years to avoid over-application of phosphorous.
- Updated Reef Plan science on the impacts of phosphorus and nitrogen will be released in early 2013 and will be considered when developing the new BUA conditions.

MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 – CTS 19248/12 – The Australian Sugar Milling Council position regarding mill by-products
- Attachment 2 – CTS 00823/13 – Departmental response to Australian Sugar Milling Council's (ASMC) position on management of mill by-products
- Attachment 3 – Reef Regulatory Requirements for Mill Mud
- Attachment 4 – Summary points on the nutrient status of mill mud/mill ash
- Attachment 5 – Mackay Sugar Limited – Milestone Report

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Reef regulatory requirements for mill mud

The following is taken from the document – '*The method for calculating the optimum amount of nitrogen and phosphorus to be applied to sugarcane properties regulated under the Environmental Protection Act 1994'.*

Step 6 – Nitrogen from mill mud by-products

Apart from the nitrogen contributions from soil organic matter, fallow management/legume crops and crops other than sugarcane, the optimum nutrient calculation method also accounts for the nitrogen contributions from applications of mill by-products applied to sugarcane lands.

There are a number of mill by-products applied to sugarcane lands, including mill mud (fibre, soil and other milling process residuals), boiler ash (particulate material collected after bagasse and other material has been burnt at the mill) and mud-ash mixes (Schroeder 2008).

Substantial amounts of nitrogen, phosphorus and other nutrients are added to cane blocks through the application of mill by-products. However, the amount of nutrients that blocks receive from mill by-products is affected by the following:
• The product being applied. For example, different mill by-products contain different amounts of nitrogen.
• Variability of the nutrient content of the by-products due to the variable nature of the source of the material, i.e. mill mud is derived from different soil types from within a district.
• The application rates of the by-products also vary ranging from around 100 to 300 wet tonnes per hectare.
• The ratio of the components of the mud/ash mix.
This ratio can differ from load to load of the product.

Due to the variable nutrient content of mill mud and mill ash products, these mixtures will be treated as one product (mill mud). For the purpose of calculating the amount of nitrogen supplied by these products, the lower documented value of their nutrient content is used.

This approach will be further refined in the future as techniques for quantifying and/or reducing the variability of the product are introduced. If you haven't applied mill mud in the last three years write zero at Step 6 on the worksheet and go to Step 7.

How do I calculate the deduction for nitrogen supplied from mill by-products?

Three rates of mill by-products are considered:
1. less than 100 wet tonnes/ha
2. 100–200 wet tonnes/ha
3. 200–300 wet tonnes/ha
To calculate the deductions required from the base application rate following the application of mill mud, refer to table 8. These deductions reflect the conservative estimates of nitrogen input from mill mud and were chosen to remove the uncertainty created by the variability in the nutrient content of mill byproducts.

Note that no deduction is required where application rates are less than 100 wet tonnes per hectare or where mill ash alone is applied.

Table 8. Deductions from the base application rate following the use of mill mud.

Application rate (wet tonnes/ha)	Amount to be deducted from the appropriate N application rate (kg of N/ha)		
	Plant	First ratoon	Second ratoon
less than 100	Nil	Nil	Nil
100 – 200	40	20	10
200 – 300	60	30	15

Source: Schroeder *et al.* (2009) unpublished.

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Step 2 – How do I calculate my phosphorus deduction for applying mill by-products?

When soil tests indicate that phosphorus is required for blocks producing sugarcane, mill by-products (mill mud and mill ash) can be considered as a source of phosphorus. As with nitrogen, substantial deductions to the baseline rate may need to be made to account for the amount available from mill by-products. To calculate the deduction to be applied to the baseline rate of phosphorus application, refer to table 11. This table indicates that due to the large amounts of phosphorus in mill mud and mill ash, no fertiliser phosphorus is required for at least one crop cycle when these products have been applied at application rates of 100–300 wet t/ha. Where application rates of less than 100 wet t/ha have been used, no deduction is required.

Table 11. Phosphorus application strategies following the use of mill by-products.

Mill by-product	Application rate (wet t/ha)	Phosphorus application strategy
Mill mud	< 100	No deduction from the rate determined in Step 1
Mill mud	100–300	Nil P for at least one crop cycle

Source: Schroeder et al. (2009 unpublished).

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Summary points on the nutrient status of mill mud/ mill ash

PW Moody, Science Delivery, DSITIA

- Approximately 2.3 million wet tonnes of mill mud and 200,000 wet tonnes of mill ash are produced annually in Queensland.
- These mill by-products contain approximately 8,500 tonnes of total nitrogen (N) and 5,300 tonnes total phosphorus (P).
- A typical mill mud application rate of 150 wet tonnes /ha supplies about 550 kg total N/ha and 340 kg total P/ha.
- The total N/P ratio in mill mud of approximately 1.6 is greatly unbalanced when compared to the total N/P ratio of about 6.5 in cane tops and trash; consequently, mill mud should be treated as a P fertiliser, not as an N fertiliser.
- Approximately 2% of the total N in mill mud/mill ash is immediately bioavailable as mineral N (ammonium-N plus nitrate-N). A typical mill mud application rate of 150 wet tonnes /ha applies about 550 kg total N/ha; only about 11 kg N/ha of this is immediately available as mineral-N- the rest mineralises at a rate dependent on temperature, water content, soil contact etc.
- Approximately 60% of the total P in mill mud (30% of total P in ash) is extractable as BSES-P; this soil test is used to assess the level of available P in sugarcane soils.
- A typical mill mud application rate of 150 wet tonnes /ha applies about 200 kg BSES-P/ha; on a P-sufficient cane soil this is enough replacement P for about 10 cane crops.
- Mill mud and mill ash are extremely variable in composition; in a crushing season, the intra-mill variability is as great as inter-mill variability.
- The recently developed phosphorus environmental risk index (PERI) is calculated as Colwell-P/PBI (Moody, 2011); both these soil P tests are used in the Six Easy Steps to estimate P fertiliser requirements for sugarcane.
- The Fertiliser Industry Federation of Australia (FIFA) endorses the following advice when PERI>0.7:
  This information is based on early research findings for a limited range of soils and climates and should be used as a guide only. At this level, there is increased risk of this soil emitting significant quantities of solution phase P (>0.2 mg/L). Water containing greater than 0.05 mg/L is above the statutory limit for discharge to natural waterways such as creeks, dams and rivers. It is suggested that precautions need to be taken to prevent soil water draining directly to natural water bodies. Phosphorus application including materials such as manures, composts bio-solids and organic by-products containing phosphorus should be discontinued until the Phosphorus Environmental Risk Index falls below 0.65. Take appropriate actions to ensure runoff water does not drain into riparian areas.

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References

Bloesch PM, Barry G (2010) Mill Mud/Ash Research in Queensland: A Review. (Department of Environment and Resource Management: Indooroopilly).

Moody PW (2011) Environmental risk indicators for soil phosphorus status. *Soil Research* **49**, 247–252.

CTS No. 01626/13

Chief of Staff…….. OK Dated / / **Approved Not Approved Noted** **Further information required** Minister……..…….. Dated / /

Department of Environment and Heritage Protection
MINISTERIAL DEPUTATION BRIEFING NOTE
8am 8 February 2013

- Peter Coaldrake Chair Queensland Heritage Council (QHC)
- John Cotter Deputy Chair QHC
- Glenda Sheaffe QHC (representing National Trust of Queensland)
- Cr George Seymour QHC (representing Local Government Association of Queensland)
- Bill Marklew QHC (representing Queensland Council of Unions)
- Stuart Lummis QHC (representing interests of property owners and managers)
- Anthony Ross QHC (representing interests of rural industries)
- Judith McKay QHC
- Leanne O'Brien QHC
- Marcus Ford QHC
- Ivan McDonald QHC

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Queensland Heritage Council meeting Friday 8 February 2013**

DEP REP: Tony Roberts, Deputy Director-General, Environmental Policy and Planning, 3330 5990
Fiona Gardiner, Director, Heritage, 3330 5873

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BACKGROUND

- The Queensland Heritage Council (QHC) was appointed on 1 January 2013. Five members are new to QHC, six have been reappointed and one position is vacant.
- The first meeting of QHC is an opportunity for the Minster to meet the new members, outline his vision for heritage in Queensland, and hear the views of the Chair and QHC members.

CURRENT ISSUES

- At the meeting QHC will be provided with updates and will discuss the following strategic projects during the Minister's attendance:

QHC Online

- QHC Online is a SharePoint 2010 site that has been designed and developed by the department.
- The main purpose of this site is to provide QHC members with an efficient distribution method of QHC agenda papers and minutes.
- Key policy documents and reference material will also be available on QHC Online.
- QHC Online was developed at the request of the Chair.
- QHC online will become operational in March 2013.

Queensland Heritage Strategy (QHS)

- The QHS was launched in October 2009 and provides a heritage policy framework until 2019; however it is due for a mid-term review in 2014.
- The QHS was prepared in partnership with the QHC and was endorsed by Cabinet under the previous government.
- Minister Powell supports QHS remaining in place until the review.
- The mid-term review provides an opportunity for the QHS to respond to the Queensland Government's commitment to growing the four pillar economy: agriculture, construction, resources and tourism.
- QHC will commence working with the department on reviewing the QHS in June 2013.

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Ken Horrigan Position: Manager Heritage Tel No: 3330 5857 Date: 4 February 2013	Name: Fiona Gardiner Position: Director Heritage Tel No: 3330 5873 Date: 4 February 2013	Name: Tony Roberts Position: Deputy Director-General, Environmental Policy & Planning Tel No: 3330 3990 Date: 5 February 2013	Name: Andrew Chesterman Position: Director-General, DEHP Tel No: 3330 6298 Date:

Heritage Guidelines

- Ten heritage guidelines are being prepared by the Department of Environment and Heritage Protection for local government, owners of heritage places and the community to help better manage Queensland's heritage places.
- The draft single State Planning Policy (sSPP) provides a strategic platform for the heritage guidelines to educate and inform local government and the community.
- Heritage protection is included as a State Interest in the draft sSPP which will be available for public consultation on 18 February 2013.
- The guidelines will be referenced in the sSPP and provide non-mandatory guidance.
- The guidelines will appear progressively on the department website following QHC and community consultation.

Heritage Fund

- The establishment of a Queensland Heritage Fund (QHF) is being investigated to support the conservation and long term sustainability of heritage places throughout Queensland.
- The proposed QHF features a partnership between QHC and the National Trust of Queensland (NTQ).
- The proposed fund would receive corporate, community and philanthropic donations, with donations tax deductible under the NTQ's Direct Gift Recipient status.
- A small project team has been established within the department to develop a project plan and draft prospectus for the fund.
- The team's recent action has focused on investigating heritage funding structures and operational models within Australia and internationally. Legal and financial issues are being explored using a consultation strategy.
- Discussions have been held with Brisbane City Council Save City Hall Fund managers regarding the City Hall conservation project (donations for which are tax deductible under the NTQ's Direct Gift Recipient status) as well as the Australian Centre for Philanthropic and Non-profit Studies at Queensland University of Technology Business School.
- The QHC heritage fund working group will be re-invigorated, and QHC will be asked to commission and fund a feasibility study into the proposed QHF.

Impact of floods on heritage places

- QHC will be presented with an assessment of impacts of floods on heritage places.

MINISTER'S COMMENTS

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ATTACHMENTS

- Attachment 1: QHC Agenda 8 February 2013
- Attachment 2: QHC meeting running sheet

Author	**Cleared by**	**Cleared by**	**Recommended:**
Name: Ken Horrigan Position: Manager Heritage Tel No: 3330 5857 Date: 4 February 2013	Name: Fiona Gardiner Position: Director Heritage Tel No: 3330 5873 Date: 4 February 2013	Name: Tony Roberts Position: Deputy Director-General, Environmental Policy & Planning Tel No: 3330 3990 Date: 5 February 2013	Name: Andrew Chesterman Position: Director-General, DEHP Tel No: 3330 6298 Date:

AGENDA
QUEENSLAND HERITAGE COUNCIL MEETING NO. 259
FRIDAY, 8 FEBRUARY 2013
COMMENCING AT 8.00AM WITH A WELCOME BREAKFAST ON
LEVEL 3, BREAK OUT SPACE, 400 GEORGE STREET.

Andrew Powell MP, Minister for Environment and Heritage Protection, and Tony Roberts, Deputy Director-General, Environmental Policy & Planning will be attending the meeting to meet the Chair and members

Agenda No.	AGENDA ITEM	Page Number / Person reporting	Formal QHC resolution required
8:00am	**WELCOME BREAKFAST** **(Breakout space, Level 3, 400 George St)**		
8.45am	**QHC MEETING COMMENCES** **(Director-General's Conference Room, Level 13, 400 George St)**		
1	**APOLOGIES: NIL**		
1.1	**INTRODUCTION**		
1.1.1	Chair's welcome and member introductions	PC	
1.1.2	Welcome from the Honourable Andrew Powell, Minister for Environment and Heritage Protection		
1.1.3	Welcome from Tony Roberts, Deputy Director-General, Environmental Policy & Planning		
1.1.4	Priorities for the year	PC	
2	**BUSINESS FROM PREVIOUS QHC MEETING:**		
2.1	Draft minutes of Meeting No. 258 of 7 December 2012	P.1 (JK)	Yes
2.2	Action list	P.13 (JK)	For noting
3	**DECLARATION OF INTEREST**		
3.1	Declaration of Interest Glenda Sheaffe: Item 10.2.1 St Patrick's Convent, Townsville Ivan McDonald: Item 10.2.1 St Patrick's Convent, Townsville Item 6.4.1 Amity, New Farm Leanne O'Brien: Item 6.4.1 Amity, New Farm		For noting
4	**PRESENTATION**		
4.1	QHC online training (sharepoint) • Overview of project • QHC online training for members by Lynda Cunnington (LC), Technical Writer, Information and Technology Partners	 NM LC	For noting
5	**POLICY DEVELOPMENT and IMPLEMENTATION**		
5.1	**Queensland Heritage Strategy**		
5.1.1	Mid-term review – verbal update	KH	For noting
5.2	**Planning Reform**		
5.2.1	Heritage guidelines project – verbal update	FG	For noting
5.3	**Heritage and Funding**		
5.3.1	Heritage Fund	P.14 (AVG)	Yes

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AGENDA
QUEENSLAND HERITAGE COUNCIL MEETING NO. 259
FRIDAY, 8 FEBRUARY 2013
COMMENCING AT 8.00AM WITH A WELCOME BREAKFAST ON
LEVEL 3, BREAK OUT SPACE, 400 GEORGE STREET.

6	**HERITAGE DEVELOPMENT AND MANAGEMENT**		
6.1	**EHP monthly development report**		
6.1.1	Monthly development report 28 November 2012 to 30 January 2013	P. 37 (DRW)	For noting
6.2	**Development – referral for advice s70 QHA: Nil**		
6.3	**State Development – s71 applications: Nil**		
6.4	**Development Appeals:**		
6.4.1	600264 Amity, 101 Welsby Street, New Farm **IMcD & LOB declaration of interest**	P. 47 (KH)	Yes
6.5	**Maintenance Notices: Nil**		
6.6	**Stop Orders: Nil**		
6.7	**Heritage Agreements: Nil**		
6.8	**Memorandum of Understanding (MOU): Nil**		
6.9	**Development – Business Arising: Nil**		
7	**HERITAGE REGISTER MATTERS**		
7.1	**Applications Received**		
7.1.1	**Nominations: Nil**		
7.1.2	**Removals:**		
7.1.2.1	602573 Former Ipswich Baptist Church & memorial gates, 184 & 188 Brisbane Street, Ipswich (part of)		For noting
7.1.3	**Certificates Of Immunity: Nil**		
7.2	**Applications in Progress: Nil**		
7.3	**Applications Withdrawn: Nil**		
8	**ORAL REPRESENTATION/S**		
8.1	602597 Fig Trees, Sunnyside, 94 Windermere Road, Windermere Mr Brian Courtice (owner) See also agenda item 9.1.1 & 9.7.1		
9	**HERITAGE RECOMMENDATIONS**		
9.1	**Recommended To Be Entered:**		
9.1.1	602597 Fig Trees, Sunnyside, 94 Windermere Road, Windermere *Deferred from QHC meeting 7 December 2012* See also agenda item 9.7.1	P. 60 (PW)	Yes
9.2	**Recommended Not Enter: Nil**		
9.3	**Recommended To Vary The Entry In QHR: Nil**		
9.4	**Recommended Not To Vary The Entry In QHR: Nil**		
9.5	**Recommended Not Enter But Re-Consider As An Archaeological Place: Nil**		
9.6	**Recommended Enter As An Archaeological Place: Nil**		
9.7	**Recommended Updates To Entry – s34:**		
9.7.1	601700 Dry-rubble Boundary Wall, Sunnyside Sugar	P. 60 (PW)	Yes

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	Plantation, 94 Windermere Road, Windermere *Deferred from QHC meeting 7 December 2012* See also agenda item 9.1.1		
9.8	**Certificate Of Immunity: Nil**		
10	**OTHER REGISTER MATTERS**		
10.1	**Appeals Planning And Environment Court: Nil**		
10.2	**Update On Current Appeals: Verbal Report**		
10.2.1	602796 St Patrick's Convent, 45 The Strand. North Ward, Townsville • Verbal update **GS & IMcD declaration of interest**	MB	For noting
10.3	**Heritage Agreements: Nil**		
10.4	**Matters For Advice: Nil**		
11	**COMMUNICATION AND PUBLIC ENGAGEMENT**		
11.1	**Incoming Correspondence** - See attached report	P.121 (JK)	For noting
11.2	**Outgoing Correspondence** - See attached report	P.188 (JK)	For noting
11.3	**Publications received** (available at meeting) • *Placenames Australia,* December 2012, Newsletter of the Australian National Placenames Survey	JK	For information
11.4	**Media**		
11.4.1	Media protocol	P.193 (SF)	For information
12	**OTHER BUSINESS**		
12.1	600065 Brisbane City Hall, Adelaide Street, Brisbane • Guided tour with Brisbane City Council to view completed conservation and adaption works. Commencing at 11:30am		
12.2	Working lunch – 12.30pm		

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NEXT QHC MEETING TO BE HELD ON THURSDAY, 21 MARCH 2013

Running sheet for QHC meeting 8 February 2013

8:00 am	WELCOME BREAKFAST	
8:45 am	QHC MEETING COMMENCES	
	Introduction	
	Chairs welcome (PC) [10 mins]	
	Welcome from the Honorable Andrew Powell, Minister for Environment and Heritage Protection [10 mins]	
	Welcome from Tony Roberts, Deputy Director-General, Environmental Policy & Planning [5 mins]	
	Priorities for the year (PC) [10 mins]	
	Update on floods (FG)	
9:20 am	BUSINESS FROM PREVIOUS MEETING	
	Draft minutes of Flying Minute Meeting No. 258 (7 December 2012)	[P. 1]
	Action list	[P. 13]
9:25 am	Agenda item 3.1 - Declarations of Interest [5 min]	
	PRESENTATION	
9:30 am	Agenda items 4.1 - QHC online (sharepoint)	
	Overview by NM [5 min]	
	QHC online training [25 min]	
	POLICY DEVELOPMENT and IMPLEMENTATION	
10:00 am	Agenda item 5.1.1 – Queensland Heritage Strategy - Mid-term review – verbal update (KH) [10 min]	
10:10 am	Agenda item 5.2.1 - Heritage guidelines project – verbal update (FG) [5 min]	
10:15 am	Agenda item 5.3.1 – Heritage Fund (AVG) [10 min]	[P. 14]
10:25 am	MORNING TEA (15 min)	
	HERITAGE DEVELOPMENT and MANAGEMENT	
10:40 am	Development Appeal - Agenda item 6.4.1 –- 600264 Amity, 101 Welsby Street, New Farm (KH) [10 min]	[P. 47]
	HERITAGE REGISTER MATTERS	
10:50 am	Agenda item 9.1.1 & 9.7.1	
	602597 Fig Trees, Sunnyside, 94 Windermere Road, Windermere (PW)	[P. 60]
	[Recommendation made 12 November 2012, QHC decision due 13 February 2013 unless extended to 12 April 2013 with owner consent]	
	Visual Presentation PW [5 min]	
10:55 am	Oral representation – Mr Brian Courtice (owner) [10 min]	
11.05 am	QHC Consideration [5 min]	
	OTHER REGISTER MATTERS	
11:10 am	Register Appeal - Agenda item 10.2.1 - 602796 St Patrick's Convent, Townsville - Verbal report (MB)	
	GS & IMcD declaration of interest	

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	COMMUNICATION AND PUBLIC ENGAGEMENT	
	Agenda items 11.1 - 11.2 - Incoming & outgoing correspondence	[P. 121 & 188]
	Agenda item 11.4.1 – Media protocol	[P.193]

11:15 am Travel to Brisbane City Hall for guided tour (11.30am)
12:30pm Working lunch

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