

Declared area management plan

Vegetation Management Act 1999

Complete the following management plan for an area to be declared as an area of high nature conservation value or an area vulnerable to land degradation.

For guidance on declared areas see the Declared area guide at www.qld.gov.au (search 'declared areas'). For guidance on legally securing an exchange area see the General guide to accepted development vegetation clearing codes at www.qld.gov.au (search 'vegetation management').

Note: Examples of information to include in this management plan are intended as guidance only. The level of detail or scope of the management plan will depend on the purpose of the declaration and the particular circumstances of the area being secured.

1. Owner's details

First name:	Middle name:	Surname:	
Company name:			
If a corporation then enter one of the following:		☐ ACN	☐ ARBN
Main phone:		Other phone:	
Address line 1:			
Address line 2:			
Town/Suburb:	State:	Postcode:	
Email address:			
Preferred method of contact		☐ Phone	☐ Email ☐ Letter
Local government area:			
Note: the department cannot provide any information regarding a declared area application to third parties without the expressed consent of the owner of the land or where authorised by law.			
<i>Office use only:</i>			
eLVAS case number:			
Notification number:			

2. Property description

This is the property on which the declared area is proposed. The declared area management plan should indicate the specific location of the proposed declared area on the property.

Extra pages may be attached to list additional lots.

Lot number	Plan number	Declared area in hectares	Tenure

3. Description of declared area

Include enough information to effectively map the boundary of the stated area, including a description of the area subject to the declared area and a map showing the location and extent of the area.

A map may be attached to this plan and submitted with the request for a declared area. Please provide both a map and map information in digital spatial data in the format of a.klm or .shp file of your proposed area so that the exact extent can be used for the assessment.

4. Request for declaration

The purpose of this declaration is to declare:

- ☐ an area of high nature conservation value
- ☐ an area vulnerable to land degradation

under sections 19E-19L of the *Vegetation Management Act 1999* (VMA)

5. Registered interest holders consent

A registered interest is one registered under the *Land Act 1994* or the *Land Title Act 1994*.

Registered interests include mortgages, leases, subleases, covenants, profit a prendres, easements and building management statements.

A declaration may not be made unless the holder of a registered interest (other than the owner) in the proposed declaration area has consented in writing to the making of the declaration.

Note: where there is any change during assessment to the declared area management plan or extent of the proposed declared area, fresh consent of all persons with a registered interest on title is required.

READ BEFORE SIGNING THIS SECTION

Acknowledgement and waiver by all registered interest holders.

By signing this section, those signing are taken to:

- acknowledge that a declared area resulting from a request for a declared area may have legal and financial implications for your interest in the property, and you agree that in no event shall the Department of Natural Resources, Mines, Manufacturing, Regional and Rural Development (the department) be liable for any special, indirect or consequential damages or any damages whatsoever rising out of, or in connection with, a request for a declared area or any subsequent declaration of the area in accordance with the request for a declared area.
- consent to the making of a declared area as proposed in the request for a declared area.

Extra pages may be attached to list additional lots and/or registered interest holders and provide their consent to the making of the declaration

Parcel (Lot & plan)	Type of registered interest	Registered interest holder's name	Contact details	Signature

Principles for drafting management plan: *In the sections below you will need to outline how you will achieve the management outcomes, including details on what actions will be taken to achieve this and how you will mitigate any impacts and manage any potential risks that may hinder the specified outcome.*

6. Management intent

Examples:

- 1. The management intent for the area is the conservation of the native vegetation in the area. Conservation of the native vegetation will prevent the loss of biodiversity and maintain ecological processes.*
- 2. The management intent for an area vulnerable to land degradation is to rehabilitate a degraded, unstable watercourse in an area subject to stream bank instability.*

7. Management outcome

Principles for drafting management outcomes: *The management outcomes for the area should be achievable, measurable and related to the conservation value or land degradation issue associated with the area.*

Examples:

1. *The management outcome for the area is that it achieves the definition of remnant vegetation.*
2. *The management outcome for the area is to establish (insert number) habitat trees and to have restored and enhanced (insert hectares) of natural area within (insert number) of years.*

Note for exchange areas: If the declaration is to legally secure an exchange area, the management objective must be either of the following:

- i. If the exchange area is located in a category X area, category C area or category R area—to return the exchange area to remnant vegetation (a category B area on the regulated vegetation management map) as soon as possible and within 20 years
- ii. If the exchange area is located in a category B area—to achieve the nominated substantial conservation outcome or address the nominated significant land degradation issue as soon as possible

8. Activities and restrictions

Example: To achieve the management outcome, the landholder will comply with the following activities and restrictions:

- 1. Clearing of native vegetation will not occur unless in accordance with an exemption listed in Schedule 21 of the Planning Regulation 2017 or a development approval under the Planning Act 2016.*
- 2. All reasonable measures will be taken to maintain and enhance the structure and function of the regional ecosystem. For example, minimizing the introduction, establishment and spread of non-native plants. Where non-native plants already occur in the area, all reasonable measures will be taken to control the non-native plants.*
- 3. Burning will only occur in accordance with the fire guideline/s specified in the Vegetation Management Regional Ecosystem Description Database (VM REDD available at www.qld.gov.au) for the regional ecosystem/s in the declared area.*
- 4. Pest animals and pest plants considered an invasive biosecurity matter under the Biosecurity Act 2014 will be controlled.*

Note for exchange areas: If the declaration is to legally secure an exchange area, this section of the management plan must include:

- Description of the works / management actions that will be undertaken to achieve the management objective, including the methods, timing, frequency, intended benefits etc.
- The conservation outcomes that will be achieved by the works / management actions
- Description of the management actions that will be undertaken to ensure that the effects of the works do not result in land degradation
- Details of who is responsible for all works and management actions, and the estimated length of time the area/s will be managed

Note: provide information on any clearing restrictions that may apply (e.g. within a category A area).

Clearing in a category A area on a PMAV cannot be undertaken under any accepted development vegetation clearing code. However, clearing for some activities that are necessary to deliver the management outcomes and are provided for in the management plan may be Exempt Clearing Work (e.g. where the management plan provides for weed management, fences and firebreaks). For more guidance see section 11 of the Declared area guide.

9. Term

A management plan for a declared area has effect until the earlier of the following happens:

- the plan ends under its terms; or
- the declaration of the area as a declared area ends under section 19L of the VMA

Ending a declaration

Under section 19L of the VMA the chief executive may, by written notice given to the owner of the land the subject of a declaration, end the declaration if the chief executive considers:

- the declaration is not in the interests of the State, having regard to the public interest; or
- the management outcomes mentioned in section 19E(3)(c) of the VMA for the management plan relevant to the declaration have been achieved.

The chief executive may, by notice given to the owner of land declared as an area of high conservation value, end the declaration if:

- the area is, on or after the commencement of subsection 19L(2) of the VMA, a legally secured offset area; and
- a prescribed activity is, under an authority under another Act, to be carried out in or on the area; and
- the holder of the authority has entered into an agreed delivery arrangement in relation to an environmental offset for impacts to the area.

Note: the landholder may submit a request to end the declared area at any time. The department will assess whether the management outcomes have been met before removing the declaration.

Once the declaration has ended this plan will cease to have effect and the department will remove the declaration notice from the title of the land.

The department strongly encourages any landholder to seek acknowledgement from their offset provider that the offset management plan outcomes have been achieved before the making a request to the department to end the declaration.

The landholder may also need to submit a 20C PMAV application with the request to replace the Government issued PMAV over the declared area (where one has been placed over the declared area) and map the appropriate category of vegetation for the area (for example, category B).

10. Monitoring and record keeping

Monitoring and record keeping should be undertaken to track the state of the declared area and progress towards achieving the management outcomes specified in this plan. The following information should also be provided:

- Monitoring and auditing processes including adaptive management approaches to rectify negative results from the monitoring and auditing processes
- Record keeping process for retaining appropriate records for monitoring and auditing processes.

Note: Providing the information above complies with the ADVCC requirements for legally securing an exchange area.

To apply for an area to be legally secured as an exchange area, complete the application to legally secure an exchange area at www.qld.gov.au (search 'exchange areas'). For guidance on legally securing an exchange area see the General guide to accepted development vegetation clearing codes at www.qld.gov.au (search 'exchange areas').

Note: *a declared area does not involve compliance powers and any compliance issues involving an offset dealing will not be dealt with by DNRMMRRD. Any such compliance function would sit with the administering authority responsible of the environmental offset. Additionally, the department will not be party to any negotiation for, or resolution of, any third-party arrangements or agreements.*

11. Additional information

The management plan may also include any other information the applicant considers will assist in the determination of the request. Additional information can be provided below or as an attachment to this plan.

12. How to lodge your Declared Area Management Plan

Email your application to vegetation@resources.qld.gov.au

Over the counter at any Department of Resources Business centre.

Via post at one of the following Department of Resources Business centres listed below.

Bundaberg – PO Box 1167 Bundaberg QLD 4670	Cairns – PO Box 937 Cairns QLD 4870
Charleville – PO Box 224 Charleville QLD 4470	Dalby – PO Box 589 Dalby QLD 4405
Emerald – PO Box 19 Emerald QLD 4720	Gympie – LMB 383 Gympie QLD 4570
Ipswich – PO Box 864 Ipswich QLD 4305	Mackay – PO Box 63 Mackay QLD 4740
Rockhampton – PO Box 1762 Rockhampton QLD 4700	Roma – PO Box 350 Roma QLD 4455
Toowoomba – PO Box 318 Toowoomba QLD 4350	Townsville – PO Box 5318 Townsville QLD 4810

12. Signature of owner (applicant) and all registered owners

If there is more than one owner of the land on which the declared area is proposed, each owner must complete and sign this management plan. The owner of the land is the party/s registered on title as the registered owner.

If there are more owners, extra pages containing the additional signature(s) may be attached.

Lot	Plan number	Owner's name	If a corporation record one of the following: ACN ARBN		Owner's signature	Date	Company seal (if applicable)
			ACN	ARBN			
			ACN	ARBN			
			ACN	ARBN			
			ACN	ARBN			
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			ACN	ARBN			
			ACN	ARBN			
			ACN	ARBN			
			ACN	ARBN			

Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (office use only)

Name	Position	Signature	Date
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