

Request for a declared area

ss19E-19L Vegetation Management Act 1999

Use this form to request an area of land to be declared an area of high nature conservation value or an area vulnerable to land degradation. For guidance on declared areas see the Guide to declared areas at www.qld.gov.au (search 'declared areas').

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 'vegetation management'). 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').

1. Owner's (applicant's) details

Owner, of land includes -

- (a) for freehold land - all registered owners; or
- (b) for a lease, license or permit under the *Land Act 1994* – all lessees, licensees or permittees; or
- (c) for indigenous land - the holder of title to the land; or
- (d) for any tenure under any other Act - the holder of the tenure.

First name:		Middle name:		Surname:	
Company name:					
If a corporation then enter one of the following: <input type="checkbox"/> ACN <input type="checkbox"/> ARBN					
Main phone:			Other phone:		
Email:					
Address line 1:					
Address line 2:					
Town/Suburb:		State:		Postcode:	
Preferred method of contact			<input type="checkbox"/> Phone <input type="checkbox"/> Email <input type="checkbox"/> Letter		
<i>The nominated contact person does not need to be the owner. All verbal and written correspondence (including the issue of notices) will be sent to the nominated contact person.</i>					
Name of nominated contact person (if applicable):					
Company name:					
If a corporation then enter one of the following: <input type="checkbox"/> ACN <input type="checkbox"/> ARBN					
Main phone:			Other phone:		
Email address:					
Address line 1:					
Address line 2:					
Town/Suburb:		State		Postcode	
Preferred method of contact			<input type="checkbox"/> Phone <input type="checkbox"/> Email <input type="checkbox"/> Letter		
<i>I accept that I will act as the nominated contact person on behalf of the owner(s) referred to in Section 1.</i>					
Signature of nominated contact person					
Date:					

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	Area in hectares	Tenure

3. Registered interest holder consent

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

Registered interests include but are not limited to 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: Registered interest holder consent is not required to lodge this request for a declared area but is required prior to the making of a declaration.

Acknowledgement and waiver by all registered interest holders.

READ BEFORE SIGNING THIS SECTION

By signing this section, those signing are taken to:

- acknowledge that a declaration resulting from this request may have legal and financial implications for your interest in the property, and you agree that in no event shall the Department of Resources be liable for any special, indirect or consequential damages or any damages whatsoever rising out of or in connection with this request or any subsequent declaration in accordance with this request.
- consent to the making of a declaration as proposed in this request and supporting material.

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

4. Request for declaration

Specify the relevant criteria for the declaration to be assessed. One or more of the criteria may be applicable to the area being sought for declaration.

Note: The owner must provide an explanation of how the declared area meets the criteria selected in this section. This explanation must be provided in the documents accompanying the request.

Area of high nature conservation value

- A wildlife refugium
- A centre of endemism
- An area containing a vegetation clump or corridor that contributes to the maintenance of biodiversity
- An area that makes a significant contribution to the conservation of biodiversity
- An area that contributes to the conservation value of a wetland, lake or spring
- Another area that contributes to the conservation of the environment

OR

An area vulnerable to land degradation

- Soil erosion
- Rising water tables
- The expression of salinity, whether inside or outside the area
- Mass movement by gravity of soil or rock
- Stream bank instability
- A process that results in declining water quality

4.1 Application type

Note: A declared area cannot be made where a request is not legal, suitable or appropriate. Refer to the Declared area guide at www.qld.gov.au (search 'declared areas').

<input type="checkbox"/> Environmental Offset	For assistance with your request, contact VegHub 135VEG (13 58 34) or email vegetation@resources.qld.gov.au
<input type="checkbox"/> Better Environmental Outcome - State Code 16	
<input type="checkbox"/> Enforceable Undertaking	
<input type="checkbox"/> Voluntary Conservation Purposes	
<input type="checkbox"/> Exchange areas – do not complete this form	
<p>Note: if the application type of the declaration is to legally secure an exchange area under an Accepted Development Vegetation Clearing Code, complete the application to legally secure an exchange area at www.qld.gov.au (search 'exchange area')</p>	

4.2 Associated development approval

If the declaration is linked to a development approval under the Planning Act (for example, if it required to meet a project condition to legally secure an offset area), please provide details of the development approval below:

Development approval reference number:	
If the declaration is linked to an approval under another Act please provide details of the approval below:	
Other Approval reference number:	
Responsible agency:	

Note: Please attach a copy of the approved Offset Area Management Plan associated with the above approval. Please also note that a separate declared area management plan is required to be submitted with this application. Refer to the Declared area management plan template at www.qld.gov.au (search 'declared areas').

5. Management plan

A management plan for the declared area must be provided with this request. The management plan must contain all the components identified in this section. The management plan is to refer to the area identified in Section 2 of this form. The management plan may also include any other information the applicant considers will assist in the determination of the request.

For more information on the management plan for declared areas, consult the Declared area guide, available on www.qld.gov.au (search 'declared areas').

See also the Declared area management plan template at www.qld.gov.au (search 'declared areas').

Note: Please attach the declared area management plan. Refer to the Declared area management plan template at www.qld.gov.au (search 'declared areas').

Management plan checklist

- Property owner's contact details and signature
- Includes map showing the location and extent of the declared area:
 - A map that defines the boundaries of the proposed declared area and a description of the boundaries of the area referenced by Map Grid of Australia 2020 (MGA2020) coordinates and zone references for the area
 - A map showing the proposed declared area with five or more GPS points that correspond to identifiable fixed features; and the Map Grid of Australia 2020 (MGA2020) coordinates and zone references for each point, acquired by GPS or similar system of satellites that receives and processing information; and a description of the feature that each point represents
 - A dataset, which can be used in a Geographic Information System showing the proposed declared area
- States the owner's management intent, and management outcomes proposed by the owner, for the conservation of the high nature conservation value of the area or the prevention of land degradation in the area
- States the activities the owner intends to carry out, or refrain from carrying out, to achieve the stated management outcomes
- States the restrictions, if any, to be imposed on the use of, or access to, the area by other persons to achieve the stated management outcomes
- If the declared area is to legally secure an environmental offset and the Department of Resources is not the administering agency, include confirmation that the administering agency has / has not approved the declared area management plan that complies with the VMA.

More information on what is required to delineate the boundary of the proposed declared area and to identify other property features is available in the Declared area guide at www.qld.gov.au (search 'declared areas').

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

Where the owner is a company, execution by the company must be provided in accordance with the requirements of the **Corporations Act 2001 (Commonwealth)**, section 127.

READ BEFORE SIGNING THIS SECTION

Acknowledgement and waiver by the owner (applicant) and all registered owners.

Before consent to or lodging this request for a declared area, it is recommended that all registered owners of the property seek their own independent legal and financial advice regarding the effect of this request, and the legal and financial impacts of any subsequent declaration.

By signing this section, those signing are taken to:

- acknowledge that the declared area resulting from this request may have legal and financial implications for your interest in the property, and you agree that in no event shall the Department of Resources be liable for any damages whatsoever rising out of or in connection with this request or any subsequent declaration; and
- consent to the lodgment of the request; and
- agree that all information entered and provided in this request, including any maps, lists or other documents additionally supplied, is correct and accurate; and
- authorise the nominated contact person to act as such on your behalf; and
- authorise all verbal correspondence relating to this request to be to the nominated contact person; and
- authorise all written correspondence (including the issuing of notices) relating to this request to be sent to the postal address for the nominated contact person; and
- request that the chief executive agree to make a declaration as proposed in this request.

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:		Owner's signature	Date	Company seal (if applicable)
			ACN	ARBN			
			ACN	ARBN			
			ACN	ARBN			
			ACN	ARBN			
			ACN	ARBN			
			ACN	ARBN			
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			ACN	ARBN			

Privacy statement: The Department of Resources is collecting the information in this form and any attachments to process your request that the chief executive declare a stated area of land under the *Vegetation Management Act 1999*. The consideration of your request may involve consultation, and if so, details of your request and any attachments may be disclosed to third parties. These details will not otherwise be disclosed outside the Department of Resources unless required or authorized by law.

Office use only		
Name:	Position:	Date received
Signature	Date:	