



Speech by

Wayne Wendt

MEMBER FOR IPSWICH WEST

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VEGETATION MANAGEMENT (REGROWTH CLEARING MORATORIUM) BILL

Mr WENDT (Ipswich West—ALP) (8.32 pm): I take this opportunity to congratulate you, Mr Deputy Speaker Ryan, on attaining the high post of Deputy Speaker. You have certainly earned your money in the last half an hour.

In rising to participate in the debate on the Vegetation Management (Regrowth Clearing Moratorium) Bill, I would like to address the effects of this bill on property maps of assessable vegetation and exemptions and current approvals applicable under the Vegetation Management Act 1999. As we all know, the Vegetation Management Act regulates the clearing of native vegetation, including remnant vegetation on freehold land and both remnant vegetation and some regrowth vegetation on leasehold land. As such, the act requires that applications to clear such native vegetation can only occur for certain purposes with a permit.

The Integrated Planning Act 1997 defines whether clearing of native vegetation is assessable development or exempt development, called up by regional ecosystem or remnant vegetation maps, and provides for a number of 'exempt activities' that allow for clearing of vegetation without a permit. Under the current law this includes clearing of regrowth on freehold land and on state leasehold land for agricultural and grazing purposes when the vegetation has been cleared after 31 December 1989.

Another important exemption is for fire and clearing for fire management and control activities, as prescribed by the Fire and Rescue Services Act 1990. As part of the Vegetation Management and Other Legislation Amendment Bill in May 2004, property maps of assessable vegetation, or PMAVs as they are commonly being referred to tonight, were introduced. Certified PMAVs replaced regional ecosystem mapping for a property and determine if clearing of native vegetation is assessable under the Integrated Planning Act. Landholders can apply for a PMAV over their property. Indeed, since 2004 the department has processed approximately 4,600 of these landholder requested property maps.

Unlike regional ecosystem mapping, which is subject to change, landholders can apply to lock in the boundaries of non-remnant regrowth on their property as a category X on a PMAV. These areas can be cleared and developed without needing further approvals, which gives landholders a certainty that they can continue to manage this class of regrowth vegetation into the future without regulation under Queensland's vegetation management laws.

The proposed legislative changes in this bill will give retrospective legal force to the moratorium on clearing all regrowth vegetation within 50 metres of a watercourse in the priority Mackay-Whitsunday, Burdekin and Wet Tropics reef catchments, and endangered regrowth vegetation on freehold and leasehold land in rural areas across the state. Vegetation affected by the moratorium has been identified on a map produced by the department. This map includes some areas of vegetation mapped as category X on existing certified PMAVs, and as mentioned these PMAVs were issued to give certainty to landholders, preserving their future ability to manage these areas without constraint of Queensland's vegetation management laws.

Let me stress that the moratorium bill will not affect landholders who hold existing certified PMAVs as they can still manage regrowth vegetation on their property that is marked as category X on a PMAV. PMAV applications lodged with the department before 26 March this year will be assessed as usual under the existing vegetation management laws. In other words, areas of non-remnant vegetation can be locked in as category X areas for PMAV applications received before 26 March that contained all the required material in the application. PMAV applications lodged on or after 26 March 2009, and not finalised when the legislation commences, will be processed under the provisions of the moratorium bill.

The moratorium bill will allow the department to defer decisions on existing PMAV applications received on or after this date until after the moratorium ends if they could lead to the clearing of vegetation protected by the moratorium. PMAV applications that clearly do not affect vegetation protected by the moratorium may be decided as previously.

I should also add that 26 March 2009 is the designated cut-off date because it was the day the new government was sworn in, and giving effect to a moratorium to further protect native vegetation was a clear election commitment of the government. These arrangements will protect regrowth vegetation while the government works with stakeholders on longer term regulatory arrangements to protect high-value regrowth. Landholders can still apply for a PMAV during the moratorium period and the arrangements I have just described will apply.

Landholders with existing development approvals to clear native vegetation, issued before 8 April 2009, are not affected by the moratorium, and clearing that is a natural and ordinary consequence of the development may be carried out as part of the approval. For applicants seeking development approval, or who received an approval after 8 April to clear remnant vegetation, the existing requirements under the Vegetation Management Act and Integrated Planning Act will apply. I commend the bill to the House.