

# Vegetation Management Amendment Regulation (No. 1) 2014

Explanatory notes for SL 2014 No. 171

made under the

*Vegetation Management Act 1999.*

## General Outline

### Short title

*Vegetation Management Amendment Regulation (No. 1) 2014.*

### Authorising law

Section 72 of the *Vegetation Management Act 1999* (the VMA).

### Policy objectives and the reasons for them

The primary legislation for the *Vegetation Management Regulation 2012* (VMR) – the VMA – was established to regulate the clearing of native vegetation in Queensland. By regulating the clearing of native vegetation, the VMA contributes to the conservation of ecosystems, maintenance of ecological processes, prevention of biodiversity loss and prevention of land degradation processes such as soil erosion and salinity.

The VMR supports the implementation of the VMA by declaring classification of regional ecosystems, giving effect to relevant statutory codes, prescribing applicable fees and provisions relating to providing information with applications under the framework.

In 2013 reforms were made to the vegetation management framework that included the introduction of self-assessable vegetation clearing codes to streamline and deregulate clearing under the VMA. This efficiency relates to removing the requirement for a development application to be made under the *Sustainable Planning Act 2009*.

Since then, the Department of Natural Resources and Mines has prepared six new self-assessable vegetation clearing codes and revised the code for conducting a native forest practice to bring it up to date with contemporary forestry practices.

The objective of this amendment is to approve the new and amended self-assessable vegetation clearing codes and give effect to their implementation. Once amendments are in place, landholders may choose to conduct clearing for certain activities under a self-assessable vegetation clearing code rather than seek approval via the traditional permit process.

## **Achievement of policy objectives**

To achieve its objectives, Part 2, section 3 of the VMR will be amended to provide for the approval of the following self-assessable vegetation clearing codes:

- managing necessary environmental works;
- managing clearing for an extractive industry;
- managing thickened vegetation in South East Queensland and the New England Tablelands bioregions;
- managing thickened vegetation in the Mitchell Grass Downs and the Channel Country bioregions;
- managing thickened vegetation in the North West Highlands, Gulf Plains, Cape York Peninsula, Wet Tropics and Einasleigh Uplands bioregions;
- managing thickened vegetation in the Brigalow Belt, Central Queensland Coast and Desert Uplands bioregions; and
- managing a native forest practice.

The new codes will take effect when Part 2, section 3 of the VMR commences.

The self-assessable vegetation clearing codes regulate native vegetation clearing in a way that is consistent with the primary purposes of the VMA and the State Policy for Vegetation Management.

Amendments to the VMR will allow new and amended self-assessable vegetation clearing codes to provide practical and environmentally sound regulation of native vegetation clearing while enabling the productive use of natural resources.

## **Consistency with policy objectives of authorising law**

The amendment regulation is consistent with the main objectives of the VMA that is to regulate the clearing of native vegetation; and the *Sustainable Planning Act 2009* which is to achieve ecological sustainability.

## **Inconsistency with policy objectives of other legislation**

The amendment regulation is consistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

There are no costs associated with implementation of this amendment. The introduction of new self-assessable vegetation clearing codes will result in the department reducing its fee revenue however this will likely be outweighed by the savings in application assessment costs.

The new and amended self-assessable vegetation clearing codes will provide time and cost savings for landholders and businesses, as well as reducing administrative burdens for both the Government and their stakeholders.

## **Consistency with fundamental legislative principles**

The legislative amendment is consistent with fundamental legislative principles.

## **Consultation**

No consultation was undertaken on the amendment of the regulation specifically. However, consultation was undertaken on production of the new and amended self-assessable vegetation clearing codes.

The amended native forest practice self-assessable vegetation clearing code was produced through consultation with various stakeholders including state government, the timber industry, landholders and natural resource management (NRM) groups.

Extensive stakeholder consultation also occurred as part of the development of the six other new self-assessable vegetation clearing codes. More than fifteen regional workshops were held on the new thinning codes alone. Consultation on the codes occurred with key stakeholders and industry representatives including AgForce, Canegrowers, Local Government Association of Queensland, Cement Concrete & Aggregates Australia, Far North Queensland Regional Organisation of Councils and various NRM Groups.