



Queensland

Sustainable Land and Resource Management Youth Act 2021

Youth Act No. 1 of 2021

A Youth Act to increase land-owner autonomy in vegetation management practices and subsidise and promote the use and research of water storage infrastructure

[Assented to 13 October 2021]



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Sustainable Land and Resource Management Youth Act 2021

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The Youth Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Youth Act may be cited as the *Sustainable Land and Resource Management Youth Act 2021*.

2 Commencement

This Youth Act commences on a day to be fixed by proclamation.

3 Main purpose of Youth Act

The main purpose of this Youth Act is to regulate the clearing of vegetation for agricultural purposes, thereby reducing the overheads farmers and small agricultural businesses bear.

4 Definitions

In this Youth Act—

Acacia aneura means the species of tree native to Australia.

Acacia harpophylla means the species of tree native to Australia.

agricultural clearing means clearing carried out - by farmers or agricultural businesses - to establish, cultivate or harvest crops.

brigalow see *Acacia harpophylla*

clear has the meaning given in *Vegetation Management Act 1999*.

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concern regional ecosystem has the meaning given in *Vegetation Management Act 1999*.

crops has the meaning given in *Vegetation Management Act 1999*.

encroachment has the meaning given in *Vegetation Management Act 1999*.

endangered regional ecosystem has the meaning given in *Vegetation Management Act 1999*.

fodder means the result of a harvest of crops.

freehold land has the meaning given in *Vegetation Management Act 1999*.

ground-truthing means observed and confirmed by a person.

high value regrowth vegetation means vegetation located—

- (a) on freehold land, indigenous land, or land subject of a lease issued under the *Land Act 1994* for agriculture or grazing purposes or an occupation licence under that Act; and
- (b) in an area that has not been cleared (other than for relevant clearing activities) since 31 December 1989, if the area is—
 - (i) an endangered regional ecosystem; or
 - (ii) an of concern regional ecosystem; or
 - (iii) a least concern regional ecosystem.

irrigated high value regrowth vegetation means any high value regrowth vegetation irrigated in any way, including high value regrowth vegetation—

- (a) connected to an artificial irrigation system; or
- (b) irrigated naturally via lake, pond, basin or similar.

landholder means any person or business that owns land for any agricultural purpose.

least concern regional ecosystem has the meaning given in *Vegetation Management Act 1999*.

mulga see *Acacia aneura*

official see *officer*

officer means—

- (a) the chief Executive; or
- (b) an authorised officer.

pest means—

- (a) invasive flora or fauna that is not native to Australia; or
- (b) an animal that actively damages crops, cultivated plants, or food products; or
- (c) an animal that actively damages the infrastructure used to make, cultivate, harvest, develop or process crops, cultivated plants or food products.

PMAV see *Property Map of Assessable Vegetation*

primary production means the cultivation, development, harvesting or processing of crops, cultivated plants or food products.

Property Map of Assessable Vegetation has the meaning given in *Vegetation Management Act 1999*

scientifically-based means a framework for decision making based on rigorous and continuous observation, testing and confirmation - undertaken by multiple sources - resulting in accepted scientific knowledge or practice.

SLATS see *Statewide Landcover and Trees Study*

Statewide Landcover and Trees Study means the vegetation monitoring initiative undertaken by the Queensland Government.

thickening has the meaning given in *Vegetation Management Act 1999*.

regrowth has the meaning given in *Vegetation Management Act 1999*.

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5 Youth Act binds all persons

This Youth Act binds all persons, including the State, and, so far as the legislative power of parliament permits, the Commonwealth and the other States.

6 Application of Youth Act

- (1) This Youth Act applies to all clearing of vegetation other than vegetation on—
 - (a) a forest reserve under the *Nature Conservation Act 1992*; or
 - (b) any of the following protected areas under the *Nature Conservation Act 1992*—
 - (i) a national park (scientific);
 - (ii) a national park;
 - (iii) a national park (Aboriginal land);
 - (iv) a national park (Torres Strait Islander land);
 - (v) a national park (Cape York Peninsula Aboriginal land);
 - (vi) a conservation park;
 - (vii) a resources reserve; or
 - (c) an area declared as a State forest or timber reserve under the *Forestry Act 1959*; or
 - (d) a forest entitlement area under the *Land Act 1994*.
- (2) This Youth Act shall prevail over any local law that imposes requirements on the clearing of vegetation in its local government area, to the extent of the inconsistency between the provisions of the local law and the Youth Act.

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- (b) in accordance with development approval, the land -
 - (i) has undergone an economic viability assessment ensuring reasonable economic returns for land development;
 - (ii) is cleared and developed 5,000 hectares at a time; and
 - (iii) cannot be developed and cleared over 5,000 hectares in a single year.

(2) Section 20AN -
insert -

What is a category E area (insertion of s20AP of Vegetation Management Act 2016)

- (1) A category E area is an area, other than a category A area, category B area, category C area, category R area or category X area, shown on the regulated vegetation management map as a category E area.
- (2) Category E area is shown on the regulated vegetation management map as -
 - (a) land designated for;
 - (i) high value regrowth vegetation; or
 - (ii) irrigated high value regrowth vegetation
 - (iii) agricultural clearing activities designated by section 20AG of the Youth Act.

10 Amendment of definition for high value regrowth vegetation

Schedule (Definition of high value regrowth)

omit, insert -

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- (b) produce accurate data that allows the correct interpretation of current vegetation levels to:
 - (i) allow for landholders to correctly and sustainably manage vegetation on their own properties; and
 - (ii) supply the Queensland Government with appropriate data to implement vegetation management strategies; and
 - (iii) improve management of sustainable native and non-native flora.

12 Implementation of Practical Guidelines

- (1) The Queensland Government must fund independent agricultural consulting agencies.
- (2) The Queensland Government must provide practical and flexible guidelines for landholders in restoring and managing landscapes including:
 - (a) landscape restoration actions that can be undertaken on a rotational basis as scientifically determined including:
 - (i) *Acacia aneura* (mulga) woodlands to tall open shrublands on red earth plains, sandplains or residuals; and
 - (ii) *Acacia harpophylla* (brigalow) open-forests to woodlands that may include *Casuarina cristata* (belah), as well as areas codominated with *A. cambagei* (gidgee).
- (3) Landowners are free to manage species outlined in this section without prior approval, unless:
 - (a) formally stated by the local council; or
 - (b) specifically and formally stated by the Chief Executive; or
 - (c) formally recognised as an environmental risk by SLATS report or the current PMAV.

-
- (4) The Queensland Government must provide practical and flexible guidelines for landholders in managing pests without prior approval unless:
 - (a) formally stated by the local council; or
 - (b) specifically and formally stated by the Chief Executive.
 - (5) Landowners are able to remove remnant and dead vegetation unless outlined in this Youth Act.

13 Drought Protection

In the event of an extreme drought event lasting longer than 5 years, if a landholder has harvested 50% of their available fodder they can:

- (a) apply for approval for additional fodder reserves be harvested; and
- (b) be eligible for grants; and
- (c) be eligible for relaxation of vegetation management legislation at the discretion of the Chief Executive.

14 Replacement of PMAV

- (1) An owner of land may apply to the chief executive for the making of a PMAV for the land or part of the land as outlined in section 20C *Vegetation Management Act 1999*.
- (2) The Chief Executive must make a new PMAV free of charge if:
 - (a) The landowner completes a formal self-audit and applies after 6 years of the previous PMAV; or
 - (b) The Local Council completes a formal audit and applies after 4 years of the previous PMAV on the land owner's behalf; or
 - (c) The land owner commits an offence against the *Vegetation Management Act 1999*.

17 Ineligibility criteria for the Grant

The eligibility criteria for the Grant is not satisfied if the applicant:

- (a) does not have emergency animal welfare or crops in need of water infrastructure;
- (b) intends the grant be used to make existing water infrastructure more efficient;
- (c) intends the water infrastructure be used to hold liquids or solids other than water; or
- (d) has efficient water supplies on other owned properties.

18 Minister to Estimate Grants

- (1) The Minister must allocate a reasonable amount of Treasury funds to cover the agricultural drought proofing Grant, with consideration to:
 - (a) the anticipated number of applicants seeking funding;
 - (b) the extent of current drought conditions; and
 - (c) any emergency events affecting applicants.
- (2) The Minister is required to produce a budgetary report demonstrating that the proposed funds adequately fulfil the needs of the Grant.

19 Reviewing of Agricultural Drought Proofing Grant by Chief Executive

- (1) All applications must be reviewed by the Chief Executive and declared successful or unsuccessful.
- (2) A successful application must receive a Grant.

20 Use of Water Grant

Allocated grant funds must be used to build water storage infrastructure including any forms of infrastructure that stores water for the use of grazing livestock or crops.

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21 Financial penalty of Incorrect Used Grants

Allocated grants that are not used to build water storages will be asked to pay back the funds.

Part 5 Research, Development and Innovation

22 Research and Development

- (1) The Queensland Government must match funding of research and development initiatives for agricultural productivity that:
 - (a) are up to 5% of the total cost; or
 - (b) a maximum of \$2,000,000 or as specified in Regulations; and
 - (c) fulfil a comprehensive selection criteria to address the future of farming through technology and sustainability
- (2) The research must be completed in conjunction with a statutory body or industry-owned companies unless otherwise specified.
- (3) Further research levies can be requested and distributed to private companies at the discretion of a Department and Ministerial direction under a competitive tender process.
- (4) The key performance and accountability indicators are stipulated in the agreement between the relevant parties.

23 Innovation

- (1) The Government mandates investment in agricultural innovation by means of establishing an Office of Innovative Practice within the Department of Agriculture and Fisheries.
- (2) A Minister for Innovation is appointed within Cabinet as a stand-alone portfolio.

- (3) The Government establishes a partnership agreement with Advance Queensland to provide innovation opportunities for small and medium agriculture businesses.
- (4) Private companies investing in greater than 10% of total revenue are eligible for;
 - (a) tax breaks; and
 - (b) and financial incentives, including but not limited to —
 - (i) grants; and
 - (ii) investment initiatives.