



New vegetation management laws

INTRODUCTION

- WHO THIS UPDATE APPLIES TO: Graziers, farmers, developers and other people who are considering vegetation clearing on their property.
- WHAT DOES THIS UPDATE COVER: A summary of the changes in the law in relation to vegetation clearing and management.
- WHAT DO YOU NEED TO DO: If you own land or are conducting vegetation management (say, on leased land etc) you need to ensure that you have the necessary authority for any proposed tree clearing, if you were relying on high value exemptions for land clearing - you need to review your plan as these may no longer apply, you need to check your vegetation mapping as the government may have changed the zoning on your property.
- THE LAWS THAT CHANGED: The *Vegetation Management and Other Legislation Amendment Act 2018* (Qld) (**Amendment Act**) was passed late on Thursday, 3 May 2018. The Amendment Act amends the *Vegetation Management Act 1999* (Qld) (**VMA**), *Planning Act 2016* (Qld) (**Planning Act**) and the *Water Act 2000* (Qld) (**Water Act**).
- THE CHANGES:
 - The Amendment Act has:
 - removed the ability to obtain clearing permits for high value agriculture and high value irrigated agriculture
 - basically stopped the grant of clearing permits in areas mapped as Category C or Category R
 - extended existing protections of regrowth vegetation near watercourses (Category R vegetation) to the Burnett-Mary, Eastern Cape York and Fitzroy catchments. Previously, only the Burdekin, Mackay-Whitsunday and the Wet Tropics catchments had this protection
 - reintroduced into the Water Act an obligation for landholders to obtain Riverine Protection Permits works for clearing in a watercourse.

So what has changed?

- Previously, clearing of native vegetation for either high value cropping or irrigation could be authorised. Now, it is prohibited.

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L A W Y E R S

- Previously, Category C vegetation (high value regrowth) concepts only applied to vegetation the subject of an agricultural lease under the Land Act 1994 (QLD) - where that area has not been cleared since 1989. Now, Category C vegetation concepts also apply to vegetation on freehold land as well as indigenous land not cleared in the last 15 years (since May 2003).
- Clearing of native vegetation is prohibited within 50 metres of a watercourse in a Great Barrier Reef catchment.
- Mapping has been amended. Some areas previously zoned as Category X are now zoned as Category C and Category R. You should check the new mapping data. A preview is available on [Queensland Globe](#).
- You can still carry out self assessable clearing in Category C areas PROVIDED THAT it meets the requirements of the [new Code](#), which commenced on 8 March 2018. One of the requirements is that you must notify the Department of Natural Resources, Mines and Energy (**DNRME**) prior to the commencement of clearing regardless of any previous notifications you have given them. Without notification and satisfaction of other code requirements, clearing is prohibited. Failure to follow the required procedures may incur significant financial penalties.

Note

- This is general guidance only. You should not rely on this information sheet without first seeking legal advice appropriate to your situation.

Disclaimer

This sheet is general information only. It is not legal advice. You should seek legal advice before relying on this sheet as your circumstances may be different or this sheet might be out of date.

This information might be out of date. If you wish to seek legal advice, please contact us.

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