



ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.

31 March 2004

EDO Alert! Vegetation clearing Bill tabled in Parliament

On 18 March 2004, returned Minister for Natural Resources, Mines and Energy Mr Stephen Robertson tabled the *Vegetation and Other Legislation Amendment Bill 2004* ('VMOLA Bill') in State Parliament.

This landmark Bill amends the existing vegetation clearing laws in Queensland to provide for an end to remnant broadscale clearing, a move which will vastly improve biodiversity conservation and salinity and will also help Australia meet its Kyoto Protocol climate change emissions reduction target.

What does the Bill change?

The Bill fundamentally changes the way our vegetation clearing laws operate. The key changes are:

- The *Vegetation Management Act 1999* will now control land clearing on both freehold and leasehold land;
- After 2006 no new permits will be issued for broadscale clearing of remnant bushland;
- Between now and 2006 a limit of 500,00 hectares of remnant bushland will be cleared under permit, with applications to be balloted and assessed against interim clearing Codes to be developed;
- After 2006, permits will only be issued for thinning of thickened vegetation, fodder harvesting and clearing of pre-1989 regrowth on certain leasehold land, for which activities new Codes will be developed, based on the draft regional vegetation management plans. In general, any other clearing will either not be permitted or will be conducted under an exemption where no permit is required;
- 'Vegetation thinning' will only be allowed where there is proof that the bushland has become more dense as a result of human interference, and thinning by bulldozers with chains will not be allowed;

- Individual property scale vegetation maps (?PMAVs?) will gradually replace the state-wide remnant ecosystem maps, which, in conjunction with property vegetation management plans, will categorise vegetation on the property and define which bushland can and can't be cleared;
- The definition of ? regrowth? will be replaced by the concept of ?category X? non-assessable vegetation. Pre -1989 regrowth that has not regenerated to possess the characteristics of remnant vegetation by the time a PMAV is prepared for a property will be classed as non-assessable vegetation (except on certain leasehold land) and always remain so;
- There will be increased protection for remnant bushland in ?rural residential? zones by excluding rural residential zoned land from the definition of ? urban land? ; and
- The purpose of the Act will include reducing greenhouse gas emissions and protecting declared areas of high nature conservation value or land vulnerable to degradation.

However, some sore points have still not been addressed. Most urban areas on freehold land remain exempt from clearing laws, and the government has not yet declared any areas of high nature conservation value or properly improved the process for declaring same. So high conservation value regrowth areas will not be protected from clearing during the phase-out under the 500,000 hectare cap.

When will the Bill become law ?

The Bill will be debated by the House in the next sitting week of Parliament, 20-22 April 2004. Once passed, it is expected to come into effect in early May 2004. Interim clearing Codes and amendments to the *Vegetation Management Regulation* which support the Bill and give effect to the detail of the changes will soon be developed and are also intended to commence in early May 2004.

How was EDO Qld involved?

Since Premier Beattie's announcement about vegetation clearing laws reform in May 2003, EDO (Qld) has worked with conservation groups The Wilderness Society, Queensland Conservation Council, The Australian Conservation Foundation and the World Wide Fund for Nature Australia on the issue. EDO of Northern Queensland provided valuable input on northern issues.

EDO (Qld) helped those groups to draft and co-ordinate three major submissions to government outlining requirements for legislative change. EDO (Qld) also scrutinised drafts of the Bill and provided detailed comments to the department on drafting changes to further protect vegetation and better achieve policy commitments. Major gains were made, including exclusion of Cape York

Peninsula from the 500,000 hectare remnant clearing ballot, improvements to the purpose statement of the Bill, and the reigning in of the thinning exemption to exclude chaining.

EDO (Qld) will now assist the groups to provide comments on draft interim Codes and Regulations which will complement the Bill. EDO (Qld) will also advise the groups on further negotiations with the government seeking amendments to the Bill before it is passed to clarify the extent of rural residential land protected and to pursue protection of significant high nature conservation value areas.

What can I do to support these new laws?

Send a letter congratulating Premier Beattie and Minister Robertson on the Bill, but remember to ask for areas of high nature conservation value to be declared before the Bill comes into effect, so that these significant areas can be protected from the ballot process under which 500,000 hectares of remnant bushland will be cleared by December 2006.

The Hon. Peter Beattie MP, Premier and Minister for Trade

PO Box 185 , Brisbane Albert Street QLD 4002

The Hon. Stephen Robertson MP, Minister for Natural Resources and Mines

PO Box 456 , Brisbane Albert St QLD 4002

Show your support for the Bill by going to Parliament to hear the debate on the Bill from 20-22 April 2004! EDO Qld will issue an Alert! with details of the day the Bill will be debated once it is known.

Where can I get more information about the amendments?

EDO (Qld) can provide you with a longer document that summarises all the changes made by the Bill, just call us on (07) 3210 0275 or email us on edoqld@edo.org.au .

A copy of the Bill and the Explanatory Notes to the Bill can be downloaded from http://www.legislation.qld.gov.au/Bill_Docs/Bll51_04.htm .

To help support EDO lawyers' work to improve other environmental laws, please consider becoming a member or making a donation by completing a memberships/donation form on our website www.edo.org.au/edoqld .