

**State Policy  
For  
Vegetation Management**

**Version 2**

**21 October 2009**

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# State Policy For Vegetation Management

Version 2, 21 October 2009

## 1. Introduction

The State Policy for Vegetation Management has been prepared in accordance with Section 10 of the *Vegetation Management Act 1999* (VMA).

## 2. Purpose

This policy describes the outcomes for vegetation management and the actions proposed to achieve those outcomes, and the special considerations for significant community projects.

## 3. Principles

This policy is based on the following principles:

### 3.1. Conservation of biodiversity

3.1.1. Regulation of native vegetation clearing can prevent the loss of biodiversity at state, regional and local levels.

3.1.2. Conservation of *endangered* and *of concern* and *least concern* regional ecosystems necessitates varying limitations on clearing in these ecosystems.

### 3.2. Ecological processes and services

3.2.1. Vegetation contributes to the maintenance of ecological processes. Degradation of vegetation can detrimentally affect the condition of land and water resources, both *in situ* and elsewhere in the landscape.

3.2.2. Vegetation plays a significant role in the carbon cycle and the maintenance of carbon stored in vegetation will contribute to stabilising atmospheric carbon.

### 3.3. Balanced decision making

3.3.1. Where clearing of vegetation is permitted, the clearing will not diminish or detract from the conservation of *endangered* and *of concern* and *least concern* regional ecosystems, the conservation of biodiversity and the maintenance of ecological processes.

3.3.2. Environmental impacts must first be avoided, then minimised before considering an offset for any remaining impact.

3.3.3. Special consideration for significant community projects, such as a hospital or essential public infrastructure that has an aesthetic, conservation, cultural or economic

benefit to a local or regional community or the State is appropriate to ensure that the benefit of the development is realised while minimising the environmental impacts.

### **3.4. Support for regional communities**

3.4.1. Regional variations in biodiversity, ecological processes and factors affecting land degradation will be recognised in regulatory arrangements and procedures.

### **3.5. Support the voluntary protection of vegetation**

3.5.1. Voluntary protection of vegetation in excess of statutory requirements will allow landholders to contribute to positive land management outcomes.

### **3.6 South East Queensland and Far North Queensland Regional Plans**

This code is consistent with the South East Queensland Regional Plan and the Far North Queensland Regional Plan, which endorse the protection of biodiversity through measures such as maintaining habitat connectivity, conserving regional ecosystems, and protecting regional biodiversity.

## **4. Outcomes**

This policy seeks to achieve the following outcomes in accordance with the purpose of the VMA:

### **4.1. The conservation of biodiversity**

4.1.1. Maintain biodiversity at local, regional, and state levels.

4.1.2. Conserve mapped remnant *least concern* regional ecosystems that are at risk of the mapped remnant extent falling below 30% of the pre-clearing extent or 10 000 hectares.

4.1.3. Conserve and enhance networks and corridors of vegetation.

4.1.4. Conserve habitats essential to endangered, vulnerable, rare or near threatened species prescribed under the *Nature Conservation Act 1992*.

4.1.5. Conserve wetlands, lakes, springs, watercourses, and adjacent habitat.

4.1.6. Recognise that the conservation of *endangered*, *of concern* and *least concern* regional ecosystems can be achieved with varying limitations on clearing within these ecosystems.

4.1.7. Recognise that conservation of particular regional ecosystems can be achieved by first avoiding clearing of these ecosystems, then minimising clearing of these ecosystems before considering an environmental offset for the clearing.

### **4.2. The maintenance of ecological processes**

- 4.2.1. Conserve vegetation to ensure that ecological processes are maintained across the landscape.
- 4.2.2. Retain vegetation to assist the maintenance of the hydrological cycle, surface water and groundwater quality and quantity, and ground water levels.
- 4.2.3. Conserve networks and corridors of vegetation.
- 4.2.4. Maintain riparian vegetation along waterways reef catchment to improve water quality and reduce chemical and sediment run-off onto the Great Barrier Reef.

### **4.3. Ensuring that clearing does not cause land degradation**

- 4.3.1. Maintain the ecological integrity and physical stability of landscapes, including watercourses, wetlands, and associated habitat.
- 4.3.2. Retain vegetation to protect land from soil erosion, salinity, and other forms of land degradation by regulating clearing.

### **4.4. The management of the environmental effects of clearing that achieve the purpose of the Act**

- 4.4.1. Provide for clearing and the environmental effects of clearing to be limited to achieve the outcomes 4.1 to 4.3 through the conditional approval or refusal of applications for development<sup>1</sup> and through the making of Property Maps of Assessable Vegetation.
- 4.4.2. Consider the short and long-term environmental effects of development at local, regional, state and wider levels when assessing applications.
- 4.4.3. Consider the benefits of significant community projects that advance the key priorities of government and achieve the outcomes 4.1 to 4.3.
- 4.4.4. Allow environmental offsetting where the clearing of assessable vegetation cannot be avoided or the environmental effects of such clearing mitigated.
- 4.4.5. Apply the precautionary principle<sup>2</sup> in decision making, to achieve the outcomes 4.1 to 4.3.

### **4.5. The reduction of greenhouse gas emissions**

- 4.5.1. Reduce greenhouse gas emissions caused by vegetation clearing by 20 to 25 megatonnes per year by 2008 compared to the emissions from clearing in 2004 through the cessation of broadscale clearing of remnant vegetation by 31 December 2006.

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<sup>1</sup> Development is defined in section 1.3.2 of the *Integrated Planning Act 1997* (or equivalent provisions in the *Sustainable Planning Act 2009*).

<sup>2</sup> The precautionary principle is the principle that the lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment if there are serious threats or irreversible environmental damage.

## **4.6. Supporting regional communities**

4.6.1. Regional variations in biodiversity, ecological processes and factors affecting land degradation will be recognised in regulatory arrangements and procedures.

4.6.2. Provide for certainty and property scale planning for the management of vegetation.

4.6.3. Ensure the ongoing conservation and sustainable management of commercial timber resources on State land.

## **5. Actions proposed to achieve outcomes**

The outcomes in section 4 will be achieved by:

### **5.1 Phasing out the broadscale clearing of remnant vegetation by 31 December 2006.**

### **5.2. Regulation of clearing through assessment of development applications**

Using the *Vegetation Management Act 1999* and the *Integrated Planning Act 1997* (or where applicable the *Sustainable Planning Act 2009*) for assessment and regulation of clearing of vegetation.

#### **5.2.1 Assessing applications for clearing**

- (i) Applications for clearing vegetation must only be for a relevant purpose under section 22A of the VMA. These applications must be assessed against the applicable regional vegetation management codes and the requirements of the *Integrated Planning Act 1997* (or *Sustainable Planning Act 2009*).
- (ii) These regional vegetation management codes:
  - Identify performance requirements that are consistent with the outcomes of this policy.
  - May provide acceptable solutions for meeting the performance requirements.
  - Provide for the consideration of offset agreements as a possible solution to meet the performance requirements.
  - Provide for the consideration of the impacts of clearing in areas where an offence has occurred that relates to clearing of vegetation, where the chief executive has made a Property Map of Assessable Vegetation under section 20B of the *Vegetation Management Act 1999*, and where a vegetation management offset or another agreement related to an offset.
  - Provide for the consideration of the State's interest in commercial timber on State land.
  - Provide for special considerations for the assessment of development applications for significant community projects by allowing these developments to provide an offset to meet performance requirements for connectivity, watercourses and wetlands.

### **5.1.2 Material Change of Use and Reconfiguring a Lot**

- (i) Where the chief executive, as a concurrence agency, assesses applications for material change of use (MCU) or reconfiguring a lot (RaL) these applications are assessed against the relevant concurrence agency policy/s.
- (ii) These concurrence agency policies:
  - Consider the future implications of clearing vegetation associated with MCU and RaL development applications and assess the likely operational works component of these applications at the time the applications are made.
  - Allow for the approval of the clearing of vegetation consistent with section 22A of the *Vegetation Management Act 1999*.
  - Require a development application to meet specified performance requirements of an applicable regional vegetation management code in order to achieve the purpose of the VMA.
  - Include special considerations for the assessment of development applications for significant community projects by allowing these developments to provide an offset to meet performance requirements for connectivity, watercourses and wetlands.
  - Include considerations for the assessment of development applications that can demonstrate that the level of conservation and biodiversity outcomes ensured by the project significantly exceed the extent and value of the area proposed to be cleared.

### **5.1.3 Vegetation Management Offsets**

- (i) Provisions for offsets to meet the requirements of the codes or policies are dealt with under the Policy for Vegetation Management Offsets (the offsets policy) that ensures the extent of vegetation and associated environmental values are maintained or exceeded.
- (ii) The offsets policy will be used to assess development applications that propose offsetting as a solution to a performance requirement.
- (iii) Offsets are not an acceptable solution where a development would not otherwise be for a relevant purpose under the VMA.
- (iv) The offsets policy can provide:
  - special considerations for the assessment of development applications for significant community projects by allowing these developments to provide an offset to meet performance requirements for connectivity, watercourses and wetlands; and
  - considerations for the assessment of development applications that can demonstrate that the level of conservation and biodiversity outcomes ensured by the project significantly exceed the extent and value of the area proposed to be cleared; and
  - the ability to enter into an offset obligation transfer between the chief executive of the Department of Environment and Resource Management, the applicant and an approved third party; and

- for the in principal approval for advance offsets.

#### **5.1.4 Property Maps of Assessable Vegetation**

- (i) Property Maps of Assessable Vegetation (PMAVs) can assist landholders to determine regional ecosystems and vegetation categories on their property at scales appropriate to property management.
- (ii) PMAVs can provide certainty to landholders about the location and extent of vegetation that is, and is not, subject to regulation under the vegetation management statutory framework.
- (iii) PMAVs can provide protection for vegetation which requires restoration.

#### **5.1.5 Period of approval**

- (i) Development approvals for vegetation clearing will have a term of up to 5 years.

#### **5.1.6 Amendments to the regional vegetation management codes**

In accordance with section 15 of the *Vegetation Management Act 1999*, the Minister may amend a code without consulting if the amendment is:

- Minor, or is not a change of substance; or
- An amendment stated in the regional vegetation management codes such as additions and/or omissions to the lists of regional ecosystems, or modification of the definition of a wetland, significant wetland, watercourse or stream order; or
- A permitted amendment.

Permitted amendments are:

- a provision of the code about a suggested way of achieving a required outcome under the code; or
- a provision of the code to make it consistent with this State policy.

## **5.2. Regulation of clearing under compliance codes**

Requiring landholders to use the regrowth vegetation code and the native forest practice code to manage clearing directly with Government involvement in property decision making mainly focussed on advice, monitoring and compliance investigation.

### **5.2.1 The regrowth vegetation code**

- (i) A landholder must only clear regulated regrowth vegetation in compliance with the regrowth vegetation code.
- (ii) The regrowth vegetation code:
  - Identifies required outcomes and practices, and voluntary best practice activities that are consistent with the outcomes of this policy.
  - Provides for the protection of habitat for protected wildlife, and the restriction on clearing commercial timber on State land.

- Sets out the circumstance in which an exchange area must be provided.

### **5.2.2 The native forest practice code**

- (i) A landholder must only undertake a native forest practice in compliance with the native forest practice code.
- (ii) The code may provide for required outcomes and practices for producing, managing and removing commercial timber in native forests.

### **5.3 Consistency with State Policy For Vegetation Management**

The native forest practice code, the regional vegetation management codes, the native forest practice code, the regrowth vegetation code, the offsets policy, and the concurrence agency policies must not be inconsistent with this policy.