



The Hon Dr Anthony Lynham MP  
Minister for Natural Resources, Mines and Energy

Our ref CTS 6589/20  
Your ref A552503

1 William Street Brisbane  
PO Box 15216 City East  
Queensland 4002 Australia  
Telephone +61 7 3719 7360  
Email [nrm@ministerial.qld.gov.au](mailto:nrm@ministerial.qld.gov.au)  
[www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au)

21 May 2020

Mr Neil Laurie  
The Clerk of the Parliament  
Parliament House  
Cnr George and Alice Streets  
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter of 23 April 2020, concerning petition No. 3266-20 received by the House on 31 March 2020, regarding clearing of firebreaks.

The petition is correct in stating that local governments have the ability to regulate clearing under the *Planning Act 2016* or in some cases through local laws under the *Local Government Act 2009*. This legislation is within the portfolios of the Honourable Cameron Dick MP, Treasurer, Minister for Infrastructure and Planning and the Honourable Stirling Hinchliffe MP, Minister for Local Government, Minister for Racing and Multicultural Affairs, respectively.

Within my portfolio responsibilities as the Minister for Natural Resources, Mines and Energy there are controls that exist under the vegetation management framework. The state's vegetation management framework provides for a number of exemptions and accepted development vegetation clearing options available to protect property from bushfires without a development approval. Those longstanding provisions include an exemption that allows a landholder to clear vegetation on their property to establish and maintain a firebreak to protect infrastructure (other than fences, roads and tracks) to a maximum of 20 metres or 1.5 times the height of the tallest adjacent tree, whichever is the greatest.

The Palaszczuk Government has been proactive in responding to the increased threat of bushfires over recent years. In late 2019, the Planning Regulation 2017, within the portfolio of the Honourable Cameron Dick MP, was amended to simplify requirements for landholders undertaking vegetation clearing for necessary firebreaks and fire management lines. The amendments mean that clearing for necessary firebreaks and fire management lines do not require local or state government approval under the *Planning Act 2016*, subject to meeting clear and certain criteria. These changes responded to the Inspector General of Emergency Management 2018 *Queensland Bushfires Review – a climate for good neighbours* report, which highlighted the need to clarify these requirements for landholders.

These recent amendments are now consistent with the long-standing exemptions to clear native vegetation for fire management purposes under the state's vegetation management framework. However, in limited circumstances, some local laws still apply to vegetation clearing and the petitioners should check with their local council (for Russell Island the Redland City Council) in relation to the applicability of local laws on their properties.

As the petitioners have indicated, the more widespread threat of bushfires in recent years has reinforced the need for enhanced planning to address this risk to the community. Again, I would acknowledge another recent initiative of my Ministerial colleague, the Honourable Cameron Dick MP. In December 2019, the then Department of State Development, Manufacturing, Infrastructure and Planning released the Natural Hazards – Bushfire State Planning Policy state interest guidance material, to assist local government when making or amending their planning schemes, assessing certain development applications, and to better integrate planning and vegetation mitigation measures including default separation distances between lots and hazardous vegetation.

Petitioners should also be aware that landholders can obtain a Permit to Light Fire from their Local Fire Warden if they wish to reduce fire hazard on their property in accordance with section 65 of the *Fire and Emergency Services Act 1990*. Contact details for local Fire Wardens is available from: [https://www.ruralfire.qld.gov.au/Pages/fw\\_finder.aspx](https://www.ruralfire.qld.gov.au/Pages/fw_finder.aspx). Additional advice on how to obtain a Permit to Light Fire is available from: [https://www.ruralfire.qld.gov.au/Using\\_Fire\\_Outdoors/Pages/Obtaining-a-Permit-to-Light-Fire.aspx](https://www.ruralfire.qld.gov.au/Using_Fire_Outdoors/Pages/Obtaining-a-Permit-to-Light-Fire.aspx).

I provide you with this response for tabling in accordance with Standing Order 125(3). Any enquiries regarding this response can be referred to Mr Simon Zanatta, Chief of Staff, on telephone 3719 7360.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a long horizontal line extending to the right.

**Dr Anthony Lynham MP**  
Minister for Natural Resources, Mines and Energy