



Speech by

**Mark Ryan**

**MEMBER FOR MORAYFIELD**

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## **VEGETATION MANAGEMENT (REGROWTH CLEARING MORATORIUM) BILL**

**Mr RYAN** (Morayfield—ALP) (7.39 pm): In rising to participate in the debate on the Vegetation Management (Regrowth Clearing Moratorium) Bill 2009, I would like to address the issue of enforcing the new moratorium on regrowth clearing. On 15 March 2009 the Premier made an election commitment for a three-month moratorium that would focus on preventing the clearing of endangered regrowth vegetation and landscapes that depend on trees to perform their natural function. The moratorium will protect mapped endangered and riparian regrowth vegetation in priority reef catchments that is not regulated under the existing framework. Put simply, the moratorium will allow time for the government to consult with key stakeholder groups on the best way forward to protect this vegetation in the future for all Queenslanders. This bill will give legal effect to the announced moratorium so that high-value regrowth vegetation cannot be cleared pre-emptively while the government is working with stakeholder groups to improve the vegetation clearing laws in Queensland.

From assent to this bill, the clearing of endangered regrowth vegetation and riparian regrowth vegetation will be an offence under the Integrated Planning Act 1997 and will carry a maximum fine of \$166,500. Unlawful clearing can also lead to the offender being ordered to restore the area to its preclearing condition by the Department of Environment and Resource Management. However, the retrospective aspect of this bill does not impose criminal liability on landholders. No criminal offence can occur, nor can any prosecution or associated monetary fine be made pursuant to the Integrated Planning Act 1997 in the case where a landholder has cleared between 8 April 2009 from when the moratorium has retrospective effect and the date of assent to the bill into law. However, the bill gives the department the power to issue notices to landholders that require the trees to be restored to the preclearing state. These notices mean that the important values of the vegetation are not lost in the longer term and that the landholder does not benefit from clearing after the date on which the moratorium was announced to be taking effect.

Clearing in contravention of the moratorium will be monitored and detected by the Department of Environment and Resource Management in a number of ways. The investigation and enforcement of vegetation management laws uses state-of-the-art satellite technologies to detect clearing within a very short time of it occurring. Even small cleared areas can be detected by satellite imagery very soon after the clearing occurred. The department has significant capacity in place to acquire and analyse this sort of imagery. The department also regularly receives and follows up reports of clearing from concerned members of the public.

Based on the department's existing knowledge of the location of regrowth areas and clearing trends, it is possible to identify areas that are known to be at most risk and to focus monitoring efforts. If unlawful clearing occurs during the moratorium period, the department will use its powers to conduct investigations, which could lead to prosecution and monetary fines, an order requiring the landholder to restore the area cleared of trees to its preclearing condition or a stop-work notice requiring all tree clearing to cease. The department will actively monitor compliance with the moratorium and a state-wide program has been put in place to ensure that unlawful clearing during the moratorium period is detected and dealt with appropriately. I commend the bill to the House.