

Annex to the Annual Report

27 March – 30 June 2009

Department of Environment and Resource Management



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Purpose of the annex

Reports on the administration of four (4) pieces of legislation administered by the Department of Environment and Resource Management (DERM) are provided in this annex to the department's annual report. It has been prepared to allow the Queensland Parliament—through the Minister for Natural Resources, Mines and Energy and Minister for Trade, and the Minister for Climate Change and Sustainability—to assess the performance of DERM in relation to this legislation.

The annex also includes the annual report and financial statements for Newstead House, prepared by its Board of Trustees.

This publication can be accessed and downloaded from the DERM website. Alternatively, hard copies of the document can be obtained by emailing strategicreporting@derm.qld.gov.au.

Your feedback

The annual report and its annex are important documents representing communication and accountability. The department values comments and welcomes feedback from readers. To provide feedback, please complete the electronic survey available at www.derm.qld.gov.au.

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Phone: +61 7 3227 8311
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Report on the administration of the
Environmental Protection Act 1994
 (for the reporting period 1 July 2008 – 30 June 2009)

The *Environmental Protection Act 1994* protects Queensland's environment while allowing for sustainable development. The Act is jointly administered by the State and local governments and provides for an annual report to the parliament on the administration of the Act. The administration of activities under the Act may be summarised as follows:

Administration by the State	
Environmentally relevant activities (ERAs) administered	10 912
Compliance inspections	2630
Statutory compliance and infringement notices	334
Complaints received	2898
Administration by local governments	
Environmentally relevant activities (ERAs) administered	10 370
Statutory compliance and infringement notices	3945
Complaints received	18 730

The object of the *Environmental Protection Act 1994* is to protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).

The Act provides that protecting Queensland's environment is to be achieved by an integrated management program consistent with ecologically sustainable development. The Department of Environment and Resource Management (DERM) has responsibility for the overall administration of the Act, which includes the following subordinate legislation:

- Environmental Protection Regulation 2008
- Environmental Protection (Waste Management) Regulation 2000
- Environmental Protection (Air) Policy 2008
- Environmental Protection (Noise) Policy 2008
- Environmental Protection (Waste Management) Policy 2000
- Environmental Protection (Water) Policy 2009.

During the 2008–09 reporting year there were significant changes to the legislation. The Environmental Protection Regulation 1998, the Environmental Protection (Air) Policy 1997 and the Environmental Protection (Noise) Policy 1997 were repealed and replaced with new subordinate legislation from 1 January 2009.

Environmentally relevant activities

The Act defines three types of environmentally relevant activities (ERAs). These are Chapter 4 activities, mining activities and Chapter 5A activities. Chapter 4 activities are generally industrial or commercial activities that may release contaminants that may cause environmental harm other than as part of a mining or petroleum or gas project. Mining activities include exploration, extraction, rehabilitation and similar activities that are authorised under the *Mineral Resources Act 1989*. Chapter 5A activities are petroleum and gas activities and greenhouse gas storage activities.

Administering authorities

The Act is administered in partnership with local governments and other government departments. Chapter 11 of the Act provides for the administration of the Act to be devolved or delegated to local governments or delegated to other agencies.

All local governments have been devolved responsibility for environmental nuisance, noise standards, prescribed water contamination and particular Chapter 4 activities. All local governments also have a delegated responsibility for the enforcement and management of litter and illegal waste disposal.

The Department of Employment, Economic Development and Innovation (DEEDI) has been delegated powers for administering the Act for cattle feedlots, piggeries, dairy farming and livestock holding facilities.

Annual reporting requirement

The Act provides for annual reporting on the administration of the Act. Each administering authority other than the chief executive is required to report to the chief executive within four months of the end of the financial year. The chief executive then provides a report to the Minister for tabling in parliament within four months of the end of the financial year.

Environmentally relevant activities

ERAs are Chapter 4 activities, mining activities or Chapter 5A activities (as described on page 1). The assessment process and approval requirement for ERAs varies according to type:

- A Chapter 4 activity, other than an activity to which a code of environmental compliance applies, requires a development permit issued under the *Integrated Planning Act 1997* (IP Act) and registration certificate issued under the Act.
- A mining activity or a Chapter 5A activity requires an environmental authority issued under the Act.

The number and type of ERAs administered is given in table 1 and the number of approvals given in 2008–09 is shown in table 2.

Table 1: ERAs administered

	DERM	DEEDI	Local government	Total
Chapter 4 activities	5606	1440	10 370	17 416
Mining activities	4958	–	–	4958
Chapter 5A activities	348	–	–	348
Total	10 912	1440	10 370	22 722

Table 2: Environmental authorities¹ issued

	DERM	DEEDI	Local government	Total
Chapter 4 activity permits or concurrence responses	1258	49	652	1959
Registration certificates	1504	43	930	2477
Mining activity authorities	666	459	–	1125
Chapter 5A authorities	47	–	–	47
Total	3475	551	1582	5608

Note:

¹ The activities devolved to local government are listed in s101 of the Environmental Protection Regulation 2008.

The assessment process for some of the higher risk activities is varied to provide for a more intensive assessment process or environmental impact statement. These are conducted through extensive environmental impact assessment processes under the Act or through advice to the Coordinator-General under the *State Development and Public Works Organisation Act 1971* (SD&PWO Act). A summary of major project assessments managed, or significantly contributed to, by DERM during 2008–09 is given in tables 3 and 4.

The development approval or the environmental authority may contain conditions relevant to the activity. These conditions are designed to prevent or minimise environmental harm from the operation of the activity.

Table 3: Assessments completed

Project	Type	Assessment process
Gladstone Nickel	mineral processing	EIS under SD&PWO Act
Hinze Dam stage 3	water supply	EIS under SD&PWO Act
Roseberry Copper	metalliferous mine	Voluntary EIS under EP Act
Watershed Tungsten	metalliferous mine	Voluntary EIS under EP Act
Wyralong Dam	water supply	EIS under SD&PWO Act
Gladstone LNG Ltd	liquefied natural gas	EIS under EP Act
Isaac Plains Coal	coal mine	Voluntary EIS under EP Act

Table 4: Assessments in progress

Project name	Type	Assessment process
Alpha Coal – Hancock	coal mine	EIS under SD&PWO Act
Airport Link road tunnel	change report	EIS under SD&PWO Act
Aurukun Bauxite	mine and port development	EIS under SD&PWO Act
Bell Creek Nornico	metalliferous mine	Voluntary EIS under EP Act
Boundary Hill Coal	coal mine	EIS under EP Act
Bowen Basin Coal Growth Project	coal mines	EIS under SD&PWO Act
Cannington Mine expansion	metalliferous mine	Voluntary EIS under EP Act
Cloncurry Copper	metalliferous mine	Voluntary EIS under EP Act
Connors River Dam	water supply	EIS under SD&PWO Act
Dugald River Mine	metalliferous mine	Voluntary EIS under EP Act
Eagle Downs Coal	coal mine	EIS under EP Act
Eaglefield Coal	coal mine	Voluntary EIS under EP Act
East Coast Alumina Refinery	mineral processing	EIS under SD&PWO Act
Einisleigh Copper	metalliferous mine	Voluntary EIS under EP Act
Ella Bay Integrated Resort	resort	EIS under SD&PWO Act
Ellensfield Coal	coal mine	Voluntary EIS under EP Act
Emu Swamp Dam	water supply	EIS under SD&PWO Act

cont. table 4

Project name	Type	Assessment process
Felton Coal	coal mine	Voluntary EIS under EP Act
Fishermans Landing Port Expansion	reclamation for port	EIS under SD&PWO Act
Gallilee Coal –Waratah	coal mine	EIS under SD&PWO Act
Gladstone–Fitzroy Pipeline	water supply	EIS under SD&PWO Act
Gladstone LNG Santos	liquefied natural gas	EIS under SD&PWO Act
Gold Coast International Marine Precinct	marina precinct	EIS under SD&PWO Act
Grosvenor Coal	coal mine	Voluntary EIS under EP Act
Gladstone LNG Ltd	liquefied natural gas	EIS under SD&PWO Act
Hummock Hill Island development	resort and residential	EIS under SD&PWO Act
Kunioon Coal	coal mine	EIS under EP Act
Landsborough–Nambour Rail Project	rail duplication	EIS under SD&PWO Act
Linc Energy	underground coal gasification	EIS under SD&PWO Act
Millennium Coal	coal mine	Voluntary EIS under EP Act
Moura Link Aldoga Rail Project	coal rail	EIS under SD&PWO Act
Nathan Dam	water supply	EIS under SD&PWO Act
NE Business Park	mixed development	EIS under SD&PWO Act
New Acland stage 3 mine	coal mine	EIS under SD&PWO Act
New Saraji Coal	coal mine	Voluntary EIS under EP Act
Northern Pipeline Interconnector	water supply pipeline	EIS under SD&PWO Act
Northern Link road tunnel	road tunnel	EIS under SD&PWO Act
Origin Connocco Phillips	liquefied natural gas	EIS under SD&PWO Act
Pisilite Hills Mine	bauxite mine	EIS under EP Act
QLD Curtis LNG	liquefied natural gas	EIS under SD&PWO Act
Rocklands Copper	metalliferous mine	Voluntary EIS under EP Act
Rocky Springs master plan	residential	EIS under IP Act
Shute Harbour Marina	marina and residential	EIS under SD&PWO Act
Shell Arrow	liquefied natural gas	EIS under SD&PWO Act
South of the Embly	bauxite mine	EIS under SD&PWO Act
Sun LNG	liquefied natural gas	EIS under EP Act
Surat to Gladstone Pipeline	natural gas pipeline	EIS under EP Act

Project name	Type	Assessment process
Surat Basin Rail	coal rail	EIS under SD&PWO Act
Townsville Ocean Terminal	marina and wharves	EIS under SD&PWO Act
Traveston Dam	water supply	EIS under SD&PWO Act
Wandoan Coal	coal mine	EIS under SD&PWO Act
Water for Bowen	water supply pipeline	EIS under SD&PWO Act
Wateranga Mine	heavy metals mine	EIS under EP Act
Woori Coal	coal mine	Voluntary EIS under EP Act
ZeroGen	carbon sequestration	EIS under SD&PWO Act

Contaminated land

Land contamination can occur as a result of poor environmental management and waste disposal practices, or accidental spills from industrial or commercial activities. Details of land that has been used for notifiable activities, for example service stations, landfills and tanneries, are kept on the Environmental Management Register (EMR) to monitor and manage potential land contamination issues. Entry on the EMR does not mean that the land must be cleaned up or that the current land use must stop.

Site investigation and validation reports may be prepared to determine whether and the extent of contamination on a site. If necessary, a site management plan may be prepared to state the way in which any contamination will be managed to prevent environmental harm.

Where DERM is satisfied that the land is contaminated and action is required to remediate the land to prevent serious environmental harm, the land may be listed on the Contaminated Land Register (CLR). Land can be transferred from the CLR to the EMR where site management plans have been issued for the contamination to be managed so it no longer causes environmental harm or poses a risk to human health.

When DERM is satisfied that the land is not or is no longer contaminated it is removed from the EMR. When land is removed from either register, a suitability statement is issued for the land.

Searches to find out if a particular site is listed on the EMR or the CLR can be conducted through DERM (linked to Smart Service Queensland) or via CITEC CONFIRM (www.citec.com.au). CITEC CONFIRM and DERM both offer an immediate response through online searches. The immediate response is very popular, with more than 99 per cent of searches completed in this way.

Table 5: Contaminated land management

Number of sites on the Environmental Management Register	17 576
Number of sites on the Contaminated Land Register	12
Development applications (IP Act) considered	447
Site investigation and validation reports received	140
Site management plans approved	71
Suitability statements issued	187
Soil disposal permits issued	176
Searches on the environmental management and contaminated land registers	77 045

Complaints and incidents

The responsibility for managing environmental complaints and incidents is shared between the State and local governments. The State generally responds to complaints regarding serious and material harm, activities by government and ERAs managed by it. Local government is generally responsible for the investigation of complaints about waste dumping, littering, release of prescribed water contaminants, nuisance, and ERAs administered by local government.

Where a complaint or incident is dealt with by the State, and depending on the type of complaint or environmental incident, DERM either responds directly or coordinates a response with other Queensland Government agencies or local governments. Some incidents of environmental significance such as oil spills from vessels may be covered by other legislation and DERM provides a support role to the administering department.

DERM Pollution Hotline (1300 130 372) provides a response service to reports about major pollution incidents such as chemical spills impacting on the environment. The hotline is a service for reporting pollution incidents via a single telephone number across Queensland, 24 hours a day, seven days a week.

A summary of complaints during 2008–09 is provided in table 6. The total number of complaints recorded by local governments and the total number of complaints recorded in 2008–09 were lower than recorded in the previous year and were similar to the number recorded in 2006–07.

The majority of nuisance complaints (87%) received by local government were related to residential sources. The most common type of nuisance complaint received was noise-related complaints (65%) with animal noise contributing 62 per cent of the noise complaints. The majority of waste complaints pertained to littering offences.

Table 6: Complaints received

	DERM	DEEDI	Local government	Total
Air	745	107	2659	3511
Water	1165	4	2639	3808
Noise	670	4	11 552	12 226
Waste	168	11	1423	1602
Other	150	11	457	618
Total	2898	137	18 730	21 765

Examples of DERM's involvement in major incidents in 2008–09 are outlined below.

Pacific Adventurer oil spill

On 11 March 2009 the ship *Pacific Adventurer* lost 31 containers of ammonium nitrate and 276 tonnes of heavy fuel oil off Cape Moreton resulting in the oiling of about 70 kilometres of Moreton Island, Bribie Island and the Sunshine Coast. The response involved DERM staff from across the state for an extended period. DERM provided key advice under the Oil Spill Response Incident Control System (OSRICS) to implement the national plan in terms of environmental sciences coordination, oiled wildlife response, waste handling, management and disposal, shoreline assessment and clean-up, sensitive habitat assessment clean-up and rehabilitation (headlands and wetlands) and managing impacts on cultural heritage sites.

SIMS metal fire

On 26 August 2008, a fire broke out in a scrap metal stockpile on the Sims Metal site at Rocklea and burned for about 24 hours. The fire generated dense black smoke, which discharged into the atmosphere. This was the basis of a nuisance charge under section 440(2) of the *Environmental Protection Act 1994*.

Subsequent investigations by DERM revealed deficiencies in how Sims Metal managed its site. In August 2009, DERM commenced prosecution against Sims Metal for contravention of section 440(2): offence of causing an environmental nuisance, and section 435(2): offence for contravening a development condition of the *Environmental Protection Act 1994*.

A consultant was engaged by Sims Metal to conduct an investigation into potential environmental impacts as a result of the off-site release of fire water. The level of harm was found to be minimal. On 30 September 2009, Sims Metal pleaded guilty in the Brisbane Magistrates Court and was fined \$30 000. Sims agreed to make a

donation of \$30 000 to DERM for commissioning of an independent consultants report reviewing the practices of metal recycling facilities to be used by DERM in existing and future development approvals.

Santos oil spill

The Santos oil spill of 23 August 2008 involved the release of 200 000 litres of oil from a break in the pipeline at Carindale in a parkland area beside Bulimba Creek. The release occurred as Santos were undertaking their first attempt at decommissioning the pipeline. All the oil was contained on land in the vicinity of the rupture with no releases to Bulimba Creek. EPA officers supervised the first 15 days of the initial response, while recovery works were still under way after 180 days.

The final Santos Moonie to Brisbane pipeline decommissioning project entailed pumping out the oil under low pressure, using water to displace the oil. The project was carried out over five separate sections between November 2008 and September 2009. Given the high risk associated with this project, the work followed a thorough emergency plan endorsed by DERM. This plan included on-ground and helicopter surveillance, monitoring of pipeline pressures, booming of all significant water crossings, and maintaining a number of staging posts along the easement with heavy earthmoving equipment, vacuum trucks and other emergency gear.

Ammonium refrigerant release

On 3 August 2008, a leak of ammonia refrigerant gas occurred at the Parmalat dairy facility in Brisbane resulting in a major incident and evacuation of a large surrounding area. QFRS requested EPA attendance. The primary environmental risk was the potential for releases of toxic ammonia in spray water to the Brisbane River. Measures were put in place on EPA advice to contain contaminated water in drain systems and for its removal and disposal.

Ammonium nitrate spill and fire

On 14 July 2008 at Duaranga in central Queensland a B-double truck carrying 60 tonnes of explosive-grade ammonium nitrate overturned and caught fire. QFRS requested EPA attendance to provide advice on containment of contaminants, management of fire-water and disposal of waste materials. After the fire and explosion hazard had ceased, the EPA supervised the clean-up of the site and removal of the spilled ammonium nitrate for reprocessing and disposal in conjunction with explosives inspectors from the Department of Mines and Energy.

Ethanol spill

On 14 November 2008, a 39 000 litre ethanol tanker in-transit developed cracks and was leaking a large amount of ethanol close to Princhester Creek on the Bruce Highway near Marlborough. QFRS requested EPA attendance for the 12-hour incident to provide advice on containment of the ethanol spill, possible fire-water management, use of chemicals if the tanker caught fire, and site remediation. EPA advice on reducing fire risk, bunding and targeted use of water sprays meant that the use of alcohol resistant foam was avoided resulting in significant cost savings and avoiding the potential release of chemicals damaging the waterway.

Enforcement

Strategic Compliance Strategy

DERM supports the enforcement of the Act through implementation of a strategic compliance management plan. The compliance plan forms a part of the longer term compliance strategy.

The objective of DERM's Compliance Strategy 2008–12 is to build a foundation of environmental compliance from which business, industry and the community can engage with sustainability.

The objective of the 2008–09 Annual Compliance Plan was to assess levels of environmental compliance by business, industry and the community and to develop an evidence-based understanding of environmental risk. Projects within the plan aim to target areas where there is significant risk, and opportunity for improved performance.

The strategic approach to the targeted areas aims to improve performance and compliance with regulatory requirements by influencing behaviour—and not necessarily being limited by traditional approaches of conducting inspections, identifying non-compliance, and taking remedial action.

The 2008–09 Annual Compliance Plan comprises: an area program, activity program, tracking program and a licence program.

These programs focus on protecting and enhancing the quality of the air and water and avoiding land contamination. The total number of inspections in any year will fluctuate due to:

- the complexity of inspection programs
- the number and complexity of major incidents and monitoring programs

- adverse weather conditions that preclude access to the site
- the number and distribution of nuisance and other complaints across the state
- the environmental performance of licensed activities
- a significant increase in assessment and authorisation of new development.

Each program is described below. A summary of the number of inspections completed under the programs is provided in table 7.

Area program

The area program consists of compliance projects focusing on all premises/activities within a selected area; for example, an industrial estate or river catchment. The program also considers the key environmental issues in the particular area, and this is reflected by the nature of the inspections carried out. For example, if water quality in a creek was an issue, inspections would investigate potential sources of water pollution.

If local governments or other state agencies regulate some of the activities in a particular area, DERM partners with these authorities in carrying out the compliance projects. A partnership approach provides the maximum benefit for the environment.

The three-year Industrial Estate Inspection Project was completed in 2008–09. The inspection of 3261 sites within 58 industrial estates over this three-year project means that the government now has a clear picture of the cumulative environmental risk presented by industrial estates. This will inform industrial land-use planning and environmental regulation of industry well into the future. A total of 1409 inspections were carried out in 2008–09 at 25 industrial estates.

The Sediment Runoff Control Project, through a partnership with Sunshine Coast Regional Council, revealed very low standards of erosion and sediment control at urban development sites across the Sunshine Coast, as well as a general lack of knowledge of best-practice sediment management.

Despite the initial poor performance, inspections also revealed an overall willingness and capability by those within the development industry to improve their erosion and sediment control practices. This has been achieved through a combination of comprehensive inspections, written audit reports, follow-up inspections, education, training, and encouragement and enforcement actions. DERM undertook a total of 80 inspections, issuing 35 warnings, six environmental protection orders, and two transitional environmental programs.

Activity program

The activity program consists of compliance projects focusing on premises within a selected industry sector or activities across all industry sectors. The program also examines the key environmental issues, and risks, relating to the particular industry and aims to ensure that business activities are complying with environmental authority conditions.

Similar to the area program, activity programs may be carried out in partnership with other regulatory authorities. Industry bodies have also been involved and have encouraged their members to conform to accepted environmental standards.

In 2008–09, DERM commenced a four-year project examining mining financial assurance matters to ensure information contained in the Plan of Operations is accurate, particularly the categorisation of significantly disturbed land and calculation of financial assurance. Site inspections will be undertaken where required. In 2008–09, four inspections were carried out.

DERM also promoted consistent/accurate approaches to emissions monitoring and estimation by industry, for the purposes of providing National Pollutant Inventory Reports. An inspection was carried out at a high emitter to validate their reporting.

Tracking program

The tracking program consists of compliance projects focusing on a particular waste product, ensuring they are accounted for, transported, treated and/or disposed of in an appropriate manner.

In 2008–09 DERM worked with the major generators of PCB waste (polychlorinated biphenyls, a dangerous pollutant that accumulates in the environment) to obtain information about the way such waste is being handled and to ensure those generators understand their obligations under the *Environmental Protection Act 1994*. A total of 15 generators were inspected.

DERM also carried out an industry awareness and auditing program to assess and improve compliance by waste tyre handlers with waste tracking requirements. A combination of site visits (of 41 waste tyre generators) and desktop reviews (of nine waste tyre transporters and receivers) was undertaken. The program results indicated a relatively high level of compliance across the industry.

Licence program

The licence program occurs proactively. Inspections are initiated by DERM and may be conducted on any business licensed by DERM to determine compliance with approval conditions as well as environmental performance.

The frequency and the level of licensed activity inspections take into account the:

- nature of the activities carried out
- inherent risk of causing environmental harm
- location of the business and the sensitivity of the receiving environment
- past performance of the licence holder and any other relevant matter that needs to be considered.

Based on the above factors, businesses are inspected either annually, bi-annually or as issues arise through complaints or incidents reported to DERM. During 2008–09, DERM undertook 152 inspections.

An inspection may also be initiated in response to a nuisance complaint or pollution incident reported to DERM. In 2008–09, DERM carried out 872 reactive inspections.

Table 7: Compliance inspections undertaken

Program and element	Number of inspections
Area program	
Industrial Estates Inspection Project	1409
Sediment Runoff Control Project	80
Activity program	
financial assurance	4
NPI	1
Tracking program	
waste	15
PCB waste	41
waste tyres	56
Licence program	
planned inspections	152
reactive inspections	872
Total	2630

Enforcement

Any decision on further action following a compliance inspection is made in accordance with DERM's Enforcement Guideline, which may be accessed on the DERM website at <www.derm.qld.gov.au>.

The Act provides a range of enforcement tools that may be used where a non-compliance is identified through inspection. These tools are an alternative or addition to the use of remedies through the courts. Each tool is described below. A summary of the number of notices issued is provided in table 8.

Table 8: Statutory compliance and infringement notices

Notice	DERM	DEEDI	Local government	Total
Environmental evaluations	35	0	56	91
Environmental protection orders	33	0	27	60
Transitional environmental programs	50	0	9	59
Penalty infringement notices	216	0	3853	4069
Total	334	0	3945	4279

Environmental investigations and audits

The administering authority may require a person to carry out an environmental evaluation to decide the source, cause or extent of environmental harm caused, or likely to be caused by an activity. Typically, an environmental evaluation is required where the cause or solution to an environmental issue is not obvious. The results of an evaluation may be used to decide whether an environmental management program is needed. When requiring an environmental evaluation, the administering authority will identify the relevant matters for the evaluation. The evaluation may be either an environmental audit or an environmental investigation.

Environmental protection orders

An environmental protection order (EPO) is an order that the administering authority may use to impose a reasonable requirement to prevent or minimise environmental harm. Typically, an EPO is issued where the cause of environmental harm is known and what has to be done is clear. An EPO usually requires a person to undertake certain actions within a specified timeframe.

Transitional environmental programs

A transitional environmental program (TEP) is a specific program that the administering authority may require to achieve compliance with the Act. The program may either be designed to reduce environmental harm or detail a transition to an environmental standard, such as when a new environmental protection policy commences. A TEP provides a legally binding commitment to bring an operation into compliance and provides protection from prosecution provided commitments are met. A TEP may also be submitted voluntarily.

A TEP must state:

- the objectives
- how the objectives will be achieved
- the milestones for achieving the objectives
- performance indicators and
- provisions about monitoring and compliance reporting.

Penalty infringement notices

Authorised persons under the Act are able to issue penalty infringement notices (PINs) for a range of offences under the Act and its subordinate legislation. Infringement notices are appropriate where:

- the breach is minor
- the facts are apparently indisputable
- the breach is a one-off situation easily remedied
- inspection discovers a breach that normal operating procedures should have prevented and
- the issuing of an infringement notice is likely to be a deterrent.

Of the penalty infringement notices issued by local governments, 75 per cent related to the release of waste, 12 per cent related to the release of contaminants to water and 11 per cent related to nuisance.

Prosecutions

DERM finalised five prosecutions and local governments finalised five prosecutions under the Act during 2008–09. Fines imposed by courts in relation to DERM-initiated actions totalled \$129 200 and investigation costs of \$15 000 were awarded. A summary of the actions is provided in table 9.

A further 16 prosecutions remained to be finalised by DERM and one prosecution remained to be finalised by local government as at 30 June 2009. A summary of the actions is provided in table 10.

Planning and Environment Court orders

Where there exists a continuing or potential environmental threat, the court may issue either a restraint order or an enforcement order. Enforcement orders are applied in the case of a development offence. Restraint orders may be issued for a threatened or anticipated offence.

When issuing an order the court has very broad powers and may direct the company or person to:

- stop an activity that either constitutes, or will constitute, the offence
- do anything to comply with or cease a contravention of the law
- do anything required to stop committing an offence
- rehabilitate or restore an area.

One restraint order was granted to DERM during 2008–09.

Warrants

Entry of premises is a sensitive issue that requires a balance between a person's right to privacy and the needs of an investigation. Authorised persons have powers of entry in a range of circumstances, including when:

- the occupier consents to the entry
- it is a public place that is open to the public at the time of entry
- the place is open for business or the place is otherwise open for entry when entry is made and where:
 - it is a place to which an environmental authority, registration certificate, development approval or code of environmental compliance for an environmentally relevant activity relates, or
 - it is a place where industry is conducted
- certain circumstances are met for investigating releases of contaminants or potentially contaminated land
- entry is appropriate to access other land for these purposes.

When entry of premises is necessary, but not possible because none of these powers fits the circumstances, an authorised person must obtain a warrant to gain entry. Application for a warrant is made to a magistrate. If issued, a warrant allows an authorised person, with necessary and reasonable help and force, to enter a place and exercise the authorised person's powers. DERM applied for and was granted 10 warrants during 2008–09.

Table 9: Finalised prosecutions and restraint orders under the *Environmental Protection Act 1994*

Party	Offence	Nature of offence	Plea	Date, place of judgement	Court order
Department of Environment and Resource Management					
Parkside Holdings Pty Ltd	s430(3) of the Act	Bergman on behalf of Parkside ordered the burial of 78 drums of copper chrome arsenate on the mill premises in contravention of the Integrated Environmental Management System under the environmental authority.	guilty	26 August 2008 Gladstone District Court	<ul style="list-style-type: none"> \$100 000 fine two months to pay, in default referred to SPER no conviction recorded
R v Ronald John BERGMAN	s430(2) of the Act s481(1)(a) of the Act	Bergman on behalf of Parkside ordered the burial of 78 drums of copper chrome arsenate on the mill premises in contravention of the Integrated Environmental Management System under the environmental authority. When subsequently questioned by EPA investigators, Bergman lied and said he had no knowledge of buried drums.	guilty	26 August 2008 Gladstone District Court	<ul style="list-style-type: none"> \$20 000 fine 6 months to pay, in default referred to SPER conviction recorded
Christoffel v TASMAN SHEEPSKIN TANNERY PTY LTD	s322(3) of the Act s323(3) of the Act	Failure to submit an environmental investigation report (groundwater) by the due date of 6 July 2007. The report was lodged a year late in August 2008.	guilty	11 September 2008 Maroochydhore Magistrates Court	<ul style="list-style-type: none"> \$3000 fine two months in default levy in distress no conviction recorded
Orica Australia P/L	s435(2) of the Act	Contravention of a development condition of a DA Yarwun site, Reid Road, Yarwun, Lot 138, plan CTN2123	guilty	17 December 2008 Gladstone Magistrates Court	<ul style="list-style-type: none"> \$5000 fine 60 days to pay \$15 000 towards an environmental project (not costs)
Kevin KHAN	s440(1) of the Act	Mr Khan was recorded on video surveillance opening a discharge valve which resulted in the release of raw sewerage into the car park of a police station.	guilty	12 January 2009 Cleveland Magistrates Court	<ul style="list-style-type: none"> \$1200 restitution 200 hours community service conviction recorded
Brisbane City Council					
BCC v Pearson	s440D of the Act	Littering in Queen Street Mall	guilty	Prosecution completed 6 August 2008	
BCC v Martin Reay	s8 of the Environmental Protection (Waste Management) Regulation 2000	Littering in Queen Street Mall	guilty	Prosecution completed 1 October 2008	
BCC v Body Corporate for Inala Civic Centre Community Titles Scheme 36513	s10C(1)(a) and s10D(1)(a)(b)&(c) of the Environmental Protection (Waste Management) Regulation 2000	Insufficient supply and maintenance of waste containers	guilty	Prosecution completed 11 May 2009	
BCC v Body Corporate for Inala Civic Centre Community Titles Scheme 36513	s10P(4) of the Environmental Protection (Waste Management) Regulation 2000	3 x failure to comply with a compliance notice	guilty	Prosecution completed 11 May 2009	
Gold Coast City Council					
Noel Fuller Holdings Pty Ltd	<ul style="list-style-type: none"> Contravening a development condition Unlawfully causing material environmental harm 	Discharge of oily waste into a waterway from a Registered ERA	guilty	9 March 2009 Southport	

Party	Offence	Nature of offence	Plea	Date, place of judgement	Court order
Noel Fuller	<ul style="list-style-type: none"> • Contravening a development condition • Unlawfully causing material environmental harm 	Discharge of oily waste into a waterway from a registered ERA	guilty	9 March 2009 Southport	
Department of Environment and Resource Management – Restraint orders					
Gold Coast City Council	s507	Offence has been committed or will be committed unless restrained.	16 September 2008	Southport Planning and Environment Court	Enforcement orders for the audit of the sewage systems to decrease the likelihood of further sewage spills and environmental harm

Table 10: Prosecutions and restraint order applications commenced, but not completed, under the *Environmental Protection Act 1994* or the *Integrated Planning Act 1997*

Party	Charge	Allegation	Status at 30 June 2009
Department of Environment and Resource Management			
Gold Coast City Council (commenced 06-07)	s443	<p>Alleged offence: wastewater spill, approximately 1.425 ML sewerage released; backup in the system and various release:</p> <ul style="list-style-type: none"> • into stormwater drains that led to Nerang River and into Ana Capri apartment complex (43 Enderley Ave) • at various sites including basement of a construction site, Circle on Cavel, Riverside Apartments (39-41 Peninsular Drive), River Park Tower (40 Watson Esplanade) and Benelong Apartments (1 Peninsular Drive) 	<ul style="list-style-type: none"> • Compliance dates due for the parties in regard to audit, but no further action at this stage. File open in event of non-compliance • Dates managed by Gold Coast EPA officers • Letter sent to respondent's solicitors on 10/10 advising of possible changes to licence number referred to in order. • Recent advice given to region on briefing TPR, who has been engaged.
Ted ALLEN controlling Director of Noosa Washed Sands Pty Ltd (commenced 06-07)	s494(1)&(2)	Breach of EPO, unlawful extraction and provision of false and misleading information. April 2006 – January 2007 situated at Johns Road, Coorooibah, Lot 306 on MCH1227 (Lease A)	
Envirosolve Pty Ltd (commenced 07-08)	s435(1) s361(1) s480(1)	Prosecution against Envirosolve Pty Ltd, Rex Williams and Jason Williams for breaches of the <i>Environmental Protection Act 1994</i>	
Rex WILLIAMS (commenced 07-08)	s435(1) s361(1) s480(1)	Prosecution against Envirosolve Pty Ltd, Rex Williams and Jason Williams for breaches of the <i>Environmental Protection Act 1994</i>	
Jason WILLIAMS (commenced 07-08)	s435(1) s361(1) s480(1)	Prosecution against Envirosolve Pty Ltd, Rex Williams and Jason Williams for breaches of the <i>Environmental Protection Act 1994</i>	
Body Corporate for Illawong Lakes Resort	s435(1) s361(1)	Breach of EPO, unlawful discharge of waste from sewage treatment facility at 73 Illawong Drive, Mackay	
Zaps and Sons Pty Ltd	s435(1) s361(1)	Breach of EPO, unlawful discharge of waste from sewage treatment facility at 73 Illawong Drive, Mackay	
Douglas Partners Pty Ltd	s443(1)	Binary Gully: allowed contaminants/contaminating liquid to be placed in an unlined gully on-site. It is alleged the contaminated liquid seeped into the groundwater.	
Alan LEE	s443(1)	Binary Gully: allowed contaminants/contaminating liquid to be placed in an unlined gully on-site. It is alleged the contaminated liquid seeped into the groundwater.	

cont. table 10

Party	Charge	Allegation	Status at 30 June 2009
David ANSIN	s437(2) s320(3)&(4)	Fish kill incident December 2007: incident location 17 Dickson Road, Goondi Bend, Innisfail; L7 Survey Plan 125414, county Nares, Parish of Johnstone. Local government, Cassowary Coast	
Followmont Transport Pty Ltd	s437(2)	Fish kill incident December 2007: incident location 17 Dickson Road, Goondi Bend, Innisfail; L7 Survey Plan 125414, county Nares, Parish of Johnstone. Local government, Cassowary Coast	
Trinity Leigh POPP	s437(1) s481(1)	Trial Maroochydore District Court (Robertson J) 30/11/09 to 4/12/09 re three counts of knowingly providing false information	
King v Anthony STAZZIERI	s438(1)	Prosecution of Stazzieri for reckless construction of a dam; that dam burst allowing a large amount of dirty water to flood the Verrierdale Rise Conservation Area, causing environmental harm	<ul style="list-style-type: none"> Alleged offence occurred sometime between 30 September 2007 and 5 July 2008 DERM became aware of the offence on 4 July 2008. A stakeholder meeting was held and the site has been visited to assess the harm caused.
John Dee Warwick Pty Ltd	s435(1)	Condamine River contamination: overflow of an effluent pond from John Dee Warwick P/L (abattoir and rendering facility) Rosehill Road, Warwick, county of Merivale	<ul style="list-style-type: none"> Without prejudice meeting on 2 July 2009 Hearing mention adjourned to 13 July 2009
Jarrold McCracken	s440(1)	Jarrold McCracken and Crackers Corporation prosecution by EPA: vegetation was cleared in the vicinity of Clarke's Cove, near Proserpine, in the course of building works. No approvals were held. A number of rare trees were damaged in the process.	<ul style="list-style-type: none"> Date of alleged offence 13 August 2007 Brief served. Statement of facts served on defendant on 21 November 2008. Prosecution advised defence of approximate penalty range in December 2008. Without prejudice meeting held 8 April 2009. Prosecuting agencies provided a joint response by letter. Response expected from McCracken on about 22 May 2009. Parties are close to reaching agreement regarding a plea. Next in court: 13 July 2009
Crackers Corporation Pty Ltd	s440(1)	Jarrold McCracken and Crackers Corporation prosecution by EPA: vegetation was cleared in the vicinity of Clarke's Cove, near Proserpine, in the course of building works. No approvals were held. A number of rare trees were damaged in the process.	<ul style="list-style-type: none"> Date of alleged offence 13 August 2007 Brief served. Statement of facts served on defendant on 21 November 2008. Prosecution advised defence of approximate penalty range in December 2008. Without prejudice meeting held 8 April 2009. Prosecuting agencies provided a joint response by letter. Response expected from McCracken on about 22 May 2009. Parties are close to reaching agreement regarding a plea. Next in court: 13 July 2009
Gold Coast City Council			
Parmalat Australia Ltd	Failure to comply with a direction notice	Failure to clean up a prescribed contaminant (i.e. earth) from a roadside gutter	Alleged offence took place on 24 June 2006

Reporting on the administration of the Act

The Act provides for annual reporting on the administration of the Act. Each administering authority is required to report to the chief executive within four months of the end of the financial year.

Reports were received from 52 of the 73 councils (71 per cent) for the 2008–09 reporting year. Table 11 lists the local governments that did not provide a report to the chief executive prior to preparation of this report.

John Bradley
Director-General
Department of Environment and Resource Management

Table 11: Local governments that did not provide a report on the administration of the Act

Barcaldine	Hope Vale
Blackall–Tambo	Lockhart River
Boulia	Mapoon
Barcoo	Mornington
Bulloo	Napranum
Bundaberg	Northern Peninsula
Cassowary Coast	Palm Island
Cloncurry	Pormpuraaw
Diamantina	Richmond
Etheridge	Western Downs
Fraser Coast	

Report on the administration of **Nature Conservation Act 1992** (for the reporting period 1 July 2008 – 30 June 2009)

The *Nature Conservation Act 1992* (NC Act) aims to achieve an integrated and comprehensive approach to conserving nature. It provides a legislative basis for research, community education, dedicating, declaring and managing protected areas, and protecting native wildlife and its habitat. The NC Act allows for the ecologically sustainable use of wildlife and protected areas, and recognises the interests of Aboriginal and Torres Strait Islander people in nature and their cooperative involvement in its conservation. The roles of landholders and the community are recognised and the NC Act encourages their involvement in conserving nature through voluntary agreements and sustainable use of land and natural resources.

As at 30 June 2009 the only section of the NC Act not proclaimed was section 93, which deals with the rights of Aboriginal and Torres Strait Islander people to take use or keep protected wildlife on lands outside the protected area estate, under Aboriginal tradition or Torres Strait Islander custom.

The NC Act provides for proclamation of subordinate legislation in the form of regulations and conservation plans. These are detailed in this report.

The chief executive officer of the Department of Environment and Resource Management (DERM) is responsible for administering the legislation; however, where appropriate, certain powers of the chief executive are delegated to specified officials of DERM. Delegations are reviewed periodically.

Funding

In 2008–09, \$146.26 million (including an operating budget of \$130.24 million and capital budget of \$16.02) was allocated in the department's budget to administer the NC Act. These funds were used to acquire and manage protected areas, undertake research, direct sustainable wildlife use, educate the community and encourage community nature conservation.

The total funding above includes capital, equity and depreciation, but excludes allocations to the Queensland Recreation Areas Management Board, the Great Barrier Reef Marine Park Authority and the Wet Tropics Management Authority.

Legislation and subordinate legislation

- Nature Conservation (Administration) Regulation 2006
- Nature Conservation (Dugong) Conservation Plan 1999
- Nature Conservation (Estuarine Crocodile) Conservation Plan 2007
- Nature Conservation (Forest Reserves) Regulation 2000
- Nature Conservation (Koala) Conservation Plan 2006
- Nature Conservation (Macropod) Conservation Plan 2005
- Nature Conservation (Macropod Harvest Period 2009) Notice 2008
- Nature Conservation (Protected Areas Management) Regulation 2006
- Nature Conservation (Protected Areas) Regulation 1994
- Nature Conservation (Protected Plants) Conservation Plan 2000
- Nature Conservation (Protected Plants Harvest Period) Notice 2009
- Nature Conservation (Whales and Dolphins) Conservation Plan 1997
- Nature Conservation (Wildlife Management) Regulation 2006
- Nature Conservation (Wildlife) Regulation 2006

Amendments

The NC Act was amended several times during 2008–09.

Regulations

Six regulations operate under the *Nature Conservation Act 1992*.

1. Nature Conservation (Administration) Regulation 2006

The regulation contains the administrative matters that apply to the Nature Conservation (Protected Areas Management) Regulation 2006, the Nature Conservation (Wildlife Management) Regulation 2006 and the conservation plans made under the NC Act. Parts of the Regulation cover:

- administrative matters relating to the grant, amendment, suspension, cancellation, surrender and replacement of relevant authorities (permits, licences and written permissions)
- the requirements applying to carrying out activities under a relevant authority
- review and appeal of particular decisions
- the procedures applying after a thing is seized

- requirements for records required to be kept
- requirements for returns of operations
- requirements for commercial activity agreements
- the fees that are payable under the NC Act
- additional general provisions for the NC Act, including how demerit points are accumulated and the period for which particular documents must be kept.

The Nature Conservation (Administration) Regulation 2006 was amended four times during 2008–09.

It was amended by the Environmental Protection Legislation Amendment Regulation (No. 3) 2008, notified in the *Government Gazette* on 4 July 2008. The amendments added the provisions of an Indigenous Management Agreement (IMA) as relevant considerations when considering an application for a relevant authority for a national park (Cape York Peninsula Aboriginal Land), and also restricted the grant of such an authority without written consent of the land trust for the area if the IMA requires consent to be given.

It was again amended by the Environmental Protection Legislation Amendment Regulation (No. 4) 2008, notified in the *Government Gazette* on 3 October 2008. This amendment updated Schedule 3 (Fees).

The Environmental Protection Legislation Amendment Regulation (No. 1) 2009, notified in the *Government Gazette* on 18 June 2009 amended the Regulation by updating Schedule 3 (Fees) and Schedule 6 (Fees payable under the *Integrated Planning Act 1997*).

The Regulation was also amended by the *Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Act 2009*, assented to on 26 June 2009. When proclaimed, the amendments will achieve consistency with the terms and processes established under the new *Queensland Civil and Administrative Tribunal Act 2009*.

2. Nature Conservation (Forest Reserves) Regulation 2000

The Nature Conservation (Forest Reserves) Regulation 2000 allows for the dedication of areas within State forests, timber reserves or *Land Act 1994* reserves as forest reserves. This is an interim measure to assist in the dedication of these areas as protected areas.

The Nature Conservation (Forest Reserves) Regulation 2000 was amended by the Forestry and Nature Conservation Legislation Amendment Regulation (No. 2) 2008, notified in the *Government Gazette* on 18 July 2008. The amendment dedicated a new forest reserve.

It was again amended by the Nature Conservation Legislation Amendment Regulation (No. 1) 2008, notified in the *Government Gazette* on 1 August 2008. The amendment updated the Schedule (Forest reserves) to reflect the dedication of several areas as national park and updated information in relation to Bania Forest Reserve and Wonbah Forest Reserve.

It was again amended by the Nature Conservation Legislation Amendment Regulation (No. 2) 2008, notified in the *Government Gazette* on 3 October 2008. The amendment updated the Schedule (Forest reserves) to reflect the dedication of several areas as protected areas and updated information in relation to Austinville Forest Reserve 2 and Numinbah Forest Reserve.

It was again amended by the Nature Conservation Legislation Amendment Regulation (No. 3) 2008, notified in the *Government Gazette* on 14 November 2008. The amendment updated the Schedule (Forest reserves) to reflect the dedication of several areas as protected areas and updated information in relation to Tamborine Forest Reserve.

It was again amended by the Forestry and Nature Conservation Legislation Amendment Regulation (No. 4) 2008, notified in the *Government Gazette* on 28 November 2008. The amendment updated the Schedule (Forest reserves) to reflect the dedication of several areas as protected areas and dedicated three new forest reserves.

It was again amended by the Nature Conservation Legislation Amendment Regulation (No. 4) 2008, notified in the *Government Gazette* on 5 December 2008. The amendment updated the Schedule (Forest reserves) to reflect the dedication of several areas as protected areas.

It was again amended by the Forestry and Nature Conservation Legislation Amendment Regulation (No. 1) 2009, notified in the *Government Gazette* on 20 February 2009. The amendment updated the Schedule (Forest reserves) in relation to Mapleton Forest Reserve and dedicated a new forest reserve.

It was again amended by the Forestry and Nature Conservation Legislation Amendment Regulation (No. 2) 2009, notified in the *Government Gazette* on 5 June 2009. The amendment updated the Schedule (Forest reserves) to reflect the dedication of several areas as protected areas.

3. Nature Conservation (Protected Areas Management) Regulation 2006

The Nature Conservation (Protected Areas Management) Regulation 2006 provides for the management and use of Queensland's protected area estate.

Parts of the Regulation cover:

- the trustees of particular conservation parks and resources reserves
- permitting certain uses of protected areas
- restrictions on the grant of particular protected area authorities
- the activities authorised under each protected area authority
- offences in protected areas
- taking, using, keeping or interfering with the cultural or natural resources of a protected area
- providing for the seizure of particular things in protected areas.

Schedules cover many details including powers of trustees, conditions for taking fish in national parks, and minimum flying heights over some national park areas.

The regulation was amended by the Forestry and Nature Conservation Legislation Amendment Regulation (No. 2) 2008, notified in the *Government Gazette* on 18 July 2008. The amendment updated Schedule 1 (Trustees of conservation parks) to reflect name changes for local government areas and formally appoint a trustee for Bolger Bay Conservation Park.

It was again amended by the Forestry and Nature Conservation Legislation Amendment Regulation (No. 1) 2009, notified in the *Government Gazette* on 20 February 2009. The amendment updated Schedule 1 (Trustees of conservation parks) to formally appoint a trustee for Southend Conservation Park.

4. Nature Conservation (Protected Areas) Regulation 1994

The Nature Conservation (Protected Areas) Regulation 1994 contains schedules listing the names, former descriptions, and current descriptions of State land declared as protected areas. Schedule 1 covers national parks (scientific), Schedule 2 national parks, Schedule 3 conservation parks, Schedule 4 resources reserves and Schedule 5 nature refuges.

Note that on 19 December 1994, previous reserves were re-declared and in some cases re-named and re-classified.

The Nature Conservation (Protected Areas) Regulation 1994 was amended by the Nature Conservation (Protected Areas) Amendment Regulation (No. 2) 2008, notified in the *Government Gazette* on 11 July 2008. The amendment dedicated 35 560 hectares as national park (Cape York Peninsula Aboriginal Land), and was the inaugural dedication in Schedule 2AA (National Parks (Cape York Peninsula Aboriginal Land)).

It was again amended by the Forestry and Nature Conservation Legislation Amendment Regulation (No. 2) 2008, notified in the *Government Gazette* on 18 July 2008. The amendment updated information in Schedule 2 (National parks) in relation to Cape Hillsborough, Hull River, Russell River and Welford national parks.

It was again amended by the Nature Conservation Legislation Amendment Regulation (No. 1) 2008, notified in the *Government Gazette* on 1 August 2008. The amendment dedicated three new national parks (about 36 132 hectares of former forest reserve) and two new national parks (recovery) (about 16 hectares of former forest reserve).

It was again amended by the Nature Conservation (Protected Areas) Amendment Regulation (No. 3) 2008, notified in the *Government Gazette* on 8 August 2008. The amendment dedicated a new national park (Cape York Peninsula Aboriginal Land) and a new resources reserve.

It was again amended by the Nature Conservation (Protected Areas) Amendment Regulation (No. 4) 2008, notified in the *Government Gazette* on 29 August 2008. The amendment updated information in Schedule 5 (Nature refuges) in relation to Bellview, Gaia, King George Falls and Rifle Range nature refuges, revoked one nature refuge, and declared 29 new nature refuges.

It was again amended by the Nature Conservation Legislation Amendment Regulation (No. 2) 2008, notified in the *Government Gazette* on 3 October 2008. The amendment dedicated a new conservation park (about 37.5 hectares of former forest reserve) and a new national park (about 2772 hectares of former forest reserve).

It was again amended by the Forestry and Nature Conservation Legislation Amendment Regulation (No. 3) 2008, notified in the *Government Gazette* on 10 October 2008. The amendment updated information in Schedule 2 (National parks) in relation to six national parks, Schedule 3 (Conservation parks) in relation to three conservation parks, and dedicated a new conservation park.

It was again amended by the Nature Conservation Legislation Amendment Regulation (No. 3) 2008, notified in the *Government Gazette* on 14 November 2008. The amendments updated information in Schedule 2 (National parks) in relation to one national park, dedicated a new national park, a new national park (recovery) and a new resources reserve.

It was again amended by the Forestry and Nature Conservation Legislation Amendment Regulation (No. 4) 2008, notified in the *Government Gazette* on 28 November 2008. The amendments updated information in Schedule 2 (National parks) in relation to two national parks, information in Schedule 3 (Conservation parks) in relation to one conservation park, and dedicated about 7707 hectares of former forest reserve as a new national park, new national park (recovery) and new conservation park.

It was again amended by the Nature Conservation (Protected Areas) Amendment Regulation (No. 5) 2008, notified in the *Government Gazette* on 28 November 2008. The amendment updated Schedule 5 (Nature refuges) in relation to Bill Huxley and June's Land nature refuges, and declared 13 new nature refuges.

It was again amended by the Nature Conservation Legislation Amendment Regulation (No. 4) 2008, notified in the *Government Gazette* on 5 December 2008. The amendment dedicated 9873 hectares as protected areas, updating information in Schedule 2 (National parks) in relation to two national parks, dedicating two new national parks, a new conservation park and a new resources reserve.

It was again amended by the Forestry and Nature Conservation Legislation Amendment Regulation (No. 1) 2009, notified in the *Government Gazette* on 20 February 2009. The amendments updated information in Schedule 2 (National parks) in relation to three national parks, Schedule 3 (Conservation parks) in relation to one conservation park, Schedule 4 (Resources reserves) in relation to two resources reserves, and dedicated two new national parks.

It was again amended by the Forestry and Nature Conservation Legislation Amendment Regulation (No. 2) 2009, notified in the *Government Gazette* on 5 June 2009. The amendments updated information in Schedule 2 (National parks) in relation to eight national parks, dedicated 78 980 hectares of former forest reserve as protected area, and dedicated two new national parks, one new national park (recovery), five new conservation parks and two new resources reserves.

5. Nature Conservation (Wildlife Management) Regulation 2006

The regulation provides for the management of wildlife including the taking, keeping and using of wildlife including protected plants. Parts of the Regulation cover:

- restrictions on the grant of particular wildlife authorities
- stating the activities authorised under each wildlife authority
- authorising particular taking, keeping, using and moving of wildlife
- prohibited activities relating to wildlife
- the seizure of particular things for the protection of native wildlife
- the supply or approval of tags for attaching to wildlife
- export agreements for the movement of any live protected native mammal to another country
- the conservation value payable for particular wildlife.

The Nature Conservation (Wildlife Management) Regulation 2006 was amended twice during 2008–09.

It was amended by the Transport and Other Legislation Amendment Regulation (No. 1) 2008 notified in the *Government Gazette* on 29 August 2008. The amendments updated references to QR Limited.

It was again amended by the Environmental Protection Legislation Amendment Regulation (No. 1) 2009 notified in the *Government Gazette* on 19 June 2009. The amendment updated s351 (Conservation value for protected wildlife).

6. Nature Conservation (Wildlife) Regulation 2006

The Nature Conservation (Wildlife) Regulation 2006 provides for the management of wildlife in Queensland by declaring classes of wildlife and the management intent for that wildlife. The Nature Conservation (Wildlife) Regulation 2006 was not amended during 2008–09.

Protected areas

The NC Act provides for areas to be dedicated or declared in order to conserve nature. Table A details the changes made to protected areas in 2008–09.

Table A: Changes to the status of protected areas

Type	Date	Action	Gazetted area (hectares)	Total number	Total area (hectares rounded)
National park (scientific)					
Start of period total	1/07/2008			8	52 221
End of period total	30/06/2009			8	52 221
National park					
Start of period total	1/07/2008			261	7 530 914
End of period total	30/06/2009			270	7 685 468
Cape Hillsborough NP	18/07/2008	extension	15.2		
Hull River NP	18/07/2008	extension	8.09		
Russell River NP	18/07/2008	extension	367		
Welford NP	18/07/2008	extension	32.4		
Bania NP	01/08/2008	new	33 110		
Goomborian NP	01/08/2008	new	1828		
Mount Spurgeon NP	01/08/2008	new	1194		
Springbrook NP	03/10/2008	extension	2772		
Burrum Coast NP	10/10/2008	extension	2954.7		
Chillagoe-Mungana Caves NP	10/10/2008	amend	-5		
Finucane Island NP	10/10/2008	amend	60		
Girringun NP	10/10/2008	extension	1150.7		
Iron Range NP	10/10/2008	extension	28.2		
Millstream Falls NP	10/10/2008	extension	0.4867		
Lockyer NP	14/11/2008	new	2677		
Tamborine NP	14/11/2008	extension	580		
Currawinya NP	28/11/2008	extension	3570		
Curtain Fig NP	28/11/2008	extension	0.1		
Herberton Range NP	28/11/2008	new	6350		
Albinia NP	05/12/2008	new	7360		
Bluff Hill NP	05/12/2008	new	1806		
Eungella NP	05/12/2008	extension	6840		
Mount Martin NP	05/12/2008	extension	1227		
Binya NP	20/02/2009	new	13 710.75		
Kelvin NP	20/02/2009	new	37.9		
Mount Walsh NP	20/02/2009	extension	477.185		
Sundown NP	20/02/2009	extension	102		
Triunia NP	20/02/2009	extension	16.02		
Conway NP	05/06/2009	extension	4540		
D'Aguilar NP	05/06/2009	extension	33 962		
Edmund Kennedy NP	05/06/2009	revoke	-11 940	Added to Girramay NP	
Girramay NP	05/06/2009	extension	33 490		
Littabella NP	05/06/2009	extension	5900		
Murray Upper NP	05/06/2009	revoke	-21 550	Added to Girramay NP	
Oakview NP	05/06/2009	new	1011		
Wrattens NP	05/06/2009	new	20 869		
National park (Cape York Peninsula Aboriginal Land)					
Start of period total	01/07/2008			0	0
End of period total	30/06/2009			2	193 918
Lama Lama NP (CYPAL)	11/07/2008	new	35 560		
KULLA (McIlwraith Range) NP (CYPAL)	08/08/2008	new	158 358		

Type	Date	Action	Gazetted area (hectares)	Total number	Total area (hectares rounded)
National park (recovery)					
Start of period total	01/07/2008			13	17 687
End of period total	30/06/2009			18	27 671
Bania NP(R)	01/08/2008	new	11		
Goomboorian NP(R)	01/08/2008	new	5		
Lockyer NP(R)	14/11/2008	new	7790		
Herberton Range NP(R)	28/11/2008	new	197		
D'Aguilar NP(R)	05/06/2009	new	1981		
Conservation park					
Start of period total	01/07/2008			195	65 967
End of period total	30/06/2009			204	73 253
Springbrook CP	03/10/2008	new	37.5		
Bakers Creek CP	10/10/2008	extension	113		
Lark Quarry CP	10/10/2008	extension	1000		
Southend CP	10/10/2008	new	290		
Tomewin CP	10/10/2008	extension	4.052		
Herberton Range CP	28/11/2008	new	1160		
Mouth of Kolan River CP	28/11/2008	extension	162		
Albinia CP	05/12/2008	new	320		
Maroochy River CP	20/02/2009	amend	-0.1		
Littabella CP	05/06/2009	new	2947		
Moggill CP	05/06/2009	new	488		
Nerang CP	05/06/2009	new	113		
Samford CP	05/06/2009	new	624		
Walter Hill Range CP	05/06/2009	amend	50.53		
Warrubullen CP	05/06/2009	amend	-50.53		
Wrattens CP	05/06/2009	new	28		
Resources reserve					
Start of period total	01/07/2008			41	356 644
End of period total	30/06/2009			46	366 667
KULLA (McIlwraith Range) RR	08/08/2008	new	1334		
Lockyer RR	14/11/2008	new	612		
Albinia RR	05/12/2008	new	44		
Mount Perry RR	20/02/2009	extension	1500		
Sundown RR	20/02/2009	extension	38		
Oakview RR	05/06/2009	new	2479		
Wrattens RR	05/06/2009	new	4016		
Nature refuge					
Start of period total	1/07/2008			265	554 891
End of period total	30/06/2009			338	750 988
Annan River (area B) NR	29/08/2008	new	320		
Arborlee NR	29/08/2008	new	42		
Ballara Park NR	29/08/2008	new	58		
Bellbird NR	29/08/2008	new	127		
Bellview NR	29/08/2008	amend	458		
Blue Fig Creek NR	29/08/2008	new	25		
Brooklyn NR	29/08/2008	new	58 676		
Bullen Bullen NR	29/08/2008	new	10 240		

cont. table A

Type	Date	Action	Gazetted area (hectares)	Total number	Total area (hectares rounded)
Bygana NR	29/08/2008	new	331		
Craig's Pocket NR	29/08/2008	new	3565		
Dingo Springs NR	29/08/2008	new	595		
East Top NR	29/08/2008	new	875		
Eversfield Station NR	29/08/2008	new	17 985		
Gaia NR	29/08/2008	amend	-1		
Girraween NR	29/08/2008	new	87		
Glenlofty NR	29/08/2008	new	2231		
Haven NR	29/08/2008	new	8		
Hillview NR	29/08/2008	new	467		
Ightham NR	29/08/2008	revoke	-1634		
Kijokaby NR	29/08/2008	new	2		
King George Falls NR	29/08/2008	amend	2		
Little Bella NR	29/08/2008	new	48		
Maiden Springs NR	29/08/2008	new	173		
Mimosa Park NR	29/08/2008	new	7620		
Mount Quincan Crater NR	29/08/2008	new	8		
Nara Spring NR	29/08/2008	new	261		
Phiara Downs NR	29/08/2008	new	1707		
Pindari NR	29/08/2008	new	82		
Rifle Range NR	29/08/2008	amend	-2		
Tallaroo NR	29/08/2008	new	9193		
Wairambar Creek NR	29/08/2008	new	30		
Wondekai NR	29/08/2008	new	1203		
Woodine NR	29/08/2008	new	2425		
Yarrai NR	29/08/2008	new	2454		
Balclutha Creek NR	28/12/2008	new	2067		
Balclutha (Lava Hill) NR	28/12/2008	new	976		
Bill Huxley NR	28/12/2008	amend	5		
Blue Bush Channels NR	28/12/2008	new	936		
Chinchilla Rifle Range NR	28/12/2008	new	140		
Greenhood Ridge NR	28/12/2008	new	10		
June's Land NR	28/12/2008	amend	0.2		
Lilyvale NR	28/12/2008	new	6710		
Mount Croll NR	28/12/2008	new	5132		
Nangari NR	28/12/2008	new	28		
Nunckeri NR	28/12/2008	new	2		
Richard Underwood NR	28/12/2008	new	106		
Running Creek NR	28/12/2008	new	38 570		
Thiaki Creek NR	28/12/2008	new	130		
Upper Sleeper Log Creek NR	28/12/2008	new	1603		
Adjinbilly NR	5/06/2009	new	31		
Alyxia NR	5/06/2009	new	24		
Balgowlah NR	5/06/2009	new	24		
Bally's Plus Five NR	5/06/2009	new	2		
Barrine Park NR	5/06/2009	new	5		
Black Snake NR	5/06/2009	new	26		
Corrick Plains NR	5/06/2009	new	2864		

cont. table A

Type	Date	Action	Gazetted area (hectares)	Total number	Total area (hectares rounded)
Curramore NR	5/06/2009	new	171		
Dovecot NR	5/06/2009	new	297		
Fiona's Retreat NR	5/06/2009	new	497		
Glen-Ewin NR	5/06/2009	new	24		
Goomburra Forest Retreat NR	5/06/2009	new	44		
Hornet NR	5/06/2009	new	175		
Illallangi NR	5/06/2009	new	11		
Lake Barrine to Lake Eacham Rainforest Corridor NR	5/06/2009	new	36		
Lake Dartmouth NR	5/06/2009	new	7279		
Mud Springs NR	5/06/2009	new	133		
Nyalar Mirungan-ah NR	5/06/2009	new	194		
Oakview NR	5/06/2009	new	94		
Orkadilla NR	5/06/2009	new	1661		
Paddy's Lagoon NR	5/06/2009	new	163		
Resolute NR	5/06/2009	new	297		
Stuarts Spring NR	5/06/2009	new	1716		
The Swamp Forest NR	5/06/2009	new	16		
Tea Trees NR	5/06/2009	new	25		
Wallaby Lane NR	5/06/2009	new	315		
Wamuran NR	5/06/2009	new	10		
Werrington NR	5/06/2009	new	2455		
Weyba NR	5/06/2009	new	126		
Wyndham Sandy Creek NR	5/06/2009	new	1258		
Yurol NR	5/06/2009	new	52		
Coordinated conservation area					
Start of period total	1/07/2008			2	2121
End of period total	30/06/2009			2	2121

Permits, authorities

The Nature Conservation (Protected Areas Management) Regulation 2006 provides for activities to be undertaken on protected areas by permit, authority or agreement for varying periods. The Nature Conservation (Administration) Regulation 2006 outlines the administrative matters relating to the grant, amendment, suspension, cancellation, surrender and replacement of relevant authorities (permits, licences and written permissions) and the requirements applying to carrying out activities under a relevant authority provided for by the Nature Conservation (Protected Areas Management) Regulation 2006.

A summary of permits, authorities and agreements granted, suspended or cancelled, and applications refused in 2008–09 and related information is given in tables B1 and B2.

Authorities are required for an individual to take, use, keep, or interfere with a cultural or natural resource of a protected area under Aboriginal tradition or Torres Strait Islander custom. No authorities were granted in 2008–09.

Lease and other authorities

Sections 34–38 of the NC Act authorise granting of authorities to use protected areas. This includes granting authorities that cover leases issued under the *Land Act 1994* and authorised under the *National Parks and Wildlife Act 1974* before the enactment of the NC Act.

Under the provisions of the legislation, leases and authorities can be issued for reasons that include, but are not restricted to, grazing, tourism, communications and water extraction. A register is maintained as required under the NC Act.

Table B1: Protected area authorities/permits granted and suspended/cancelled and applications refused

Category	Number granted	Number refused	Number suspended/cancelled
Aboriginal traditional authority	0	0	0
Island custom authority	0	0	0
Camping ¹	1 210 082	0	0
Restricted access area	1	0	0
Taking, using, keeping or interfering with cultural or natural resources:			
- apiary location	0	0	0
- taking of water	0	0	0
- scientific purpose	216	4	0
- another purpose (educational)	8	1	0
Stock grazing	10	0	0
Stock mustering	36	1	0
Travelling stock	0	0	0
Entering a national park (scientific)	48	2	0
Commercial activity ²	347	0	0
Soliciting donations or information	4	0	0
Group activity	413	1	0
Using recreational craft	3	0	0
Special activities	13	0	0

Notes:

1. Estimate. Includes permits issued under the Recreation Areas Management Act for camping in the Great Sandy National Park in the Fraser Island Recreation Area and in Moreton Island National Park in the Moreton Island Recreation Area and Bribie Island National Park in the Bribie Island Recreation Area. Includes permits for a person in a national park to prepare a claim to, or management plan for the national park under the *Aboriginal Land Act 1991* or *Torres Strait Islander Land Act 1991*. Excludes camping undertaken under commercial activity permits.
2. Includes permits issued under the Recreation Areas Management Act for activities in Green Island, Great Sandy, Moreton Island and Bribie Island national parks in the Green Island, Great Sandy, Moreton Island and Bribie Island recreation areas.

Table B2: Details of some protected area permits granted

Number of people camping ¹	406 700
Average stay	2.7
Average group size	3.4
Camper nights	1 098 000
Number of operators with commercial activity permits	467
Commercial activity agreements entered	12
New commercial filming/photography permits	144

Note:

1. Estimate. Includes permits issued under the Recreation Areas Management Act for camping in Great Sandy, Moreton Island and Bribie Island national parks in the Great Sandy, Moreton Island and Bribie Island recreation areas. Excludes children aged under five years.

Forest reserves

There were actions undertaken to continue the transfer of forest reserves to the protected area estate and these are detailed in Table C.

Trustees

Section 31 of the Act provides that a conservation park or resources reserve may be placed under the management of trustees. Trustees are listed in schedules 1 and 2 of the Nature Conservation (Protected Areas Management) Regulation 2006.

Commercial activity agreements

The Nature Conservation (Protected Areas Management) Regulation 2006 provides for activities to be undertaken on protected areas by permit, authority or agreement for varying periods. Part 3 of the Nature Conservation (Administration) Regulation 2006 outlines the process for consideration of commercial activity agreements for activities to be undertaken on protected areas. Commercial activity agreements over protected areas in force during 2008–09 are listed in Table D.

Table C: Changes to the status of forest reserves

Type	Date	Action	Gazetted area (hectares)	Total number	Total area (hectares rounded)
Forest reserve					
Start of period total	1/07/2008			86	274 228
End of period total	30/06/2009			69	144 510
Koombooloomba South FR	18/07/2008	new	3019		
Bania FR	01/08/2008	amend	-30 783		
Goomboorian FR	01/08/2008	omit	-1448		
Mount Spurgeon FR	01/08/2008	omit	-1194		
Wonbah FR	01/08/2008	amend	-2338		
Woondum FR 2	01/08/2008	omit	-385		
Austinville FR 1	03/10/2008	omit	-195		
Austinville FR 2	03/10/2008	amend	-248.7		
Austinville FR 3	03/10/2008	omit	-112		
Numinbah FR	03/10/2008	amend	-2162.8		
Springbrook FR	03/10/2008	omit	-91		
Lockyer FR	14/11/2008	omit	-8958		
Tamborine FR	14/11/2008	amend	-579		
White Mountain FR	14/11/2008	omit	-2121		
Curtain Fig FR	28/11/2008	omit	-0.1		
Herberton Range FR	28/11/2008	omit	-7707		
Gamma FR	28/11/2008	new	6840		
Bluff Hill FR	28/11/2008	new	1806		
Mount Toby FR	28/11/2008	new	1227		
Gamma FR	05/12/2008	omit	-6840		
Bluff Hill FR	05/12/2008	omit	-1806		
Mount Toby FR	05/12/2008	omit	-1227		
Conway FR	20/02/2009	new	4540		
Mapleton FR	20/02/2009	extension	3		
Clagiraba FR	05/06/2009	omit	-113		
Conway FR	05/06/2009	omit	-4540		
D'Aguilar FR	05/06/2009	amend	-13 947		
Elgin FR	05/06/2009	omit	-1218		
Enoggera FR	05/06/2009	amend	-3660		
Kandanga FR	05/06/2009	omit	-6580		
Littabella FR	05/06/2009	amend	-8847		
Moggill FR	05/06/2009	omit	-488		
Mount Glorious FR	05/06/2009	amend	-8392		
Mount Mee FR	05/06/2009	amend	-9673		
Oakview FR	05/06/2009	omit	-3490		
Samford FR	05/06/2009	omit	-624		
Samsonvale FR	05/06/2009	omit	-271		
Wrattens FR	05/06/2009	omit	-14 819		
Yabba FR 2	05/06/2009	amend	-2296		

Table D: Commercial activity agreements in force

Company	Protected area	Section	Activity	Date expires
AP Vessel Management Pty Ltd	Whitsunday Islands National Park	Whitsunday Islands	Guided commercial camping tours	17/07/2017
Aries Tours Pty Ltd	Springbrook National Park	Natural Bridge	Glow-worm tour operations	1/04/2009
Australian Broadcasting Corp	Iron Range National Park		Filming/photography	23/07/2008
Binna Burra Mountains Lodge	Lamington National Park	Binna Burra	Guided tours	31/12/2008
Blue Water Dive	Ex-HMAS Brisbane Conservation Park		Dive operations	31/07/2015
David Cookman t/a Sunshine Coast Hang Gliding Pty Ltd	Great Sandy National Park	Cooloola	Hang gliding	31/12/2010
Derwent Hunter Yacht Charters Pty Ltd	Whitsunday Islands National Park	Whitsunday Island	Guided commercial camping tours	17/07/2017
Djabugay Business Development Aboriginal Corporation	Barron Gorge National Park		Tours	08/03/2010
Dutana Pty Ltd	Undara Volcanic National Park		Guided tours	12/10/2008
Eacham Shire Council	Malanda Falls National Park		Guided tours	30/09/2009
Eco Concept Development	Eungella National Park	Broken River	Kiosk	28/01/2017
Elanda Point Pty Ltd t/a Elanda Point Canoe Company: Boats Tours and Camping	Great Sandy National Park	Cooloola	Canoe-based tours and camping	11/11/2010
Fremantle Media Australia Pty Ltd (Biggest Loser)	Fitzroy Island		Commercial filming	06/03/2009
Graham Maifredi	Wooroonooran National Park and Tully Falls National Park		Guided tours	31/01/2018
Graham Steel	Wooroonooran, Tully Falls and Girringun National Parks		Guided bicycle tours	26/07/2017
H & N Nicholson t/a Terania Rainforest Publishing	All mainland national parks		Commercial filming/photography	30/06/2011
Hamilton Island Enterprises Ltd	Whitsunday Islands National Park	Whitsunday Islands	Guided commercial camping tours	17/07/2017
Heron Island Pty Ltd	Capricornia Cays National Park	Wilson Island	Tours/excursions, commercial photography	31/12/2012
Holiday Villages (Australia) Pty Ltd	Lindeman Islands National Park	Lindeman Island	Ranger services	
Ian & Marilyn Dean t/a Dean's Iceworx	Great Sandy National Park	Cooloola	Mobile vending operations	30/06/2011
Jean-luc Lejaille t/a Rainbow Paragliding	Great Sandy National Park	Cooloola	Hang gliding	31/12/2010
Joe Lockyer t/a Bedrock Village	Undara Volcanic National Park		Guided tours	30/06/2008
Jonathan Allen and Bernhard Herrmann t/a Sunshine State Paragliding Centre	Great Sandy National Park	Cooloola	Hang gliding	31/12/2010
Mardja Pty Ltd	Undara Volcanic National Park		Guided tours	23/06/2008
Meratell Pty Ltd (ATF the Riddell Family Trust) and Mooloolaba Dive Pty Ltd (ATF the Mooloolaba Dive Trust) t/a Sunreef Scuba Diving Services	Ex-HMAS Brisbane Conservation Park		Dive operations	31/07/2015

cont. table D

Company	Protected area	Section	Activity	Date expires
Moments in Time Pty Ltd (Andrew Harper t/a Outback Camel Company)	Simpson Desert National Park		Commercial camel tours	31/10/2011
National Park Pty Ltd (O'Reillys Guest House)	Lamington National Park	Green Mountains	Guided tours	31/12/2008
National Tour Company Pty Ltd	Springbrook National Park	Natural Bridge	Glow-worm tour operations	1/04/2010
Naturescape Australia South Pacific Pty Ltd	Mainland National Parks		Commercial filming/ photography	01/05/2010
Neill Kennedy and Hayley Kennedy (Salty Dog Sea Kayaking)	Whitsunday Islands National Park	Whitsunday Islands	Guided commercial camping tours	17/07/2017
Network Ten Pty Ltd	All mainland national parks		Commercial filming/ photography	26/06/2012
Nigel Walker t/a Wild Films	All protected areas within Queensland		Filming/photography	07/01/2010
NKM Holdings Pty Ltd	Eurimbula National Park		Guided tours	13/11/2009
Outdoor Pursuits Australia Pty Ltd	Whitsunday Islands National Park	Whitsunday Islands	Guided commercial camping tours	17/07/2017
Outdoor Pursuits Australia Pty Ltd t/a Aussie Sea Kayak Company	Great Sandy National Park	Cooloola	Sea kayak guided safari and day tours	31/08/2011
Ozsail Charter Yachts Pty Ltd	Whitsunday Islands National Park	Whitsunday Islands	Guided commercial camping tours	17/07/2017
Scott Ward	Great Sandy National Park	Cooloola	Mobile vending operations	30/06/2011
Sea Patrol	Barnard Island Group National Park	Jessie, Bresnahan and Hutchinson	Commercial filming	31/12/2008
Seven Network (Operations) Limited	All mainland national parks		Commercial filming/ photography	31/10/2010
St Helena Island Ferries Pty Ltd	St Helena Island National Park Fort Lytton National Park	St Helena Island National Park—prison stockade and roadways leading to it	Guided tours; operation of food and vending stalls	16/05/2010
Sunshine Coast Diving Pty Ltd t/a Scuba World	Ex-HMAS Brisbane Conservation Park		Dive operations	31/07/2015
Sydes, David and Julie and Yvonne Korving	Great Sandy National Park	Cooloola	Mobile vending operations	30/09/2008
Telfox Pty Ltd	Tully Falls and Tully Gorge National Parks		Guided tours	26/07/2017
Tony Maxwell Dean t/a Rainbow Beach Ice and Bait	Great Sandy National Park	Cooloola	Mobile vending operations	30/06/2011
Tour Gold Coast Pty Ltd	Springbrook National Park	Natural Bridge	Glow-worm tour operations	1/04/2010
Tourism Queensland	All protected areas within Queensland		Filming/photography	31/10/2011
Whitsunday Island Adventure Camping Pty Ltd	Whitsunday Islands National Park	Whitsunday Islands	Guided commercial camping tours	17/07/2017

Entry prohibited and restricted access areas

The Nature Conservation (Protected Areas Management) Regulation 2006 allows for activities to be undertaken on protected areas. The regulation outlines circumstances in which entry and access to protected areas may be prohibited or restricted, including: for personal or public safety; because of a fire or other natural disaster; for rehabilitation works; to protect a breeding area for native wildlife; to manage a significant Aboriginal or Torres Strait Islander area; to protect a facility, the character and amenity or an area; or for the orderly and proper management of an area. Protected areas affected in 2008–09 are listed in Table F.

Harvest period notices

The chief executive approved the Nature Conservation (Protected Plants Harvest Period) Notice 2009 on 31 March 2009 and advertised the notice in the *Government Gazette* on 1 April 2009. This notice commenced on 1 April 2009 and will expire on 31 March 2010.

The chief executive approved the Nature Conservation (Macropod Harvest Period 2009) Notice 2008 on 9 December 2008 and advertised the notice in the *Government Gazette* on 12 December 2008. This notice commenced on 1 January 2009 and will expire on 31 December 2009.

Conservation plans

Sections 112–119 of the NC Act set out the process for preparing conservation plans, including opportunities for public consultation. The status of conservation plans at 30 June 2009 is given in Table E.

Table E : Status of conservation plans

Conservation plans in force
Conservation Plan approved by the Governor in Council (s119 NC Act)
Nature Conservation (Dugong) Conservation Plan 1999
Nature Conservation (Estuarine Crocodile) Conservation Plan 2007
Nature Conservation (Koala) Conservation Plan 2006
Nature Conservation (Macropod) Conservation Plan 2005
Nature Conservation (Protected Plants) Conservation Plan 2000
Nature Conservation (Whales and Dolphins) Conservation Plan 1997

Management plans

Sections 112–119 of the NC Act outline the process for developing management plans for protected areas. The Minister must give public notice and invite submissions on the plans.

Management plans are statutory documents that provide an important source of clear management direction and priority actions for (former) EPA managed areas. Management plans for protected areas are reviewed every 10 years.

Currently 84 protected area management plans have been approved by the Governor in Council.

Declarations

Predominantly white humpback whales including ‘Migaloo’ (a white humpback whale) were declared whales of special interest under the Nature Conservation (Whales and Dolphins) Conservation Plan 1997. The declaration was made to protect these whales from harassment and in the interests of public safety. A declaration increases the area of restriction around these whales from 300 metres to 500 metres for sea vessels and 1000 feet (304 m) to 2000 feet (608 m) for fixed-wing aircraft. It also increases the maximum penalty for an offence from \$12 000 to \$16 000.

Table F: Restricted access and prohibited entry to protected areas

Area*	Prohibited	Comments
Barnard Islands Group National Park (Sisters Island)	Seasonal closure 1 September to 31 March annually	Bird breeding
Brook Islands (North, Middle Tween Island)	Restricted access all year round	Significant bird site
Burleigh Heads NP (Ocean View Circuit)	Restricted when gates area closed	Rock fall
Capricornia Cays National Park (Masthead, Erskine and Tryon Islands)	Restricted access 15/10/2008 to 10/04/2009	Seabird and turtle breeding
Capricornia Cays National Park (Lady Musgrave and North West Islands)	Restricted access for camping 27/01/2009 to 10/04/2009	Seabird and turtle breeding
Capricornia Cays National Park (Tryon Island)	Restricted access at all times	Safety concerns and island restoration
Carnarvon National Park (Amphitheatre)	Restricted at all times	Habitat protection
Carnarvon National Park (Art Gallery)	Restricted at all times	Cultural heritage site
Carnarvon National Park (Balloon Cave track)	Restricted at all times	Dangerous rock slopes and cliff edges
Carnarvon National Park (Balloon Cave)	Restricted at all times	Cultural heritage site
Carnarvon National Park (Cathedral Cave)	Restricted at all times	Cultural heritage site
Carnarvon National Park (Moss Garden)	Restricted at all times	Habitat protection
Carnarvon National Park (Wards Canyon)	Restricted at all times	Habitat protection
Carnarvon National Park (multiple sections)	Unauthorised entry prohibited	Pest control program
Cedar Bay National Park (Marbaymba–Rattlesnake Point)	Restricted at all times	Cultural purposes
Claremont Isles (Pelican Island and Fife Island)	No Access permitted	Significant bird site and turtle breeding
Cliff Islands National Park	No access permitted	Cultural purposes
Conondale National Park	Entry prohibited	Health and safety issues in disused gold mine
Curtis Island National Park Curtis Island Conservation Park	Unauthorised entry prohibited	Pest control program
Daintree National Park (Ngalbanga–Cowie Beach)	Restricted at all times	Cultural purposes
Denham Group National Park (Cairncross Islet)	Seasonal Closure 1 September to 31 March annually	Seabird and turtle breeding
Denham Group National Park (Wallace Islet, Cholmondeley Islet, Millman Island)	No access permitted	Significant bird site and turtle breeding site
Family Islands National Park (Purtaboi Island)	Seasonal closure 1 October to 31 March annually	Seabird breeding
Flinders Peak Conservation Park	Restricted access	Unstable cave with sinkhole
Frankland Group National Park (Normanby Island)	Seasonal closure 1 September to 31 March annually	Significant bird site
Gatton National Park	Restricted Saturdays between 1pm and 5pm	Firing range danger area
Girrigun National Park (Wallaman Falls)	Restricted at all times	Safety concerns
Glass House Mountains National Park (Mt Beerwah)	Restricted at all times	Rock fall
Glass House Mountains National Park (Mt Coonowrin)	Restricted at all times	Safety concerns
Gloucester Island National Park (Armit Island (south beach), Double Cone Island (West), Grassy Island (south beach))	Restricted access 1/10/2008 to 31/03/2009 (inclusive)	Significant bird site
Great Sandy National Park (Central Station)	Entry prohibited (old building site)	Safety concerns
Great Sandy National Park (Maheno)	Restricted at all times	Safety concerns
Hinchinbrook Island National Park (Muhr Amalee (Missionary Bay))	Restricted at all times	Cultural purposes

cont. table F

Area*	Prohibited	Comments
Hinchinbrook Island National Park (Mulligan Falls)	Restricted at all times	Safety concerns
Hope Islands National Park (West Hope Island)	Seasonal closure 1 September to 31 March annually	Significant bird site
Howick Group National Park (Combe Island and Stapleton Island)	Access not permitted	Significant bird site
Lakefield National Park (Jane Table Hill)	Restricted at all times	Cultural purposes
Lamington National Park (Snake Ridge)	Restricted at all times	Significant bird sites
Lamington National Park (Mt Gibbs)	Seasonal restrictions (July to October)	Significant bird sites
Lindeman Islands National Park (Shaw Island, beach east of Burning Point)	Restricted access 1/10/2008 to 31/03/2009 (inclusive)	Significant bird site
Lizard Island National Park (Eagle Islet and Seabird Islet)	All-year restrictions	Significant bird sites
Michaelmas and Upolo Cays National Park (Michaelmas Cay)	Restricted at all times	Significant bird site
Mount Barney National Park (Burnett Creek)	Restricted access	Rock climbing in sensitive gorge habitat
Mount Etna Caves National Park (Bat Cleft section)	Seasonal closure 1/12/2008 to 01/03/2009	Bat breeding season
Quoin Island National Park	Access not permitted	Significant bird site
Repulse Islands National Park (South Repulse Island west beach)	Restricted access 1/10/2008 to 31/03/2009	Significant bird site
Rocky Islet National Park	Access not permitted	Significant bird site
Round Island Conservation Park (Booby Island section)	Restricted at all times	Significant bird site and public safety
Sandbank National Park (Sandbank no. 7 and no.8)	Access not permitted	Significant bird site and turtle breeding site
Saunders Island National Park (MacArthur Islands, Bushy Islets)	Seasonal closure 1 September to 31 March annually	Significant bird site
Saunders Island National Park (Magra Islet and Saunders Islets)	Seasonal closure 1 September to 31 March annually	Significant bird site
South Cumberland Islands National Park (Bushy, Tern and Redbill Islands)	Restricted access 1/10/2008 to 31/03/2009	Significant bird site
Springbrook National Park (Natural Bridge section)	Restricted at all times	Safety concerns
Springbrook National Park (Purlingbrook Falls)	Restricted at all times	Safety concerns
St Helena Island National Park	Restricted at all times	Precinct around buildings
Sundown Resources Reserve	Restricted at all times	Old mine sites
Sundown National Park and Sundown Resources Reserve	Unauthorised entry prohibited	Pest control program
Swain Reefs National Park	Restricted at all times	Significant bird site
Tamborine National Park (Cedar Creek)	Restricted at all times	Jumping from cliff area
Tamborine National Park (Curtis Falls)	Restricted at all times	Beyond viewing platform
Tamborine National Park (Joalah section)	Restricted at all times	Rock fall
Teerk Roo Ra (Peel) Island National Park	Restricted at all times	Precinct around buildings
Three Islands Group National Park	Seasonal closure 1 September to 31 March annually	Significant bird sites
Two Islands Group National Park	Seasonal closure 1 September to 31 March annually	Significant bird sites
Upper Murray National Park (Murray Falls)	Restricted at all times	Safety concerns
Whitsunday Islands National Park (Bird Island)	Restricted at all times	Significant bird site
Wooroonooran National Park (Jiya Cave)	Restricted at all times	Cultural purposes
Wooroonooran National Park (Top Camp)	Restricted at all times	Cultural purposes

Note:

* Access to national parks (scientific) is automatically restricted by regulation.

Conservation agreements

Provision is made under Section 45 of the NC Act for the State to enter into conservation agreements with landholders to help conserve land and wildlife. Table G lists the conservation agreements (nature refuges) gazetted during 2008–09.

Nature refuges gazetted (hectares)	
New	197 268.5040
Extensions	465.3700
Revocations	-1634.0000
Administrational adjustment	-2.5000
Total	196 097.3740
Area gazetted (hectares)	
New	73
Extensions	4
Revocations	1
Administrational adjustment	2
Total (+/- to previous gazetted area)	80

Critical habitat and areas of major interest

No area of major interest was determined during the year.

Interim conservation orders

No interim conservation orders were issued under Sections 102–109 of the NC Act during 2008–09.

Licences, permits and authorities

Licences, permits and authorities are required for the taking and use of protected wildlife. This ensures that such use is ecologically sustainable and wild populations are protected. Maximum duration of permits varies from two months to five years.

Summaries of licences, permits and authorities granted, not issued, suspended or cancelled for the taking and use of wildlife are set out in tables H and I. Scientific purposes permits were issued to research and assessment organisations including universities and government departments.

The department has maintained its policy to no longer issue damage mitigation permits for shooting flying foxes after 1 September 2008. The decision to stop issuing damage mitigation permits for shooting flying foxes followed a finding from the Animal Welfare Advisory Committee that shooting flying foxes is inhumane.

Records and returns

The Nature Conservation (Administration) Regulation 2006, Nature Conservation (Wildlife Management) Regulation 2006, and the Nature Conservation (Macropod) Conservation Plan 2005 require permit holder, agreement holders and licensees to keep record books, supply returns of operations and, where applicable, pay any outstanding fees.

Departmental staff actively monitor return records and requirements, noting inconsistencies in returns and payments. Follow-up action is undertaken and can include compliance investigations, and review of permit, licence and agreement conditions, as well as education programs to encourage licence, permit and agreement holders to act responsibly in carrying out activities under license, permit or agreement.

Conservation officers

The Minister may appoint staff of the Queensland Parks and Wildlife Service as conservation officers. Conservation officers have responsibilities and powers under the NC Act enabling them to carry out a range of protection activities.

Offences and prosecutions

Enforcement of the NC Act is a major activity of the department, recognising the benefits of compliance actions for nature conservation in Queensland.

The litigation unit conducted two prosecutions in the 2008–09 year. They resulted in fines totalling \$22 000, a rehabilitation order of \$30 150 and legal costs awarded of \$2875.

Departmental staff issued 637 penalty infringement notices (PINs) during 2008–09.

Table G: Conservation agreements gazetted under NC Act

Nature refuge name	Gazettal date	Comments	Gazetted area (hectares)	Local government
Annan River Area B Nature Refuge	29/08/2008	Contains known habitat for rare and threatened species including: the endangered red goshawk (<i>Erythrotriorchis radiatus</i>), the vulnerable masked owl (<i>Tyto novaehollandiae kimberli</i>), the rare rufous owl (Cape York subspecies) (<i>Ninox rufa meesi</i>), robust burrowing snake (<i>Simoselaps warro</i>) and Bennett’s tree-kangaroo (<i>Dendrolagus bennettianus</i>). Three ‘of concern’ regional ecosystems also occur on the nature refuge.	319.6000	Cook Shire Council
Arborlee Nature Refuge	29/08/2008	Habitat for the vulnerable glossy black cockatoo, spotted-tailed quoll and the rare Albert’s lyrebird. The property also contains suitable habitat for other threatened species, including the endangered Coxen’s fig parrot, the vulnerable Hasting River mouse and the brush-tailed rock wallaby.	42.0000	Southern Downs Regional Council
Ballara Park Nature Refuge	29/08/2008	Contains stands of the vulnerable Chinchilla whitegum and provides suitable habitat for the vulnerable painted snipe and the rare black-necked stork.	58.0000	Dalby Regional Council
Bellbird Nature Refuge	29/08/2008	The rare Albert’s lyrebird is regularly heard in the vine forest areas on the property. The nature refuge also contains suitable habitat for other rare and threatened species, including the endangered Coxen’s fig parrot, the vulnerable brush-tailed rock wallaby, glossy black-cockatoo, Hasting River mouse, spotted-tailed quoll and the rare grey goshawk.	127.0000	Southern Downs Regional Council
Bellview Nature Refuge	29/08/2008	Extension increasing the size of the nature refuge from approximately 667 ha to approximately 1125 ha. The property will conserve two regional ecosystems and is possible habitat for threatened species such as the vulnerable brush-tailed rock wallaby (<i>Petrogale penicillata</i>).	458.4700	Barcaldine Regional Council
Blue Fig Creek Nature Refuge	29/08/2008	Provides potential habitat for wide-ranging animal species such as the koala, powerful owl and spotted-tailed quoll. The nature refuge is part of a sub-catchment lying in the headwaters of Mudgeeraba Creek and therefore plays a very important role helping maintain the health of the Mudgeeraba Creek catchment.	24.9700	Gold Coast City Council
Brooklyn Nature Refuge	29/08/2008	This refuge is home to at least 45 species of threatened animals and more than 50 species threatened plants. These include the yellow-bellied glider (northern subspecies), northern bettong, spotted-tailed quoll (northern subspecies), northern quoll and the southern cassowary.	58 675.7700	Tablelands Regional Council
Bullen Bullen Nature Refuge	29/08/2008	Provides suitable habitat for a number of critically endangered and vulnerable species including the Troughton’s sheath-tail bat and the purple-necked rock wallaby, as well as a number of reptile species.	10 239.5600	Cloncurry Shire Council
Bygana Nature Refuge	29/08/2008	Bygana Nature Refuge supports three regional ecosystems comprising woodland on alluvial plains.	331.0000	Isaac Regional Council
Craig’s Pocket Nature Refuge	29/08/2008	Craig’s Pocket Nature Refuge protects 3565 ha of semi-evergreen vine thicket, several small springs, and a wetland on one of the most recent lava flows in Australia. The lava flow, originating in the neighbouring property, is more than 20 kms long and is estimated at less than 71 000 years old.	3565.2300	Charters Towers Regional Council
Dingo Springs Nature Refuge	29/08/2008	Dingo Springs Nature Refuge protects an unexpected oasis in the rugged eucalypt woodland of the Einasleigh Uplands north of Georgetown. Dingo Spring has two vents, Little Dingo and Big Dingo. The combined flow fills a small one hectare wetland and runs a creek for 500 metres. Pandanus palms give away the location of the two vents and closer inspection of the wetland reveals numerous sundews <i>Drosera indica</i> .	595.1500	Etheridge Shire Council
East Top Nature Refuge	29/08/2008	East Top Nature Refuge protects and enhances various regional ecosystems, including endangered open forest and ‘of concern’ woodland on alluvial plains.	875.0000	Isaac Regional Council
Eversfield Station Nature Refuge	29/08/2008	Eversfield is traversed by the perennial Mungallala Creek system with numerous waterholes supporting abundant wildlife.	17 985.0380	Roma Regional Council

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Nature refuge name	Gazettal date	Comments	Gazetted area (hectares)	Local government
Gaia Nature Refuge	29/08/2008	Administrational adjustment due to relocation of exclusion zones within the nature refuge to improve its management, resulting in a slight decrease in the nature refuge area from 507.8 ha to 507.28 ha. The area supports bushland representative of five regional ecosystems and offers habitat types of several rare and threatened flora and fauna species.	-0.5200	Somerset Regional Shire Council
Girraween Nature Refuge	29/08/2008	Girraween is a special part of the Burgess Creek Catchment and is home to six rare and threatened plant species including the vulnerable tiny wattle. The nature refuge and adjacent national park provide habitat for rare and threatened fauna species such as the ground parrot, glossy black-cockatoo, and wallum sedgefrog, froglet and rocketfrog.	87.0000	Sunshine Coast Regional Council
Glenlofty Nature Refuge	29/08/2008	Glenlofty Nature Refuge protects the Kinrara lava flow outside of the Kinrara National Park and also protects some of the surrounding eucalypt woodland, which is dominated by narrow-leaved ironbark <i>Eucalyptus crebra</i> with a magnificent ground cover of kangaroo grass <i>Themeda triandra</i> and black spear grass <i>Heteropogon contortus</i> .	2231.0000	Tablelands Regional Council
Haven Nature Refuge	29/08/2008	The property contains one regional ecosystem that has low representation in the protected area estate and provides known habitat for the vulnerable koala, tusked frog, and marbled frogmouth and suitable habitat for the vulnerable powerful owl.	8.0240	Sunshine Coast Regional Council
Hillview Nature Refuge	29/08/2008	Hillview Nature Refuge protects habitat for rare and threatened species including one of only two known populations of the vulnerable mouse bush <i>Homoranthus montanus</i> in Queensland. It is also habitat for other rare and threatened species including the vulnerable <i>Acacia pubifolia</i> and <i>Melaleuca williamsii</i> , and the rare turquoise parrot <i>Neophema pulchella</i> and <i>Melaleuca flavovirens</i> .	467.0000	Southern Downs Regional Council
Ightham Nature Refuge	29/08/2008	Nature refuge revoked due to the expiry of a termed conservation agreement. DERM has commenced negotiating a new conservation agreement with the landholder. If DERM and the landholder agree on the proposed terms of a new conservation agreement, it is possible that the area could again be protected as a nature refuge. The property conserves acacia and eucalypt tropical woodland and 11 different 'not of concern' regional ecosystems.	-1,634.0000	Barcaldine Regional Council
Kijokaby Nature Refuge	29/08/2008	Kijokaby Nature Refuge adjoins Daintree National Park within the Cooper Creek Catchment—an area of outstanding biodiversity significance unparalleled in Australia. The nature refuge supports habitat of the endangered southern cassowary. The vegetation around the property supports 28 threatened plant species including three endangered, seven vulnerable and 18 rare species.	1.8390	Cairns Regional Council
King George Falls Nature Refuge	29/08/2008	Extension to improve the management of the nature refuge, increasing its overall area by an additional two hectares. The land supports two 'not of concern' regional ecosystems and provides breeding habitat for the endangered southern cassowary (southern population) <i>Casuarius casuarius</i> .	2.0000	Tablelands Regional Council
Little Bella Nature Refuge	29/08/2008	Vegetation over the nature refuge includes tall grey ironbark forests with a diverse understorey connecting to lush, threatened hoop pine forest. The forest occurs in a sheltered catchment with riparian vine forest on the banks of Little Bella Creek wrapping around the southern edge of the nature refuge. The nature refuge supports the rare plant <i>Austral wisteria</i> and the sound of bell birds often rings out. Little Bella Nature Refuge extends the regional wildlife corridor in this area.	48.0000	Gympie Regional Council

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Nature refuge name	Gazettal date	Comments	Gazetted area (hectares)	Local government
Maiden Springs Nature Refuge	29/08/2008	Either side of Spring Creek is lined with a tall forest of black tea tree <i>Melaleuca bracteata</i> and the landscape is sparsely timbered with narrow-leaved ironbark <i>Eucalyptus crebra</i> while the ground layer is dominated by black spear grass <i>Heteropogon contortus</i> . Low outcrops of broken basalt are scattered throughout the nature refuge. The nature refuge also includes the ruins of the original Maiden Springs Station hut.	173.0200	Flinders Shire Council
Mimosa Park Nature Refuge	29/08/2008	Mimosa Park contains many regional ecosystems that have low representation in the protected area estate; suitable habitat for rare and threatened species; locally significant riparian areas of Mimosa Creek system; and provides connectivity to Redcliffe State Forest.	7620.0000	Central Highlands Regional Council
Mount Quincan Crater Nature Refuge	29/08/2008	Mount Quincan is a prominent extinct volcano 13 km east of Atherton and is home to the rare Lumholtz's tree-kangaroo and green ringtail possum.	8.0000	Tablelands Regional Council
Nara Spring Nature Refuge	29/08/2008	Towering river tea tree <i>Melaleuca leucadendra</i> mark the location of Nara Spring on New Water Station. The spring feeds a wetland of several hundred hectares and is a natural fauna refuge in an otherwise dry environment.	261.0000	Croydon Regional Council
Phiara Downs Nature Refuge	29/08/2008	Phiara Downs Nature Refuge protects regional ecosystems including <i>Eucalyptus populnea</i> , <i>Eremophila mitchellii</i> shrubby woodland, <i>Acacia catenulata</i> or <i>A. shirleyi</i> open forest. The refuge provides suitable habitat for the rare <i>Calytrix islensis</i> and the vulnerable <i>Bertya calycina</i> .	1706.6000	Central Highlands Regional Council
Pindari Nature Refuge	29/08/2008	A number of mature endangered cycads <i>Cycas megacarpa</i> are present on Pindari Nature Refuge. Native vegetation ranges from dry rosewood ridges to semi-evergreen vine forest with habitat for the threatened black-breasted button quail.	82.1200	Rockhampton Regional Council
Rifle Range Nature Refuge	29/08/2008	Revocation of a portion of the nature refuge due to the area no longer meeting the declared management intent. DERM inspected the subject area and noted that it had few significant natural values and that fringing development was likely to adversely impact on the long-term viability of the remnant. The property contains three regional ecosystems, including two 'of concern' eucalyptus woodlands.	-1.9800	Emerald Regional Council
Tallaroo Nature Refuge	29/08/2008	Tallaroo Nature Refuge encompasses two parts: Tallaroo Spring and the Newcastle Range section of the property. Tallaroo Spring is a hot terraced mound spring with numerous vents. The wetland community supported from the spring output contains a healthy population of the salt pipewort <i>Eriocaulon carsonii</i> which is classified as endangered due to its very particular habitat requirements. The salt pipewort is only found on 13 springs in Queensland.	9192.5000	Etheridge Shire Council
Wairambar Creek Nature Refuge	29/08/2008	Wairambar Creek Nature Refuge protects 30 ha of essential cassowary habitat adjacent to Woornooran National Park on the eastern edge of the Atherton Tableland. The nature refuge also protects habitat for the endangered spotted-tailed quoll and the rare Herbert River ringtail possum.	30.0000	Tablelands Regional Council
Wondekai Nature Refuge	29/08/2008	This nature refuge provides suitable habitat for the vulnerable brigalow scaly foot lizard and the rare little pied bat and black-chinned honeyeater, as well as a number of vulnerable and rare plants species including <i>Eucalyptus beaniana</i> .	1203.0000	Banana Shire Council
Woodine Nature Refuge	29/08/2008	Woodine Nature refuge protects and enhances endangered regional ecosystems and contains suitable habitat for rare and threatened species, including the vulnerable brigalow, scaly-foot <i>Paradelma orientalis</i> and <i>Eucalyptus beaniana</i> ; and the rare little pied bat <i>Chalinolobus picatus</i> , black-chinned honeyeater, <i>Melithreptus gularis</i> , <i>Acacia hockingsii</i> , <i>Acacia islana</i> , <i>Calytrix islensis</i> , <i>Plunkett mallee Eucalyptus curtisii</i> , <i>Eucalyptus rubiginosa</i> , <i>Homoranthus decasetus</i> , <i>Leucopogon grandiflorus</i> , <i>Macarthuria ephedroides</i> , <i>Notelaea pungens</i> and <i>Wahlenbergia islensis</i> .	2425.0000	Banana Shire Council

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Nature refuge name	Gazettal date	Comments	Gazetted area (hectares)	Local government
Yarrai Nature Refuge	29/08/2008	The nature refuge provides protection for a variety of plant communities, including an 'endangered' brigalow community and an 'of concern' bluegrass community. The bluegrass community provides suitable habitat for the endangered Belyando cobbler's peg <i>Trioncinia retroflexa</i> and the vulnerable King bluegrass <i>Dichanthium queenslandicum</i> .	2454.2800	Emerald Regional Council
Balclutha Creek Nature Refuge	28/12/2008	Balclutha Creek Nature Refuge contains known habitat for the endangered red goshawk (<i>Erythrorichis radiatus</i>), vulnerable eclectus parrot (<i>Eclectus roratus</i>) and rare palm cockatoo (<i>Probosciger aterrimus</i>). Numerous 'not of concern' regional ecosystems also occur on the property.	2066.7000	Cook Shire Council
Balclutha (Lava Hill) Nature Refuge	28/12/2008	Balclutha (Lava Hill) is a 100 metre high lava hill near Balclutha Creek. The property supports numerous regional ecosystems, including one 'of concern' eucalyptus woodland.	976.3000	Cook Shire Council
Bill Huxley Nature Refuge	28/12/2008	Extension to include area in excellent condition, covering 'of concern' regional ecosystems and constituting essential habitat for endangered, vulnerable and rare species. This addition promotes greater connectivity with the Great Sandy National Park and provides a buffer for the adjoining Noosa River Wetlands, listed as nationally significant in the Directory of Important Wetlands in Australia. The nature refuge supports regional ecosystems as well as suitable habitat for numerous species of endangered and vulnerable fauna.	4.7000	Sunshine Coast Regional Council
Blue Bush Channels Nature Refuge	28/12/2008	The nature refuge will protect an endangered ecosystem as part of the main catchment area for the desert uplands channel country. The gidgee shrub lands in the nature refuge supports high fauna diversity, especially birds. Fencing on the property will secure the area from pests and allow for regeneration of the perennial natural grasses and shrubs, in particular the mitchell grass (<i>Astrelba spp.</i>) and blue bush (<i>Chenopodium auricomum</i>) which in turn will prevent erosion of the soil.	936.0000	Winton Shire Council
Chinchilla Rifle Range Nature Refuge	28/12/2008	The area is predominantly vegetated with brigalow, and brigalow/belah, together with patches of poplar box and a riparian frontage comprising coolabah and forest blue gum/river red gum woodland communities. The vulnerable glossy black-cockatoo (<i>Calyptorhynchus lathami lathami</i>) and the imperial hairstreak butterfly (<i>Jalmenus evagoras eubulus</i>) are known to occur on the rifle range.	140.0000	Dalby Regional Council
Greenhood Ridge Nature Refuge	28/12/2008	Protects the habitat of rare and threatened species including two rare ground orchids, the vulnerable powerful owl and the rare acacia wattle. The creation of Greenhood Ridge Nature Refuge will provide safe habitat for over 30 species of ground orchids.	9.6000	Southern Downs Regional Council
June's Land Nature Refuge	28/12/2008	Extension to improve the long-term viability of the significant natural values of the land. The nature refuge supports three 'of concern' regional ecosystems and supports habitat for a diverse range of vulnerable and rare flora and fauna, including the vulnerable beach thick-knee (<i>Esacus neglectus</i>) and rare black-necked stork (<i>Ephippiorhynchus asiaticus</i>).	0.2000	Mackay Regional Council
Lilyvale Nature Refuge	28/12/2008	Numerous regional ecosystems occur on the Lilyvale Nature Refuge and the land is known to support nest sites for the endangered red goshawk.	6710.0000	Cook Shire Council
Mount Croll Nature Refuge	28/12/2008	Mount Croll Nature Refuge supports habitat for the Cape York rock wallaby. Numerous regional ecosystems also occur on the property.	5131.8000	Cook Shire Council

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Nature refuge name	Gazettal date	Comments	Gazetted area (hectares)	Local government
Nangari Nature Refuge	28/12/2008	The nature refuge protects an 'of concern' regional ecosystem along the creek. From the creek there are small alluvial flat areas with the topography rising up steeply to some well-vegetated ridge tops. These high ridge lines may contain suitable habitat for the endangered eastern bristlebird (<i>Dasyornis brachypterus</i>) and the vulnerable glossy black-cockatoo (<i>Calyptorhynchus lathamii</i>). There have also been sightings of the endangered double-eyed fig-parrot (Coxen's) (<i>Cyclopsitta diophthalma coxeni</i>) in the area and habitat along the creek provides suitable feeding opportunities for this species.	28.0000	Sunshine Coast Regional Council
Nunckeri Nature Refuge	28/12/2008	Nunckeri Nature Refuge provides known habitat for rare and threatened species including the vulnerable jointed baloghia (<i>Baloghia armorata</i>), and Queensland nut (<i>Macadamia tetraphylla</i>); and the rare Richmond birdwing vine (<i>Parastolochia Parevenose</i>), and the rare Albert's lyrebird (<i>Menura alberti</i>).	1.6000	Scenic Rim Regional Council
Richard Underwood Nature Refuge	28/12/2008	The nature refuge protects about 105 ha of eucalypt woodland on old river levees. The deep sandy soils here are ideal habitat for the critically endangered northern hairy-nosed wombat. The (former) EPA and the property owners, with generous financial support from sponsor Xstrata, are working to introduce a number of wombats to the nature refuge. A new population is an essential part of a long-term plan to ensure the future of one of the world's rarest mammals.	105.8000	Roma Regional Council
Running Creek Nature Refuge	28/12/2008	Running Creek Nature Refuge supports numerous regional ecosystems, including two 'of concern' ecosystems.	38 570.0000	Cook Shire Council
Thiaki Creek Nature Refuge	28/12/2008	Thiaki Creek Nature Refuge protects cloudy wet highland rainforest on the southern Atherton Tablelands. The forest is core breeding habitat for the rare Lumholtz tree-kangaroo, six species of possum (including three rare species), and numerous bird, mammal and plant species that are endemic to north Queensland rainforests. Thiaki Creek Nature Refuge provides breeding habitat for the endangered southern cassowary and the golden bowerbird.	130.0000	Tablelands Regional Council
Upper Sleeper Log Creek Nature Refuge	28/12/2008	The vegetation comprises one 'of concern' regional ecosystem and is mapped as cassowary habitat and also black-throated finch habitat.	1602.9100	Townsville City Council
Adjinbilly Nature Refuge	5/06/2009	The property is known habitat for many rare and threatened species, including the vulnerable cascade tree frog <i>Litoria pearsoniana</i> , and koala <i>Phascolarctos cinereus</i> , the endangered Fleay's barred frog <i>Mixophyes fleayi</i> , brush-tailed rock wallaby <i>Petrogale penicillata</i> , and the rare Fletcher's frog <i>Lechriodius fletcheri</i> and Albert's lyrebird <i>Menura alberti</i> .	30.5540	Southern Downs Regional Council
Alyxia Nature Refuge	5/06/2009	Alyxia Nature Refuge supports various regional ecosystems and provides known habitat for rare and threatened species including the vulnerable southern penda (<i>Xanthostemon oppositifolius</i>) and the rare <i>Alyxia magnifolia</i> ; and suitable habitat for rare and threatened species including: the endangered double-eyed fig-parrot (<i>Cyclopsitta diophthalma coxeni</i>), the vulnerable tusked frog (<i>Adelotus brevis</i>), glossy black-cockatoo, (<i>Calyptorhynchus lathamii</i>), koala (<i>Phascolarctos cinereus</i>) and <i>Ricinocarpos speciosus</i> ; and the rare grey goshawk (<i>Accipiter novaehollandiae</i>) and hairy hazelwood (<i>Symplocos harroldii</i>).	23.7670	Sunshine Coast Regional Council
Balgowlah Nature Refuge	5/06/2009	The Balgowlah Nature Refuge contains three regional ecosystems that have low representation in the protected area estate including one that has an 'of concern' status. It also provides habitat for several rare and threatened species including the vulnerable glossy black-cockatoo and complements other adjoining protected areas such as Bellthorpe Forest Reserve, and Gudjela and Nangari nature refuges.	24.0000	Sunshine Coast Regional Council

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Nature refuge name	Gazettal date	Comments	Gazetted area (hectares)	Local government
Bally's Plus Five Nature Refuge	5/06/2009	Bally's Plus Five Nature Refuge protects numerous regional ecosystems including two 'of concern' ecosystems and also provides habitat for the endangered red-tailed black-cockatoo (<i>Calyptorhynchus banksii graptogyne</i>) and the rare black-necked stork (<i>Ephippiorhynchus asiaticus</i>).	2.1280	Fraser Coast Regional Council
Barrine Park Nature Refuge	5/06/2009	Barrine Park Nature Refuge protects 5 ha of the Toohey Creek wildlife corridor that connects the Atherton Tableland's iconic Lake Barrine rainforest to the expansive World Heritage Area to the east. The nature refuge adjoins Donaghy's Corridor Nature Refuge and represents the last link in the corridor.	4.9500	Tablelands Regional Council
Black Snake Nature Refuge	5/06/2009	Black Snake Nature Refuge protects part of the Mooloolah Range and the catchment of the Mooloolah River. Rainforest gullies and impressive sandstone cliffs and caves provide habitat for a number of species including the vulnerable tusked frog and koala, and the rare large-leaved chain fruit plant (<i>Alyxia magnifolia</i>).	26.3900	Sunshine Coast Regional Council
Corrick Plains Nature Refuge	5/06/2009	Corrick Plains Nature Refuge supports numerous regional ecosystems and is known habitat for the vulnerable estuarine crocodile <i>Crocodylus porosus</i> and crimson finch <i>Neochmia phaeton</i> ; and is suitable habitat for the endangered little tern <i>Sterna albifrons</i> and vulnerable beach stone curlew <i>Esacus magnirostris</i> .	2863.7340	Burdekin Regional Council
Curramore Nature Refuge	5/06/2009	Curramore Nature Refuge supports numerous regional ecosystems, is 'known' habitat for the rare grey goshawk (<i>Accipiter novaehollandiae</i>) and sooty owl (<i>Tyto tenebricosa</i>); and is suitable habitat for rare and threatened species, including the endangered <i>Plectranthus torrenticola</i> , the vulnerable koala (<i>Phascolarctus cinereus</i>), marbled frogmouth (<i>Podargus ocellatus plumiferus</i>) and <i>Macadamia ternifolia</i> ; and the rare <i>Argophyllum nullumense</i> and <i>Pararistolochia praevenosa</i> .	170.7650	Sunshine Coast Regional Council
Dovecot Nature Refuge	5/06/2009	The property includes the vulnerable squatter pigeon and rare and endangered plants such as <i>Capparis humistrata</i> , <i>Cerbera dumicola</i> and <i>Cycas megacarpa</i> . The nature refuge features weathered scarps and deep sands forested with iron bark, lancewood (<i>Acacia shirleyi</i>) and rosewood (<i>Acacia rhodoxylon</i>).	296.5300	Rockhampton Regional Council
Fiona's Retreat Nature Refuge	5/06/2009	This nature refuge provides habitat for over 20 species of significant plants. It plays an important role in being part of a bioregional wildlife corridor and is part of a tract of vegetation that has been identified as being in very good condition. Callistemons, blue gums, ironbarks, spotted gums and angophoras are all present.	497.0000	South Burnett Regional Council
Glen-Ewin Nature Refuge	5/06/2009	Glen-Ewin Nature Refuge contains three 'of concern' and one endangered regional ecosystem. The refuge provides suitable habitat for several rare and vulnerable fauna species. It includes a diverse range of vegetation including a natural soak. It is connected via remnant vegetation to Goodger swamp to the north.	23.6700	South Burnett Regional Council
Goomburra Forest Retreat Nature Refuge	5/06/2009	Goomburra Forest Retreat Nature Refuge includes a diverse range of regional ecosystems including a narrow leaved ironbark/Queensland blue gum community which is listed as 'of concern'. Dalrymple Creek borders the nature refuge and provides potential habitat for the endangered Fleay's barred frog, which has been recorded upstream in Main Range National Park. The nature refuge also provides suitable habitat for the vulnerable cascade treefrog, glossy black-cockatoo, spotted-tailed quoll and the koala.	44.0000	Southern Downs Regional Council
Hornet Nature Refuge	5/06/2009	The nature refuge provides essential habitat for several endangered, vulnerable and rare species of flora and fauna and acts as an integral part of a bioregional wildlife corridor. The nature refuge also protects stands of commercially viable eucalypts with an understorey scattered with several significant wattle species.	174.6470	North Burnett Regional Council

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Nature refuge name	Gazettal date	Comments	Gazetted area (hectares)	Local government
Illallangi Nature Refuge	5/06/2009	Illallangi Nature Refuge protects habitat for rare and threatened species including the vulnerable jointed baloghia, the Queensland nut and the rare Albert's lyrebird and Richmond birdwing vine.	11.3000	Scenic Rim Regional Council
Lake Barrine to Lake Eacham Rainforest Corridor	5/06/2009	The nature refuge provides suitable habitat for rare species such as the green ringtail possum, the Atherton antechinus, the tapping green-eyed frog, and both the peeping and the robust whistlefrogs. It protects most of the corridor that links the Lake Barrine Rainforest to the Lake Eacham Rainforest.	35.5700	Tablelands Regional Council
Lake Dartmouth Nature Refuge	5/06/2009	The Lake Dartmouth Nature Refuge forms part of a biodiversity corridor. Its main feature is a wetland listed in the List of Nationally Important Wetlands in Queensland. This special nature refuge is a significant breeding habitat for wildlife, in particular waterbirds. The rare freckled duck <i>Stictonetta naevosa</i> lives there and many other inland and migratory waterbirds use the area as a refuge.	7279.3230	Quilpie Shire Council
Mud Springs Nature Refuge	5/06/2009	The Eulo district is noted for its numerous natural springs formed where subterranean water of the Great Artesian Basin finds its way to the surface. One form of spring features cones of accumulated mud several metres high. Those on Mud Springs Nature Refuge are the most easily accessed and are a popular visitor attraction. The nature refuge area of about 133 ha covering these springs will be fenced to exclude livestock; and interpretive signage and tracks will be installed to enhance the visitor experience while protecting the springs from trampling. The nature refuge will also protect canegrass swamps and surrounding mulga shrubland.	133.0000	Paroo Shire Council
Nyalar Mirungan-ah Nature Refuge	5/06/2009	The nature refuge protects an area of critically endangered box-gum grassy woodland that is in superb condition, due to the sustainable management of the land by the owners. The property also includes a significant orchid-encrusted rockfall and a scenic permanent waterhole. In addition to protecting the natural values of the property, the owners have a great interest in recognising and protecting the cultural values that are present. These include the Indigenous cultural values that are present on the land, documenting in excess of 50 plant species with known traditional uses. They have also protected buildings and yards dating back to the 1950s associated with the property's previous use as a dairy farm.	194.0000	Southern Downs Regional Council
Oakview Nature Refuge	5/06/2009	The property contains many rare and threatened species, including the vulnerable powerful owl <i>Ninox strenua</i> and lungfish <i>Neoceratodus forsteri</i> . It also contains suitable habitat for the glossy black-cockatoo <i>Calyptorhynchus lathami</i> . The remnant vegetation on Oakview Wildlife Nature Refuge has been identified as having very high conservation priority values.	94.0000	Gympie Regional Council
Orkadilla Nature Refuge	5/06/2009	Orkadilla Nature Refuge is home to several rare and threatened species including the vulnerable yakka skink, squatter pigeon, Major Mitchell's cockatoo, the eastern long-eared bat and the brigalow scaly-foot lizard.	1,661.1500	Murweh Shire Council
Paddy's Lagoon Nature Refuge	5/06/2009	Paddy's Lagoon Nature Refuge has been declared over one of the last remnant stands of melaleuca forest in the Hedlow Basin in the Capricorn Coast hinterland. The area protected by the new nature refuge provides a significant refuge in times of drought for nationally important populations of waterbirds. Paddy's Lagoon is also a potential breeding site for colonial nesting of waterbirds.	163.0000	Rockhampton Regional Council

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Nature refuge name	Gazettal date	Comments	Gazetted area (hectares)	Local government
Resolute Nature Refuge	5/06/2009	Several eucalypt communities and an Araucarian vine forest community occur on the nature refuge, providing a diverse range of habitats. The main creek system through the refuge has several large waterholes framed by overhanging rock cliffs, ideal for relaxing and cooling off in summer. The property also provides stunning views due to its commanding position within the landscape. The landholders are keen to conserve the special values of this area while maintaining the productivity of the land. Cattle grazing, bee keeping, tourism and carbon trading are a few of the activities to be combined sustainably on the nature refuge.	297.0200	South Burnett Regional Council
Stuarts Spring Nature Refuge	5/06/2009	Stuarts Spring Nature Refuge protects several regional ecosystems that have little or no representation in the protected area estate, as well as part of Percy River that has two 'of concern' regional ecosystems noted to be a significant provincial refuge for some fauna. The area has high escarpments that give fantastic views across the refuge. Stuarts Spring is a double-headed spring that emanates from the top of an escarpment, creating a beautiful waterfall and rock pools that flow into a small creek.	1715.5000	Etheridge Shire Council
The Swamp Forest Nature Refuge	5/06/2009	The Swamp Forest Nature Refuge will protect habitat of the endangered southern cassowary and several other rare and threatened species associated with the Daintree lowlands.	15.8000	Cairns Regional Council
Tea Trees Nature Refuge	5/06/2009	Tea Trees Nature Refuge protects 25 ha of endangered and restricted ecosystems and wetland on the Prenzlau property. Not only does the nature refuge contain a patch of endangered eucalypt woodland, favoured by the local koala population, but also comprises a part of the ephemeral Prenzlau Swamp. During times of inundation, the swamp provides habitat for a large number and diversity of birds, including the vulnerable painted snipe and the rare black-necked stork (jabiru). During the dry times, the cracking soils provide habitat for the endangered grey snake.	25.2650	Somerset Regional Council
Wallaby Lane Nature Refuge	5/06/2009	The nature refuge lies adjacent to Taunton National Park and contains suitable remnant and regrowth areas used by the endangered bridled nailtail wallaby for feeding and shelter. The landholders of the property have committed to improve the habitat on the property for the wallaby and manage possible predator threats.	315.0000	Central Highlands Regional Council
Wamuran Nature Refuge	5/06/2009	Wamuran Nature Refuge is known habitat for threatened species including the endangered regent honeyeater (<i>Anthochaera Phrygia</i>) and the vulnerable glossy black-cockatoo (<i>Calyptorhynchus lathamii</i>) and powerful owl (<i>Ninox strenua</i>); and is suitable habitat for rare and threatened species including the vulnerable tusked frog (<i>Adelotus brevis</i>), wallum froglet (<i>Crinia tinnula</i>), black-necked stork (<i>Ephippiorhynchus asiaticus</i>), wallum rocketfrog (<i>Litoria freycineti</i>), wallum sedgefrog (<i>Litoria olongburensis</i>), and koala (<i>Phascolarctos cinereus</i>); and the rare grey goshawk (<i>Accipiter novaehollandiae</i>) and sooty owl (<i>Tyto tenebricosa</i>).	10.0400	Moreton Bay Regional Council
Werrington Nature Refuge	5/06/2009	Werrington Nature Refuge supports four 'not of concern' regional ecosystems.	2455.0000	Etheridge Shire Council
Weyba Nature Refuge	5/06/2009	The nature refuge provides habitat for the vulnerable ground parrot, glossy black-cockatoo, and wallum froglet, rocketfrog and sedgefrog. Almost the entire section of the proposed nature refuge area has either endangered or 'of concern' regional ecosystems. The property contains many old scribbly gums with large hollows that provide suitable nesting habitat for species such as glossy black-cockatoos, gliders and owls. It is likely that there are koalas on the property.	126.0000	Sunshine Coast Regional Council

cont. table G

Nature refuge name	Gazettal date	Comments	Gazetted area (hectares)	Local government
Wyndham Sandy Creek Nature Refuge	5/06/2009	The nature refuge located north of Mount Garnet will protect ecosystems and vegetation types that have very little representation in national parks or other reserves in the region. It is a habitat for rare and threatened plant species which include the scarce pumpkin gum and the endangered legume, <i>Mareeba cajanus</i> . The mineral-rich hills between Mt Garnet and Mutchilba support a variety of rare and threatened plants that are restricted to that area.	1258.0000	Tablelands Regional Council
Yuroi Nature Refuge	5/06/2009	Yuroi Nature Refuge contains mostly open eucalypt forest, described as an 'of concern' regional ecosystem, with rainforest in the gullies along creeks. The nature refuge provides habitat for the rare plant <i>Alyxia magnifolia</i> and suitable habitat for the vulnerable glossy black-cockatoo, koala and tusked frog. There are some very old trees with hollows providing nesting habitat for a variety of nesting species. The vegetation is mapped as 'of state significance' due to it being suitable habitat for the endangered Coxen's fig-parrot.	51.9900	Sunshine Coast Regional Council

Table H: Summary of information regarding wildlife licences

Category	Current (at 30/6/09)	Issued	Suspended	Cancelled	Refused	Withdrawn	Surrendered	Invalid
Commercial wildlife	139	116	0	1	0	1	1	3
Commercial wildlife (macropods)	208	209	0	0	0	0	0	0
Recreational wildlife	24 607	7524	0	2	0	39	8	66
Commercial wildlife harvesting	27	30	0	0	0	1	0	2
Commercial wildlife harvesting (macropods)	1944	2036	0	0	3	0	0	0
Recreational wildlife harvesting	18	20	0	0	0	1	0	1
Wildlife demonstrator	32	31	0	0	0	1	0	0
Wildlife exhibitor	29	25	0	0	0	1	0	1
Wildlife farming	31	33	0	0	0	1	0	1
Museum	1	0	0	0	0	0	0	0
Herbarium	1	0	0	0	0	0	0	0

Table I: Summary of information relating to wildlife permits

Category	Current (at 30/6/09)	Issued	Suspended	Cancelled	Refused	Withdrawn	Surrendered	Invalid
Educational purposes	108	42	0	0	0	0	0	0
Keep protected wildlife	63	27	0	0	0	3	1	1
Keep prohibited wildlife	3		0	0	0	0	0	0
Scientific purposes	292	141	0	0	0	2	0	0
Wildlife movement	14	25	0	0	0	1	0	10
Commercial whale watching*	20							
Clearing	20	24	0	0	0	0	0	4
Take, use, keep or interfere (scientific purpose)	237	138	0	0	0	1	0	0
Take, use, keep or interfere (educational purpose)	8	10	0	0	0	2	0	0
Authorisation to cultivate	64	19	0	0	0	0	0	1
Authorisation to propagate	604	107	0	0	0	2	0	0
Collection authority (dead protected wildlife)	6	1	0	0	0	0	0	0
Damage mitigation	261	270	0	0	1	11	0	8
Rehabilitation	693	142	0	0	3	4	0	3

Note:

* Under the Nature Conservation (Wildlife Management) Regulation 2006, a whale watching permit can be granted only for Queensland waters outside the areas of special interest for whales as shown in the *Management Program for the Conservation and Management of Whales and Dolphins (Order Cetacea) in Queensland 1997–2001*, and if the number of current permits issued under the *Marine Parks Act 2004* is fewer than 20 for the area between latitudes 24°30'S and 25°30'S, and fewer than three for the area between latitudes 25°30'S and 27°05'S.

Advisory committees

Macropod Management Advisory Committee

Term

Appointed 1 May 2007 to 30 April 2010

Meetings

Nil

Membership

- Dr Helen Wallace (chair)
- Mr Lindsay Packer, Kangaroo Industries Association of Australia (Inc.)
- Ms Natasha Potzta, Safe Food
- Ms Pru Barkla, Agforce Queensland
- Mr Jock Sullivan, Agforce Queensland
- Mr Thomas Garrett, Queensland Macropod and Wild Game Harvesters Association Inc.
- Mr Jeff Newton, Queensland Macropod and Wild Game Harvesters Association Inc.
- Dr Greg Baxter, University of Queensland
- Mr Des Boyland, Wildlife Preservation Society of Queensland
- Mr Pat O'Brien, Queensland Conservation Council

- Mr Cliff Dee, Kangaroo Industries Association of Australia (Inc.)
- Ms Janet Gamble, RSPCA Queensland
- Ms Rebecca Williams, Director, Threatened Species, (former) EPA
- Mr Peter Byrne, (former) Department of Primary Industries and Fisheries

Terms of reference

Under s132 of the *Nature Conservation Act 1992*, the function of the committee is to provide the Minister with advice on a range of issues affecting macropod management and conservation in Queensland, in particular (but not confined to) harvest period conditions and conservation plan and management program provisions.

The advice of the committee will be considered in the administration of the Nature Conservation (Macropod Harvesting) Conservation Plan 1994 when formulating and/or evaluating policies and procedures that relate to macropod management in Queensland.

Members are chosen as representatives of groups with an interest in wildlife management, control, harvest and trade.

In 2008 the Queensland Premier commissioned independent reviewers to undertake a review of government bodies and this occurred over the past six months. The review found that the Macropod Management Advisory Committee should be abolished and this decision was supported by the Queensland Government.

Crocodile Management Advisory Committee

Term

Appointed 1 May 2007 to 30 April 2010

Meetings

Nil

Membership

- Prof Gordon Grigg (chair), Emeritus Professor of Zoology, School of Biological Sciences, The University of Queensland
- Mr Steve Peucker, Department of Employment, Economic Development and Innovation
- Mrs Anne Clarke, Department of Employment, Economic Development and Innovation
- Mr Peter Fisher, Melaleuca Crocodile Farm (crocodiles industry)
- Mr Geoff McClure, Crocodile Farming Consultant
- Mrs Claudine Ward, Queensland Seafood Industry Association
- Councillor Paul Gregory, Cairns City Council
- Mr William Busch, Cape York Land Council
- Prof Craig Franklin, The University of Queensland
- Mr Barry McIntosh, Sunfish Queensland Inc.
- Ms Janet Gamble, RSPCA Queensland

- Mr David Leyden, Australasian Regional Association of Zoological Parks and Aquaria Queensland Branch
- Mr Neville St John Wood, Tourism Industry
- Mr Keith Cook, Cairns Crocodile Farm (crocodiles industry)
- Mrs Angela Freeman, Alliance for Sustainable Tourism
- Mr John Rainbird, Cairns and Far North Environmental Centre
- Mr George Hill, Surf Life Saving (Queensland)
- Ms Sarah Hoyal, Cairns and Far North Environmental Centre
- Mr Nick Rigby, Director, Wildlife Management Branch, DERM

Terms of reference

Under s132 of the *Nature Conservation Act 1992*, the function of the committee is to provide the Minister with advice on a range of conservation and management issues affecting crocodiles *Crocodylus porosus* and *C. johnstoni* in Queensland. Such advice may include (but not be limited to) public education, public safety, 'crocodiles of concern', commercial use of crocodiles and crocodile research.

The Minister may consider the advice of the committee when formulating and/or evaluating policies and procedures that relate to crocodiles in Queensland.

Members are chosen as representatives of industry, government, tourism, conservation and recreation groups with an interest in crocodile management.

In 2008, the Queensland Premier commissioned independent reviewers to undertake a review of government bodies. The review found that the Crocodile Management Advisory Committee should remain as it is. This decision was supported by the Queensland Government.

Waanyi Ministerial Advisory Committee Boodjamulla (Lawn Hill) National Park

Meetings

- Full committee meeting – proposed for September 2009
- Executive meetings
 - 9 and 10 September 2008
 - 12 and 13 November 2008
 - 24 and 25 March 2009
 - 27 April 2009

Membership

- Ms Eunice O'Keefe
- Ms Dell Burgen
- Ms Nancy George
- Mr Barry Dick
- Ms Everyl Johnny
- Mr Sidney Wilson
- Mr Richard Brookdale
- Mr Lenny Cubby
- Mr Gordon Douglas

Terms of reference

The primary function of the committee is to provide the Minister with advice concerning the administration of aspects of the *Nature Conservation Act 1992*, and in particular Aboriginal cultural matters relating to the management of Boodjamulla (Lawn Hill) National Park.

The Minister will have regard to the advice of the committee when implementing the Act and formulating or evaluating policies and procedures relating to Boodjamulla (Lawn Hill) National Park.

The committee consists of twelve people on the full committee and nine people on the executive committee. The committee represents the family groups of traditional owners responsible for Boodjamulla (Lawn Hill) National Park.

The focus for the committee for 2008–09 has been providing input into a Cultural Heritage Management Plan for the Lawn Hill Gorge section of Boodjamulla (Lawn Hill) National Park and providing cultural heritage advice on capital works projects being undertaken by Queensland Parks and Wildlife Service.

The committee membership was reviewed on 1 July 2008 based on health and participation effort of members over the past two years. The above membership will be updated at the next meeting in September 2009 once family groups have again confirmed their nominations.

In 2008, the Queensland Premier commissioned independent reviewers to undertake a review of government bodies and this occurred over the past six months. The review found that Waanyi Ministerial Advisory Committee, Boodjamulla (Lawn Hill) National Park would **remain** as it was and this was supported by the Queensland Government.

Report on the administration of *Marine Parks Act 2004* (for the reporting period 1 July 2008 – 30 June 2009)

The *Marine Parks Act 2004* provides for the conservation of Queensland's marine environment by implementing a comprehensive range of management strategies including the declaration of marine parks and the establishment of zones, designated areas and highly protected areas within the parks. These management arrangements are formalised through the gazettal of zoning plans and development of management plans.

Public authorities and other interested groups, including Aboriginal and Torres Strait Islander communities, are encouraged to assist in managing marine parks and to further the public's appreciation, understanding and enjoyment of the marine environment.

The *Marine Parks Act 2004* aims to achieve a coordinated and integrated approach with other environment conservation legislation, and recognises the cultural, economic, environmental and social relationships between marine parks and their adjacent lands and waters.

Australia's international responsibilities and intergovernmental agreements are important considerations in park management. Marine parks extend across areas adjacent to the Queensland coast which are under the control of both the Commonwealth and State governments. Both governments have agreed that as far as practicable, in conserving marine parks, state legislation will be in line with the relevant Commonwealth legislation.

The plans and regulations that support this legislation are as follows:

- Marine Parks (Declaration) Regulation 2006
- Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004
- Marine Parks (Great Sandy) Zoning Plan 2006
- Marine Parks (Moreton Bay) Zoning Plan 2008
- Marine Parks Regulation 2006.

Amendments to legislation in 2008–09

The Marine Parks (Moreton Bay) Zoning Plan 1997 was repealed and replaced with the Marine Parks (Moreton Bay) Zoning Plan 2008 on 1 March 2009.

The *Marine Parks Act 2004*, the Marine Parks (Declaration) Regulation 2006, and the Marine Parks (Great Sandy) Zoning Plan 2006 were not amended during 2008–09.

The Marine Parks Regulation 2006 was amended three times. It was amended by the:

1. Marine Parks and Other Legislation Amendment Regulation (No. 1) 2008, notified in the *Government Gazette* on 20 October 2008. The amendment updated s112 (Entry or use requiring notice), s140 (Restriction on bringing domestic animals into marine park), and Schedule 6 (Dictionary) to complement provisions of the Marine Parks (Moreton Bay) Zoning Plan 2008
2. Environmental Protection Legislation Amendment Regulation (No. 1) 2009, notified in the *Government Gazette* on 19 June 2009. The amendment updated Schedule 4 (Fees payable under Act for other marine parks)
3. *Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Act 2009*, assented to on 26 June 2009.

When proclaimed, the amendments will achieve consistency with the terms and processes established under the new *Queensland Civil and Administrative Tribunal Act 2009*.

The Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004 was amended by the Marine Parks (Great Barrier Reef Coast) Amendment Zoning Plan (No. 1) 2008, notified in the *Government Gazette* on 25 July 2008. The amendment updated Schedule 3 (Internal habitat protection zone areas).

Funding

The Queensland Government contributed \$8 603 000 to the field management program (FMP) for the Great Barrier Reef (GBR). After receipt and distribution of matching federal funding, DERM's combined recurrent and capital budget was \$12 647 099 for the GBR FMP.

Only a portion of this total is spent on state marine parks.

The FMP operates across the federal GBR marine park, the state GBR coast marine park and island national parks. A further budget of \$930 000 (operating) was allocated to administer the Marine Parks Act in the Moreton Bay Marine Park.

Offences and enforcement

Fifty-two marine park infringement notices were issued in the 2008–09 financial year.

The litigation unit also conducted two prosecutions during the year, resulting in fines totalling \$7950 and \$7771 being awarded in legal costs.

Marine park permissions and applications (1 July 2008 to 30 June 2009)

Category	No. granted	No. refused	No. suspended/ cancelled
State-only permissions			
Coastal works	36	3	0
Tourism programs	35	0	0
Other	93	0	0
Joint permissions*			
Tourism programs	202	2	0
Research permissions	131	0	0
Harvest permissions	48	0	0
Other	356	5	0

Note:

* The Great Barrier Reef Marine Park Authority issues permissions which cross both the state and federal Great Barrier Reef, on behalf of DERM. These permissions are issued as the one instrument granted under the *Marine Parks Act 2004* and the *Great Barrier Reef Marine Park Act 1975*.

Report on the administration of *Water Supply (Safety and Reliability) Act 2008*

(for the reporting period 27 March – 30 June 2009)

On 1 July 2008, the *Water Supply (Safety and Reliability) Act 2008* introduced new provisions to protect public health—by regulating recycled water and drinking water quality, and by incorporating the existing service provider provisions of Parts 1–5 of Chapter 3 of the *Water Act 2000*.

The Act provides for a regulator, currently the chief executive of the Department of Environment and Resource Management, to undertake certain duties under these provisions, including preparing an annual report (Chapter 2, Part 2 of the Act). This summary is the regulator’s report for the period 27 March to 30 June 2009.

Recycled water

Chapter 3 of the Act requires that a recycled water provider must have either an approved recycled water management plan (RWMP) or an exemption from the regulator before supplying recycled water, unless they are covered by transitional arrangements.

Those that supply recycled water are required to have the following. For:

- augmenting drinking water supplies—these schemes must have an approved RWMP
- dual reticulation or the irrigation of minimally processed food crops—existing schemes had to have an approved RWMP or an exemption by 1 July 2009, and any new ones prior to commencing supply
- any other purposes—schemes that existed before 1 July 2008 must have an approved RWMP or exemption by 1 July 2013. Those that commenced supply on or after 1 July 2008 must have an approved RWMP or exemption within one year of first supplying the water.

Certain schemes, such as the Western Corridor Recycled Water Project cannot obtain an exemption.

Three regulatory guidelines have been prepared by the regulator to assist recycled service providers to comply with the recycling provisions of the Act. These are:

- recycled water management plan and validation guidelines
- recycled water management plan exemption guidelines
- water quality guidelines for recycled water schemes.

The regulator has provided ongoing advice on the regulatory requirements for the RWMP for the Western Corridor Recycled Water Project as well as a number of other water recycling projects for dual reticulation and irrigation of a range of food crops. The regulator received one RWMP for approval during the period covered by this annual report. This RWMP is currently under assessment. The regulator received two applications for an exemption from preparing a RWMP during this period. These exemption applications were considered by the regulator and granted.

Drinking water quality

Chapter 2, Division 3 of the Act deals with drinking water and requires drinking water service providers, initially, to undertake monitoring and reporting on drinking water quality and then develop and implement a drinking water quality management plan (DWQMP).

DWQMPs must be approved by the following dates for service providers that were supplying drinking water prior to 30 June 2008:

- large drinking water service provider—1 July 2011
- medium drinking water service provider—1 July 2012
- small drinking water service provider—1 July 2013.

New schemes commencing supply on or after 1 July 2008 must have an approved DWQMP within one year of becoming a drinking water service provider. The regulator did not receive any DWQMPs for approval during the period covered by this report.

In November 2008, all drinking water service providers were issued with a notice to commence a monitoring and reporting program on drinking water quality from 2 January 2009.

Drinking water service providers are required to submit their water quality monitoring program; submit a summary of water quality data at the end of each quarter (with the first report being due on 31 July 2009); and notify the regulator of any drinking water incidents. The regulator works closely with Queensland Health to ensure incidents are appropriately managed and public health is protected.

On 13 May 2009, the regulator was informed of a very high fluoride test result from a routine sample taken on 29 April 2009 from the North Pine Water Treatment Plant. This incident was investigated and reports were prepared by the Office of the Water Supply Regulator (OWSR), Queensland Health (QH) and an independent investigator, Mr Mark Pascoe. All found that operator error and equipment failure were the key contributors to the incident. A warning letter and notice were sent to Seqwater, and a warning letter was sent to LinkWater. They included actions that must be implemented to ensure a similar incident does not occur again. The regulator is monitoring the implementation of these actions.

Other matters

Parts 1–5 of Chapter 2 of the *Water Supply (Safety and Reliability) Act 2008* give certain rights and responsibilities to the providers of water and sewerage services.

The regulator continued to formally register organisations as service providers, as required by the Act. Two new service providers were registered and one service provider had their registration cancelled.

Number of registered service providers (at 30 June 2009)

Small	92
Medium	34
Large	38
Total	164

All service providers must prepare, unless they have an exemption, a strategic asset management plan (SAMP) for approval by the regulator and customer service standards (CSS) to cover those customers who do not have a contract with the service provider for the supply of registered services. The SAMP must demonstrate how the continuity of supply of water and sewerage services will be maintained. They must also prepare annual reports on their performance with respect to the SAMP and CSS.

All service providers should have prepared SAMPs, CSS and annual reports with the only exceptions being:

- those service providers, who had contracts with all of their customers, and were therefore not required to have CSS
- those small-service providers who sought and were granted exemptions for a SAMP and/or CSS
- those who had been registered for less than 12 months
- new local governments formed in March 2008 or those with adjusted boundaries.

The provisions requiring drought management plans (DMP) and system leakage management plans (SLMPs) progressively came into effect from 1 October 2005. Existing service providers were given a transitional timeframe for providing the plans, whilst new service providers have to provide a DMP within one year and a SLMP within two years of being registered. Some service providers are not required to prepare a DMP as they do not hold a water entitlement.

Exemptions from preparing both plans are available to all service providers, regardless of size, who meet the established criteria. Service providers are required to report annually on their performance with respect to the SLMP.

New local governments and those with adjusted boundaries have been given additional time to submit documents to the regulator due to the *Local Government and other Legislation (Indigenous Regional Councils) Amendment Act 2007* which amended provisions in the *Water Act 2000*.

A number of service providers have not fulfilled all their obligations under the *Water Supply (Safety and Reliability) Act 2008*. Departmental officers are continuing to work with these service providers to ensure their compliance.

Report from the Board of Trustees Newstead House (for the reporting period 1 July 2008 – 30 June 2009)

The Board of Trustees of Newstead House is constituted under the *Newstead House Trust Act 1939*. The Board is required to govern, manage and control Newstead House.

Membership and staff (at 30 June 2009)

Members

Kirsti Simpson (chair)—representing the Queensland Government

Stephen Sheaffe—representing the Royal Historical Society of Queensland

Helen Gregory—representing the Brisbane City Council

Staff

David Gibson—director and secretary to the Board

The Board operates out of Newstead House, Breakfast Creek Road, PO Box 3121, Newstead, Queensland 4006.

Historic Newstead House has sought to provide leadership in all ‘matters historical’ in 2009 as the State of Queensland and the municipality of Brisbane hold their sesquicentenary celebrations.

The Board has been unwavering in its commitment to develop strategies that awaken an interest in, understanding of and respect for, the past in its many forms. It:

- created special exhibitions and new displays at Newstead House
- undertook speaking engagements to community groups and broadcasts on ‘matters historical’
- continued to preserve the precious entity that is Newstead House.

The Board met formally on 15 October 2008, 6 March 2009 and 21 May 2009. Trustees received no remuneration.

The Friends of Newstead Incorporated (Friends Inc.) continued to assist with the public presentation of Newstead House as a significant element of the state’s history. This year’s Drover’s Award, given by the Newstead House Trust for exemplary service to Newstead House, was presented to Friends Inc. member Gaye Fitzpatrick.

Historic Newstead House maintained a close association with ‘kindred spirits’, notably: Brisbane’s Living Heritage Network (the director is a member of the Board of Management) and with Museum and Gallery Services Queensland (in particular, promoting the Museums Alight events in May).

Review of operations

Events have included outside broadcasts in association with ABC 612 on Proclamation Day 2008, a special program of music pertaining to the sesquicentaries on 4MBS 103.7 FM, and the traditional twilight community observance of Proclamation Day which attracted record crowds.

In July, Friends Inc. hosted a community garden party acknowledging the arrival in 1859 of the paddle steamer *Clarence* with news from Sydney that a new colony called Queensland had been created.

Within the homestead, special tours for schoolchildren (designed in partnership with the Moreton Bay Environmental Education Centre) have continued to excite and challenge, and the director has hosted special interest tours for community groups out of hours.

Within Newstead Park, Newstead House has been working closely with the Brisbane City Council and the other stakeholders to promote the park’s history and facilities.

Within the district, Newstead House has continued to provide advocacy of the Breakfast Creek Heritage Precinct with its suite of community heritage sites, and worked closely with River City Cruises to develop the precinct as a ‘must-see’ riparian destination.

Newstead House also continued to respond to public expectations on the occasion of special anniversaries such as Queensland Day (6 June), Proclamation Day (10 December), Heritage Week (10–17 May), International Museums Day (18 May), Museums Alight (18 May) and *Salon Gardenesque* (29 and 30 August).

The free Sunday Concerts series—an initiative of Friends Inc. and funded by the Board—was also continued, to introduce young musicians to the joys of public performance. The program was included in the internationally celebrated *Fete de la Musique* on 21 June 2009.

Review of financial goals

Funding from the Queensland Government amounted to \$100 000 in the 2008–09 financial year. This level of financial support is acknowledged with appreciation, as is the level of assistance given to the Board by the former Environmental Protection Agency and, more recently, the Department of the Environment and Resource Management.

Other financial support came from supporters of Friends Inc. In addition to in-kind support, which is estimated to save the Board in excess of \$85 000 per annum in salaries and allowances—Friends Inc. this year received a generous donation for work on Newstead House.

A \$40 000 donation by the late Dr Clem Jones AO, augmented by a \$3000 donation from Friends Inc., is being used to ‘animate’ the ground floor and vestibule of Newstead House. Dr Jones was Patron of Friends of Newstead Incorporated and his donation honoured the memory of its founder, the late Barbara Gibson.

Friends Inc. also funded the installation of a ‘best practice’ security alarm system for Newstead House at a cost of \$10 000.

The Board recognises the very real need and obligation to address equal access at Newstead House. A lift connecting the ground and first floors using a section of the much-altered annexe has been proposed. The Board has made several grant applications to secure whole or part of the funding for this potentially major project, but has been unsuccessful to date. It continues to work closely with government to source funding.

Proposed forward operations

An independent review of Queensland Government boards, committees and statutory authorities dated March 2009 entitled *Brokering balance: A public interest map for Queensland Government bodies* makes the observation that:

‘The Board of Trustees of Newstead House has made a substantial contribution through its own initiatives, to heighten the awareness of Newstead locally and on a broader scale. This increased awareness also established mechanisms to increase an economic base for Newstead House’.

In a year of sesquicentenaries, Newstead House has sought to champion a mission statement that genuinely seeks to preserve the past, celebrate the present and embrace the future.

Board members have been seeking ways in which Newstead House can be more efficient at ‘the business of history’. A brochure that invites opportunities for partnership with the Newstead House Trust has been drafted and is under consideration by the Board. There is a real need to attract a wider cross-section of the community to work at the House, especially during week days when there is a constant demand for guided tours and the facilitation of group experiences.

In a city and state constantly berated for a lack of action in conserving the past, Newstead House has been a part of the cultural and social landscape since its construction as a simple colonial Georgian cottage in 1846 through until 1939 when an Act of the Queensland Parliament secured its conservation.

Its very presence has been an inspiration to individuals and a template for the establishment of other institutions committed to the philosophy of conservation of all cultural material.

Kirsti Simpson (chair)
Board of Trustees
Newstead House

**THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
INCOME STATEMENT
FOR THE YEAR ENDED 30 JUNE 2009**

	Note	2009 \$	2008 \$
Income			
Grant from State Government		200,000	100,000
Community Project Grant		-	-
Admission Fees		17,879	16,644
Function Fees		9,292	5,254
Donations		53,782	6,019
Tour Fees		3,708	4,450
Other		310	1,292
Total Income		284,970	133,659
Expenses			
Employee Expenses	2	87,678	87,841
Supplies and Services	3	24,883	23,275
Building Expenses	4	36,784	32,213
Depreciation		7,150	2,792
Losses			
Loss on sale of property, plant and equipment		-	218
Total Expenses		156,495	146,338
Operating Surplus/(Deficit)	5	128,475	(12,679)

The accompanying notes form part of these statements.

**THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
BALANCE SHEET
AS AT 30 JUNE 2009**

	Note	2009 \$	2008 \$
Current Assets			
Cash and cash equivalents	6	94,573	3,163
Receivables		380	-
Total Current Assets		<u>94,953</u>	<u>3,163</u>
Non Current Assets			
Property, plant and equipment	7	1,887,096	1,901,485
Total Non Current Assets		<u>1,887,096</u>	<u>1,901,485</u>
Total Assets		<u>1,982,049</u>	<u>1,904,648</u>
Current Liabilities			
Payables		4,953	4,887
Unearned revenue		1,130	2,250
Accrued employee benefits		47,773	42,180
Total Current Liabilities		<u>53,856</u>	<u>49,317</u>
Non Current Liabilities			
Accrued employee benefits		11,745	10,296
Total Non Current Liabilities		<u>11,745</u>	<u>10,296</u>
Total Liabilities		<u>65,601</u>	<u>59,613</u>
Net Assets		<u>1,916,448</u>	<u>1,845,035</u>
Equity			
Asset Revaluation Reserve	8	1,848,635	1,905,697
Retained surpluses/ (deficits)		67,813	(60,662)
Total Equity		<u>1,916,448</u>	<u>1,845,035</u>

The accompanying notes form part of these statements.

**THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
CASH FLOW STATEMENT
FOR THE YEAR ENDED 30 JUNE 2009**

	Notes	2009 \$	2008 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Inflows:			
Grant from State Government		200,000	100,000
Community Project Grant		0	0
Admission Fees		17,879	16,644
Function Fees		7,792	6,464
Donations		53,782	6,019
Tour Fees		3,708	4,498
Other		310	1,292
GST input tax credits from ATO		10,640	4,277
GST collected from customers		3,136	2,672
Outflows:			
Employee expenses		(80,635)	(79,252)
Supplies and services		(24,883)	(21,717)
Building Expenses		(36,784)	(32,213)
GST paid to suppliers		(10,366)	(4,866)
GST remitted to ATO		(3,345)	(2,141)
Net cash provided by (used in) operating activities	5	141,234	1,677
CASH FLOWS FROM INVESTING ACTIVITIES			
Outflows:			
Payments for property, plant and equipment		(49,824)	(2,915)
Net cash provided by (used in) investing activities		(49,824)	(2,915)
Net increase (decrease) in cash held		91,410	(1,238)
Cash at beginning of the financial year		3,163	4,401
Cash at end of the financial year	6	94,573	3,163

The accompanying notes form part of these statements.

**THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2009**

	Retained Surpluses		Asset Revaluation Reserve (Note 8)	
	2009	2008	2009	2008
	\$	\$	\$	\$
Balance 1 July	(60,662)	(47,983)	1,905,697	1,817,472
Operating Surplus/(Deficit)	128,475	(12,679)	-	-
Non-Owner changes in equity:				
- Increase/(Decrease) in Asset Revaluation Reserve	-	-	(57,062)	88,225
Balance 30 June	67,813	(60,662)	1,848,635	1,905,697

The accompanying notes form part of these statements.

**THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
2008-09**

Note 1 Summary of Significant Accounting Policies

(a) Basis of Accounting

This financial report is a general purpose financial report that has been prepared in accordance with applicable accounting standards, as well as the Treasurer's Minimum Reporting Requirements for the year ending 30 June 2008, and other authoritative pronouncements.

Except where stated, the historical cost convention is used.

The accounting policies adopted by the Board are materially consistent with those for the previous year.

(b) User Charges and Fees

User charges and fees are recognised as revenue when invoices for the related services are issued. Deposits received in advance for functions yet to take place as at 30 June 2008 are treated as unearned.

(c) Grants and Other Contributions

Grants, donations and gifts that are non-reciprocal in nature are recognized as revenue in the year in which the Board obtains control over them. Where grants are received that are reciprocal in nature, revenue is accrued over the term of the funding arrangements.

Contributed assets are recognised at their fair value. Contributions of services are recognised only when a fair value can be determined reliably and the services would be purchased if they had not been donated.

(d) Cash and Cash Equivalents

For the purposes of the Balance Sheet and the Cash Flow Statement, cash assets include all cash and cheques received but not banked as at 30 June as well as deposits at call with financial institutions.

(e) Receivables

Trade debtors are recognised at the nominal amounts due at the time of sale or service delivery. Settlement on these amounts is required within 30 days from invoice date.

The collectability of receivables is assessed periodically with provision being made for impairment. All known bad debts have been written-off as at 30 June.

(f) Acquisition of Assets

Actual cost is used for the initial recording of all non-current physical asset acquisitions. Cost is determined as the value given as consideration plus costs incidental to the acquisition, including all other costs incurred in getting the asset ready for use, including architects' fees and engineering design fees. However, any training costs are expensed as incurred.

(g) Property, Plant and Equipment

Plant and equipment are included in the accounts at cost less accumulated depreciation. The threshold for the capitalisation of plant and equipment is \$1,000. Items with a lesser value are expensed in the year of acquisition.

Buildings are included in the accounts at fair value. The threshold for the capitalisation of buildings is \$10,000. Items with a lesser value are expensed in the year of acquisition.

Land is included in the accounts at fair value. The threshold for the capitalisation of land is \$1.

THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
2008-09 (continued)

Note 1 Significant Accounting Policies (continued)

Heritage assets that are donated are included in the accounts at a value as assessed by a registered valuer. In 2008, an independent valuation of heritage assets was performed by Hind's Antiques Pty Ltd. The value of the assets was based on fair value. The threshold for recognition of heritage assets is \$1,000.

(h) Depreciation of Property, Plant and Equipment

Property, plant and equipment is depreciated on a straight-line basis so as to allocate the net cost or revalued amount of each asset, less its estimated residual value, progressively over its estimated useful life to the Board.

Depreciation is not charged on buildings due to their historical significance.

Depreciation is not charged on land as it has an unlimited useful life.

For each class of depreciable asset the following depreciation rates were used:

<i>Class</i>	<i>Rate %</i>
Plant and Equipment	
Computer	27%
Fittings	7.5%
Fire Alarms and Detectors	5%
Telephone System	5%
Other Equipment	2.5% to 20%

(i) Revaluations of Non-Current Physical Assets

Land, buildings and heritage assets are measured at fair value in accordance with AASB 116 *Property, Plant and Equipment* and Queensland Treasury's *Non-Current Asset Accounting Policies for the Queensland Public Sector*.

The valuation of land is based on fair value principles taking into consideration there is no open market for the land with its current zoning and use. The valuation of Newstead House and the Resource Centre is based on replacement cost as no ready market exists for similar heritage assets. These assets measured at fair value are comprehensively revalued at least every five years with interim valuations, using appropriate indices, being otherwise performed on an annual basis where there has been a material variation in the index.

The last comprehensive valuation of Newstead House, the Resource Centre and underlying land was conducted in the 2006-07 year. In years where comprehensive revaluations are not conducted, an interim valuation is applied using the Implicit Price Deflator index for relevant construction types for buildings and an index provided by registered valuers for land.

Any revaluation increment arising on the revaluation of an asset is credited to the asset revaluation reserve of the appropriate class, except to the extent it reverses a revaluation decrement for the class previously recognised as an expense. A decrease in the carrying amount on revaluation is charged as an expense, to the extent it exceeds the balance, if any, in the revaluation reserve relating to that class.

On revaluation, accumulated depreciation is restated proportionately with the change in the carrying amount of the asset and any change in the estimate of remaining useful life.

Only those assets, the total values of which are material compared to the value of the class of assets to which they belong, are comprehensively revalued.

Separately identified components of assets are measured on the same basis as the assets to which they relate.

Revaluation of heritage assets is conducted annually on the basis of market value.

**THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
2008-09 (continued)**

Note 1 Significant Accounting Policies (continued)

(j) Impairment of Non-Current Assets

All non-current physical assets are assessed for indicators of impairment on an annual basis. If an indicator of possible impairment exists, the Board determines the asset's recoverable amount. Any amount by which the asset's carrying amount exceeds the recoverable amount is recorded as an impairment loss.

The asset's recoverable amount is determined as the higher of the asset's fair value less costs to sell and depreciated replacement cost.

An impairment loss is recognised immediately in the Income Statement, unless the asset is carried at a revalued amount. When the asset is measured at a revalued amount, the impairment loss is offset against the asset revaluation reserve of the relevant class to the extent available.

Where an impairment loss subsequently reverses, the carrying amount of the asset is increased to the revised estimate of its recoverable amount, but so that the increased carrying amount does not exceed the carrying amount that would have been determined had no impairment loss been recognised for the asset in prior years. A reversal of an impairment loss is recognised as income, unless the asset is carried at a revalued amount, in which case the reversal of the impairment loss is treated as a revaluation increase. Refer also Note 1(i).

(k) Payables

Trade creditors are recognised upon receipt of the goods or services ordered and are measured at the agreed purchase/contract price, gross of applicable trade and other discounts. Amounts owing are unsecured and are generally settled on 30 day terms.

(l) Financial Instruments

Recognition

Financial assets and financial liabilities are recognised in the Balance Sheet when the Board becomes party to the contractual provisions of the financial instrument.

Classification

Financial instruments are classified and measured as follows:

Cash and cash equivalents - held at fair value through profit and loss

Receivables - held at amortised cost

Payables - held at amortised cost

The Board does not enter transactions for speculative purposes, or for hedging. It holds no financial assets classified as at fair value through profit and loss or classified as held to maturity.

All disclosures relating to the measurement basis and financial risk management of other financial instruments held by the Board are included in Note 11.

(m) Employee Benefits

Wages, Salaries, Annual Leave and Sick Leave

Liabilities for wages, salaries and annual leave, are recognised, and are measured as the amount unpaid at the reporting date at current pay rates in respect of employees' services up to that date and include related on-costs.

As sick leave is non-vesting, an expense is recognised for this leave as it is taken.

THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
2008-09 (continued)

Note 1 Significant Accounting Policies (continued)

Long Service Leave

A liability for long service leave is recognised, and is measured by the use of a shorthand method derived by the Queensland State Actuary. The result of this method does not differ materially from that which would be arrived at should a calculation of the present value of expected future payments to be made in respect of services provided by employees up to the reporting date. The method used incorporates consideration of expected future wage and salary levels and experience of employee departure and length of service. The assumed rate of salary inflation and discount rate are based on the Commonwealth Government bond yields at the reporting date and the expected long term gap between salary inflation and investment return.

Superannuation

Employer superannuation contributions are paid to QSuper, the superannuation plan for Queensland government employees, at rates determined by the State Actuary.

No liability is recognised for accruing superannuation benefits in these statements, the liability being held on a whole-of-Government basis and reported in the financial report prepared pursuant to AAS 31 *Financial Reporting by Governments*.

(n) Taxation

The Board is a State body as defined under the *Income Tax Assessment Act 1936* and is exempt from Commonwealth taxation with the exception of Fringe Benefits Tax (FBT) and Goods and Services Tax (GST). As such, GST credits receivable from/payable to the Australian Taxation Office are recognised and accrued.

(o) Insurance

The Board's non-current physical assets and other risks are insured through the Queensland Government Insurance Fund, premiums being paid on a risk assessment basis. In addition, the Board pays premiums to WorkCover Queensland in respect of its obligations for employee compensation.

(p) Issuance of Financial Statements

The financial statements are authorised for issue by the Acting Chairman and the Principal Accounting Officer of the Board of Trustees of Newstead House at the date of signing the Management Certificate.

(q) Judgements and Assumptions

The Board has made no judgements or assessments that may cause a material adjustment to the carrying amounts of assets and liabilities within the next reporting period.

(r) Comparatives

Comparative information has been restated where necessary to be consistent with disclosures in the current reporting period.

(s) New and Revised Accounting Standards

No Australian accounting standards and interpretations issued or amended and applicable for the first time in the 2008-09 financial year have an effect on the Board. Also, the Board has not voluntarily changed any of its accounting policies.

The Board is not permitted to early adopt a new accounting standard ahead of the specified commencement date unless approval is obtained from the Treasury Department. Consequently, the Board has not applied any Australian accounting standards and interpretations that have been issued but are not yet effective. The Board will apply these standards and interpretations in accordance with their respective commencement dates.

All other Australian accounting standards and interpretations with future commencement dates are either not applicable to the Board, or have no material impact on the Board.

**THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
2008-09 (continued)**

(t) Revenue

Revenue from the sale of goods is recognised upon the delivery of goods to customers.

Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets.

Grant revenue is recognised on receipt of the grant monies.

Donation revenue is recognised upon the initial recording in the accounting records

All revenue is stated net of the amount of goods and services tax (GST).

	2009	2008
	\$	\$
Note 2 Employee Expenses		
Salaries	73,384	73,006
Guide allowances	5,948	7,432
Employer superannuation contributions	8,346	7,403
Total	87,678	87,841

The cost of workers' compensation insurance is a consequence of employing employees, but is not counted in employees' total remuneration package. It is not an employee benefit, but rather employee related expenses. Employer Superannuation Contributions are regarded as employee benefits.

	2009	2008
Number of Employees	1	1
Also refer note 1(m) Employee Benefits for further information.		

	2009	2008
	\$	\$
Note 3 Supplies and Services		
Advertising	149	1,805
Audit Fees	4,500	6,770
Stationery and printing	3,218	1,952
Telephone	3,262	3,078
Electricity	3,854	3,640
Functions	289	122
Projects	1,895	218
Other	7,716	5,690
Total	24,883	23,275

Note 4 Building Expenses		
Maintenance	7,098	3,285
Cleaning	2,856	3,741
Security	8,886	6,966
Insurance	11,250	11,323
Rates	6,129	5,336
Equipment purchases	565	1,562
Total	36,784	32,213

THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
2008-09 (continued)

	2009 \$	2008 \$
Note 5 Reconciliation of Operating Result to Net Cash Provided by (Used in) Operating Activities		
Operating Surplus/(Deficit)	128,475	(12,679)
Depreciation expense	7,150	2,792
Loss on sale of property, plant and equipment	-	218
Change in assets and liabilities:		
Increase/(Decrease) in accrued employee benefits	7,042	8,588
(Increase)/Decrease in receivables	(313)	498
Increase/(Decrease) in payables	-	1,500
Increase/(Decrease) in unearned revenue	(1,120)	760
Net cash provided by (used in) operating activities	141,234	1,677

Note 6 Cash and Cash Equivalents

Imprest accounts	182	171
Cash at bank	94,391	2,992
Total	94,573	3,163

Note 7 Property, Plant and Equipment

	2009		2008	
	\$	\$	\$	\$
Land		259,726		286,925
Buildings - Heritage		1,084,212		1,089,661
Buildings - Other		211,875		212,940
Heritage assets		257,650		281,000
Plant and Equipment (at cost)	123,964		74,141	
Accumulated Depreciation	(50,331)	73,633	(43,182)	30,959
		<u>1,887,096</u>		<u>1,901,485</u>

Only those portions of land on which Newstead House and the accompanying Resource Centre are sited are recorded in the accounts of the Board of Trustees of Newstead House. The balance comprising Newstead Park is controlled by the Brisbane City Council.

Land and buildings were comprehensively revalued during the 2006-07 year using "fair value" principles. The valuations were updated in the 2008-09 year using appropriate indices – refer Note 1(i).

Heritage assets were comprehensively revalued in 2008-09 using "fair value" principles.

Plant and equipment is valued at cost.

Property, Plant and Equipment Reconciliation

	Land	Buildings - Heritage	Buildings - Other	Heritage Assets	Plant and Equipment	Total
	\$	\$	\$	\$	\$	\$
Carrying amount at 1 July	286,925	1,089,661	212,940	281,000	30,959	1,901,485
Acquisitions	-	-	-	-	49,824	49,824
Disposals	-	-	-	-	-	-
Revaluation Increments	(27,199)	(5,449)	(1,065)	(23,350)	-	(57,063)
Depreciation	-	-	-	-	(7,150)	(7,150)
Carrying amount at 30 June	259,726	1,084,212	211,875	257,650	73,633	1,887,096

The Board has plant and equipment with an original cost of \$18,762 (four assets) with a written down value of zero still being used in the provision of services.

**THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
2008-09 (continued)**

	2009 \$	2008 \$
Note 8		
Asset Revaluation Reserve by Class		
Balance 1 July	1,905,697	1,817,472
Increments		
Land	(27,199)	37,425
Buildings	(6,513)	50,100
Heritage assets	(23,350)	700
Balance 30 June	1,848,635	1,905,697

The asset revaluation reserve represents the net effect of upwards and downwards revaluations of assets to fair value.

Note 9 Contingencies

As at 30 June 2009 there were no contingent liabilities or assets of a significant nature (2008 \$nil).

Note 10 Commitments for Expenditure

There were no commitments of a significant nature as at 30 June 2009 (2008 \$nil).

Note 11 Financial Instruments

The Board has the following categories of financial assets and financial liabilities:

Category	Note	2009	2008
Financial Assets			
Cash and cash equivalents	6	94,573	3,163
Receivables		380	-
Total		94,953	3,163
Financial Liabilities			
Payables		4,953	4,887
Total		4,953	4,887

Credit Risk Exposure

The maximum exposure to credit risk at balance date in relation to each class of recognised financial assets is the gross carrying amount of those assets inclusive of any provisions for impairment.

The following table represents the Board's maximum exposure to credit risk based on contractual amounts net of any allowances:

	Maximum Exposure to Credit Risk		
Category	Note	2009	2008
Financial Assets			
Cash and cash equivalents	6	94,573	3,163
Receivables		380	-
Total		94,953	3,163

No collateral is held as security relating to financial assets held by the Board. No credit enhancements relate to the financial assets held by the Board.

The Board manages credit risk through the use of a credit management strategy. This strategy aims to reduce the exposure to credit default by ensuring that the Board monitors all funds owed on a timely basis. Exposure to credit risk is monitored on an ongoing basis.

No financial assets and financial liabilities have been offset and presented net in the Balance Sheet.

**THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
2008-09 (continued)**

The method for calculating any provisional impairment for risk is based on past experience, current and expected changes in economic conditions and changes in client credit ratings. These economic and geographic changes form part of the Board's documented risk analysis assessment in conjunction with historic experience and associated industry data.

There is no impairment loss for the current year (2008 - \$nil).

No financial assets have had their terms renegotiated so as to prevent them from ageing past due or impaired, and are stated at the carrying amounts as indicated. Aging of past due but not impaired and impaired financial instruments are disclosed in the following tables:

2009 Financial Assets Past Due But Not Impaired

	Contractual Repricing/Maturity Date:	
	Not overdue	Total Financial Assets
Financial Assets		
Receivables	-	-
Total	-	-

2008 Financial Assets Past Due But Not Impaired

	Contractual Repricing/Maturity Date:	
	Not overdue	Total Financial Assets
Financial Assets		
Receivables	-	-
Total	-	-

Liquidity Risk

The Board is exposed to liquidity risk in respect of its payables.

The Board manages liquidity risk through the use of a liquidity management strategy. This strategy aims to reduce the exposure to liquidity risk by ensuring the Board has sufficient funds available to meet employee and supplier obligations as they fall due. This is achieved by ensuring that minimum levels of cash are held within the various bank accounts so as to match the expected duration of the various employee and supplier liabilities.

The following table sets out the liquidity risk of financial liabilities held by the Board. It represents the contractual maturity of financial liabilities, calculated based on cash flows relating to the repayment of the principal amount outstanding at balance date.

	2009 Payable in			Total
	< 1year	1-5 years	> 5 years	
Financial Liabilities				
Payables	4,953	-	-	4,953
Total	4,953	-	-	4,953

	2008 Payable in			Total
	< 1year	1-5 years	> 5 years	
Financial Liabilities				
Payables	4,887	-	-	4,887

**THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
2008-09 (continued)**

Market Risk

The Board does not trade in foreign currency and is not materially exposed to commodity price changes.

Interest Rate Sensitivity Analysis

The outcome to profit and loss if interest rates would change by +/- 1% from the year-end rates applicable to the Board's financial assets with all other variables held constant, would be immaterial.

Fair Value

The fair value of financial assets and liabilities is determined as follows:

The fair value of cash, cash equivalents, receivables and payables approximate their carrying amounts and are not disclosed separately.

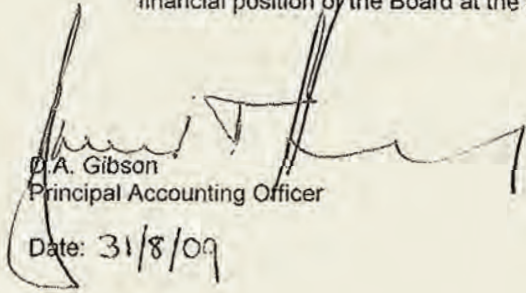
Note 12 Financial Support

The Minister for Climate Change and Sustainability has agreed to provide financial assistance to the Board of Trustees of Newstead House to meet any operating deficit incurred in the short-term.

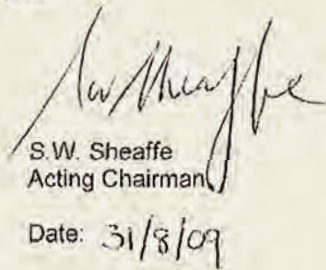
CERTIFICATE OF THE BOARD OF TRUSTEES OF NEWSTEAD HOUSE

These general purpose financial statements have been prepared pursuant to section 46F of the *Financial Administration and Audit Act 1977* (the Act) and other prescribed requirements. In accordance with section 46F of the Act we certify that in our opinion -

- (a) the prescribed requirements in respect of the establishment and keeping of accounts have been complied with in all material respects; and
- (b) the foregoing statements have been drawn up to present a true and fair view, in accordance with prescribed accounting standards, of the transactions of The Board of Trustees of Newstead House for the financial year ended 30 June 2009 and of the financial position of the Board at the end of the year.



D.A. Gibson
Principal Accounting Officer
Date: 31/8/09



S.W. Sheaffe
Acting Chairman
Date: 31/8/09

INDEPENDENT AUDITOR'S REPORT

To the Board of Trustees of Newstead House

Report on the Financial Report

I have audited the accompanying financial report of *The Board of Trustees of Newstead House* which comprises the balance sheet as at 30 June 2009, and the income statement, statement of changes in equity and cash flow statement for the year ended on that date, a summary of significant accounting policies, other explanatory notes and certificates given by D.A Gibson – Principal Accounting Officer and S.W Sheaffe – Acting Chairman.

The Board's Responsibility for the Financial Report

The Board is responsible for the preparation and fair presentation of the financial report in accordance with prescribed accounting requirements identified in the *Financial Administration and Audit Act 1977* and the *Financial Management Standard 1997*, including compliance with applicable Australian Accounting Standards (including the Australian Accounting Interpretations). This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility to express an opinion on the financial report based on the audit is prescribed in the *Auditor-General Act 2009*. This Act, including transitional provisions, came into operation on 1 July 2009 and replaces the previous requirements contained in the *Financial Administration and Audit Act 1977*.

The audit was conducted in accordance with the *Auditor-General of Queensland Auditing Standards*, which incorporate the Australian Auditing Standards. These auditing standards require compliance with relevant ethical requirements relating to audit engagements and that the audit is planned and performed to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of risks of material misstatement in the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control, other than in expressing an opinion on compliance with prescribed requirements. An audit also includes evaluating the appropriateness of accounting policies and the reasonableness of accounting estimates made by the Board, as well as evaluating the overall presentation of the financial report including any mandatory financial reporting requirements as approved by the Treasurer for application in Queensland.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

The *Auditor-General Act 2009* promotes the independence of the Auditor-General and QAO authorised auditors. The Auditor-General is the auditor of all Queensland public sector entities and can only be removed by Parliament.

The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which audit powers are to be exercised. The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

Auditor's Opinion

In accordance with s.40 of the *Auditor-General Act 2009* –

- (a) I have received all the information and explanations which I have required; and
- (b) in my opinion –
 - (i) the prescribed requirements in respect of the establishment and keeping of accounts have been complied with in all material respects; and
 - (ii) the financial report has been drawn up so as to present a true and fair view, in accordance with the prescribed accounting standards of the transactions of the *Board of Trustees of Newstead House* for the financial year 1 July 2008 to 30 June 2009 and of the financial position as at the end of that year.



BP WORRALL, FCA
Delegate of the Auditor-General of Queensland

Brisbane, 31 August 2009

