



Ph 07 3832 4865

Email info@qela.com.au

Web qela.com.au

Unit 65, Christie Offices
320 Adelaide Street
Brisbane Qld 4000

QELA, a not for profit organisation, consults with and educates interested professionals and government representatives about planning, development and environmental laws which apply, or are proposed to apply in Queensland. QELA provides a collegiate forum for multi-disciplinary interaction and collaboration.

21 December 2016

Department of Environment and Heritage Protection

Email: coastal.support@ehp.qld.gov.au

Submission about the Draft Coastal Protection and Management Regulation

Thank you for the opportunity for Queensland Environmental Law Association (QELA) to make a submission about the *Coastal Protection and Management Regulation 2003* – Statutory Regulation expiry review.

QELA is a non-profit, multi-disciplinary association. Its members include lawyers, town planners, and a broad range of consultants who represent and advise a miscellany of participants in the development industry.

The foundation principle of the Department's approach is that coastal management issues ought to be regulated separately to the statutory planning framework under the *Sustainable Planning Act 2009* and the forthcoming *Planning Act 2016*. The Department's preferred approach is to maintain the separate regulatory framework (and, by extension, ultimately the separate decision-making jurisdiction for the Department). The Department cites the time and cost of having to amend the planning legislation as the principal reason for maintaining the separate regulatory framework.

QELA does not support this broad approach. In fact, if ever there is a time to efficiently integrate the coastal management framework back into the planning framework, it is now (given the broad-ranging planning reform activities underway). As the supporting information notes, the draft State Planning Policy and State Development Assessment Provisions, which are also presently on consultation, seek not only to maintain but strengthen provisions relating to coastal management issues. This is demonstrative of the fact that the integrated planning regulatory framework is capable of dealing with all of the coastal management issues addressed by the Draft Coastal Protection and Management Regulation.



QELA makes the attached comments on the detail of the Draft Coastal Protection and Management Regulation.

We also thank you for the opportunity to make a submission about the Regulation. Do not hesitate to contact QELA should you require further information regarding this submission.

We would welcome the opportunity to assist in this process further, if required.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L Sinclair', is written over a light grey rectangular background.

Leisa Sinclair

President

Queensland Environmental Law Association





Template for comments on proposed changes to the Coastal Protection and Management Regulation 2003

Return instructions: please return your completed template to coastal.support@ehp.qld.gov.au by 21 December 2016

Queensland Environmental Law Association:

Section number	Section title	Issue	Proposed change
Section 19	Continuation of provisions for existing dredge management plan	Supportive of the removal of this section. The provision in the Coastal Act for dredge management plans was removed in May 2011 but the transitional provisions for the dredge management plans remained in the Regulation to provide for any current dredge management plans. The removal of the dredge management plan from the regulation shows consistency with the Act.	Not applicable
Schedule 3 Section 6	Fees for allocations	Supportive of the changes to remove the redundant fee for dredge management plan	Not applicable
Schedule 4A part 3 section 7.3	Earthworks and Vegetation	Amendment to the specific outcome should include the rehabilitation of the site to appropriate standard to ensure that all areas and adjacent areas disturbed by the work under this code (including any temporary access tracks or other temporary work areas established to undertake the work) are rehabilitated by re-establishing the prior environmental values.	Add the need to rehabilitate all disturbed areas by re-establishing prior environmental values or natural condition.