

Legislation relevant to conducting a native forest practice on freehold land



Native forest practice is currently subject to the 'forest practice' exemption conditions of the Vegetation Management Act 1999. This means that a forest practice can occur in all remnant vegetation regardless of its classification (e.g. not of concern, of concern and endangered), however it must be consistent with the relevant Code of Practice. Furthermore, before a forest practice occurs, a 'notification form' needs to be supplied by the owner to NRMW.

More information on 'forest practice', the relevant Code of Practice and the notification form can be found at www.nrm.qld.gov.au/vegetation/forestpractice.html or by ringing 1800 999 367.

While the Vegetation Management Act 1999 is obviously relevant to a forest practice, other state legislation with some relevance includes:

- **Timber Utilisation and Marketing Act 1987**
This Act is relevant to anyone who is planning on milling and selling their own timber. The Act specifies minimum standards for all timber processed in Queensland.
- **Fire and Rescue Services Act 1990**
The main relevance to forest practice is it makes the provisions for the issuing of permits for fires.
- **Integrated Planning Act 1997**
Allows for a 'forest practice' on freehold land and protects existing (pre 1997) lawful uses of premises to continue.
- **Workplace Health and Safety Act 1995**
Gives responsibilities to employers, employees, contractors, volunteers, etc to ensure safe work place and practices. A WH&S forestry harvesting industry standard is available at <http://www.whs.qld.gov.au/guide/gde62pdf.pdf>

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- **Aboriginal Cultural Heritage Act 2003**
“The main purpose of this Act is to provide effective recognition, protection and conservation of Aboriginal cultural heritage.” Exert:s4 Aboriginal Cultural Heritage Act 2003,
- **Nature Conservation Act 1992**
This Act provides for the conservation of nature. It classifies flora and fauna into ‘presumed extinct’, ‘endangered’, ‘vulnerable’ and ‘rare’ categories. This Act largely deals with protected area management.
- **Environmental Protection Act 1994**
The objective of this Act is to protect the environment while allowing for development in a way that maintains ecological processes. This refers to the principals of ‘Ecologically Sustainable Development’ (ESD).
- **Water Act 2000**
This Act can be relevant to a forest practices, including if they are occurring in or adjacent to a ‘water course’.

A full list of Queensland legislation is available at www.legislation.qld.gov.au/Legislation.htm

Other laws

It is important when doing any activity, be it related to forest practice or not, to have information on relevant legislation as it is the ‘duty’ of the persons undertaking that activity. Laws other than those identified state legislation may be relevant to a forest practice in places such as local government by-laws and commonwealth government legislation.

Local government

Some shires have by-laws relevant to ‘forest practice’ type activities. Local council needs to be contacted to determine if they have any local laws governing ‘forest practice’ or forestry type management.

Australian government

The Australian (Commonwealth) government may also have some laws governing forest management, for example the exporting of native forest woodchip. More information on Australian government legislation can be found at www.law.gov.au

Other fact sheets in this series include:

- Native forestry practices in central Queensland
- Legislation relevant to conducting a native forest practice on freehold land
- Native forest inventory
- Steps to a successful native forestry enterprise in central Queensland
- Basic forestry principles
- Forest management planning
- Steps to a successful plantation enterprise in central Queensland.

For further
information
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