

## Legislation

The Forests Amendment Bill 2012 (Vic) has been introduced into Parliament. The Bill will create clear, legislatively defined rules for collecting domestic firewood without a permit from state forests and those parks where collection is allowed. According to the Department of Sustainability and Environment the legislation will not change the approach to firewood collection but will mean that the rules, including where, when, how and how much firewood can be collected, will be clearly defined in legislation. The amount of firewood that an individual can collect remains unchanged at 2m<sup>3</sup> per person per day.

The legislation introduces a maximum household firewood collection limit of 16m<sup>3</sup> each financial year. A lower regional household limit may be set in a part of the state if firewood is limited (a household would still be able to collect elsewhere to make up the 16m<sup>3</sup>). Also, if firewood is limited in a particular part of the state, the legislation will enable particular firewood collection areas to be available only to those residing in that area.

In summary, the Bill will:

- abolish the need for a domestic firewood permit
- establish a process for designating firewood collection areas in State forest and those regional parks where firewood collection is currently allowed
- create a series of offences aimed at encouraging appropriate collecting behaviour, deterring illegal commercial firewood collection, and providing checks and balances to ensure that firewood collection is sustainable into the future and is undertaken in a socially and environmentally responsible manner
- enable a person who is unable to collect firewood for themselves to nominate another person to do so on their behalf.
- Under the rules of the scheme, a person, or someone acting on their behalf, may only:
  - » collect firewood from designated firewood collection areas
  - » collect firewood during a firewood collection season
  - » collect fallen timber, and cannot fell, cut or otherwise damage standing trees or shrubs (living or dead)
  - » collect wood which is not hollow or growing moss or fungi
  - » collect firewood for domestic use and must not sell that wood

- » collect up to 2m<sup>3</sup> of firewood per day
- » collect a maximum of 16m<sup>3</sup> of firewood per financial year per household, or, in a particular region, a lesser amount from areas in that region if specified by the Secretary to the Department of Sustainability and Environment for that year.

## WESTERN AUSTRALIA

### by Joe Freeman and Ainsley Reid

#### Final management plans released for Shark Bay and Perup areas

In May 2012, the West Australian ('WA') Minister for Environment, the Hon Bill Marmion MLA, released new management plans for the Shark Bay, in the state's northwest, and the Perup area in the state's south. Each of these plans detail an approach for managing the protection, conservation, and maintenance of the natural environment within the relevant areas, as well as managing cultural heritage and tourism. The date on which both plans will come into operation has not yet been announced, but they will each last for a period of up to ten years.

The *Shark Bay Terrestrial Reserves and Proposed Reserves Additions Management Plan 2012* replaces the previous *Shark Bay Terrestrial Reserves Management Plan 2000–09*. The Shark Bay plan applies to an area of approximately 520 000ha, a significant increase from 175 000ha under the previous plan, and is located within the Shark Bay World Heritage Property. The *Perup Management Plan 2012* will cover an area of some 107 000ha, including the internationally recognised Muir-Byenup wetlands, two national parks and 17 nature reserves.

Both new plans are available to download from the WA Department of Environment and Conservation website.

#### New marine parks to be established

The WA Government has announced decisions to create two new marine parks, one in the south-west of the state and the second in the Kimberley region.

The first, the Ngari Capes Marine Park, will cover about 124 000ha between Geographe Bay and Augusta. It will be zoned to ensure access for recreational pursuits and protect the area's marine life through the establishment of 15 sanctuary zones.

## RECENT DEVELOPMENTS

The second, Camden Sound Marine Park, will cover approximately 7 000km<sup>2</sup>, some 300km north-east of Broome. Camden Sound is recognised as being the southern hemisphere's biggest calving area for humpback whales. The marine park will include a special purpose zone, where vessels will need to remain 500m from the whales, to further protect the calving grounds, as well as two sanctuary zones to protect areas near the Champagne Islands and Montgomery Reef. It will be the first marine park to be created under the *Kimberley Science and Conservation Strategy*.

Both marine parks will be formally created following gazettal which is expected to occur this year.

### **EPA approval of the Toro Wiluna uranium project**

Following a decision of its Environmental Protection Agency (EPA), WA is closer to the development of its first uranium mine since the state's ban on uranium mining was lifted by the Liberal/National government in 2008. The EPA has recommended to the Minister for Environment that the project, Toro Energy Limited's Wiluna Uranium Project, be approved for development.

The Toro proposal is to develop two uranium deposits located within 30km of Wiluna, WA. It is forecast that the mine would produce 2MT of mineralised ore and 1200T of uranium oxide concentrate each year, for 14 years. Toro has proposed that its mineralised ore be transported to the WA border for rail or road transport through SA or the NT for eventual export.

The EPA recommended that the Minister approve Toro's plan on 21 May 2012. The EPA is satisfied that its objectives would be met if Toro satisfactorily implements its proposal. The areas where the EPA was most concerned there may be ecological impact were in relation to the protection of a local plant species, and an underground stygofauna species. In respect of these issues, the EPA recommended additional conditions.

The EPA report remained open for public appeal for a two-week period ending 5 June 2012. Before development commences the project requires the approval of the WA Minister for Environment and the Federal Government.

### **James Price Point environmental approvals challenged**

On 28 May 2012, the Environmental Defender's Office (EDO) commenced an action on behalf of Goolarabalo man Richard Hunter in the WA Supreme Court questioning

the validity of approvals given for Woodside Petroleum's preliminary works at James Price Point. Commencing the action against Woodside and the Shire of Broome, the EDO is arguing that the approvals granted to Woodside by the Kimberley Joint Development Assessment Panel in February are invalid as they were given without receiving a responsible authority report from the Shire of Broome.

James Price Point has long been the source of controversy. It is the site of a proposed \$30b gas hub for LNG exploited by the Browse LNG Development, of which Woodside is the operator and major equity holder.

The writ filed is seeking an immediate injunction to prevent the works continuing.

### **New waste management strategy aims for a low-waste future**

Under its new waste management strategy, the WA Government ambitiously seeks to reduce the amount of landfill created within the state by avoiding waste and increasing recovery. The major strategy, entitled 'Western Australian Waste Strategy: Creating the Right Environment', is centred on five strategic objectives:

- initiate and maintain long-term planning for waste and recycling processing, and enable access to suitably located land with buffers sufficient to cater for the state's waste management needs
- enhance regulatory services to ensure consistent performance at landfills, transfer stations and processing facilities
- develop best practice guidelines, measures and reporting frameworks and promote their adoption
- use existing economic instruments to support the financial viability of actions that divert waste from landfill and recover it as a resource
- communicate messages for behaviour change and promote its adoption, and acknowledge the success of individuals and organisations that act in accordance with the aims and principles in the Strategy and assist in its implementation.

Under the strategy's targets, in 2015 50% of municipal solid waste in the Perth metropolitan region would be recovered (36% in 2009–10) and 65% in 2020. Similarly, in 2015, 50% of commercial and industrial waste would be recovered statewide (up from 45%), and in 2020 this figure would be 70%.

The strategy is available from the West Australian Government Waste Authority at [www.zerowaste.wa.gov.au](http://www.zerowaste.wa.gov.au)

### **Environmental objectives in the Pilbara Planning and Infrastructure Framework**

The Pilbara Planning and Infrastructure Framework is a wide-reaching development plan for the future of the Pilbara region; released in January 2012. It is directed at providing strategic direction for development of the region by addressing issues that future population growth and development might attract, with a focus on infrastructure (utilities, community and transport), environment and culture. It was developed through stakeholder consultation and the release of a draft document, and is intended to inform the review of the WA State Planning Strategy. Relevantly, the framework's objectives include to:

- conserve and manage the region's natural environmental values and maintain supporting ecological processes for future generations
- incorporate natural resources and all significant environmental considerations into the preparation and assessment of strategic and statutory planning proposals to achieve environmental protection and management outcomes
- promote the resilience of communities, development, forms of economic activity, and essential infrastructure that are resilient to the potential impacts of climate change
- promote strategic environmental assessment of the region's environment, particularly in areas subject to land use change and development proposals, as early in the planning process as possible

The framework is available at [www.planning.wa.gov.au](http://www.planning.wa.gov.au)

### **New Forest Management Plan being developed**

With the present Forest Management Plan due to expire at the end of 2013, the WA Department of Environment and Conservation, and Conservation Commission have begun developing the new *Forest Management Plan 2014–23*.

The forest management plans are developed under the *Conservation and Land Management Act 1984 (WA)* to manage the state forests in its southwest region. The environmental scoping document for the new plan states

that the overall goal of the plan is for biodiversity to be conserved, Aboriginal values to be recognised and protected, the health, vitality and productive capacity of ecosystems to be sustained, soil and water resources to be protected and the forest contribution to global carbon cycles to be sustained.

At present, the State's Environmental Protection Authority is considering the scoping document for the plan. A draft of the plan is expected to be available for public comment for a twelve-week period between mid-August and early November 2012.

### **Reforming environmental regulation program**

The WA Department of Mines and Petroleum has announced that it will be undertaking a new 'Reforming Environmental Regulation' program, aimed at achieving best practice in its environmental regulation of the resources sector. The key themes for the program have been outlined as: service delivery, people, information and continuous improvement. A ministerial advisory panel is to be established and will operate between June and December 2012 to engage the relevant stakeholders for the program. The reforms are scheduled to be outlined by February 2013.

### **Fracking project will not be assessed**

Norwest Energy has been allowed to continue its hydraulic fracture stimulation program in its Arrowsmith-2 project. In March 2012 the Minister upheld a 9 September 2011 EPA decision to 'not assess' the fracking project. The project is being conducted in the northern Perth Basin.