

LOCAL GOVERNMENT LAW JOURNAL

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Managing vegetation clearing in the South East Queensland urban footprint – *Grace Field, Georgette Leah Burns and Pat Dale*

South East Queensland (SEQ) is the fastest growing metropolitan region in Australia with rapid urban expansion responsible for much vegetation loss. Legislation exists to manage vegetation clearing in the SEQ Urban Footprint (SEQUF); however, exemptions still allow clearing of remnant and regrowth vegetation. This article is based on evaluating documentary evidence to assess vegetation protection in the South East Queensland Urban Footprint (SEQUF) (as defined by the South East Queensland Regional Plan 2009-2031). It focuses on the *Vegetation Management Act 1999* (Qld) (VMA) and its application in the Urban Footprint. It recommends amending or removing exemptions for clearing to increase protection for regulated regrowth and for Of Concern and Least Concern Regional Ecosystems in the Urban Footprint. It also recommends improving vegetation mapping at fine resolution for assessing <2ha areas. 215

An evaluation of the administrative law role of the Queensland Planning and Environment Court – *Michael Walton*

The Queensland Planning and Environment Court is a specialist court which is the oldest of its type in Australia. Originally, and for the first 25 years of its existence, the court's jurisdiction was limited to performing a merits review or a hearing de novo. However in 1991 the court's jurisdiction was expanded and the court was entrusted, for the first time, with jurisdiction to make declarations and consequential orders. Further, in recent years the court's jurisdiction has been enhanced by the exclusion of the *Judicial Review Act*. The primary policy objective behind expansion of the court's jurisdiction was to allow the general public to have access to an accessible expert court for the review of planning and environment decisions on judicial review type grounds. This article identifies the policy objectives behind the introduction and subsequent expansion of the court's declaratory jurisdiction and evaluates the court's performance against these policy objectives. 231

The "review of Australia's future tax system": Implication for local government in Australia and recommendations – *John Passant and John McLaren*

The report on Australia's Future Tax System (Henry Tax Review) was delivered in December 2009 and it contained a number of recommendations that specifically effected local government in Australia. Other recommendations on road user charges and land tax indirectly effected local government. This article analyses those specific recommendations that concern local government and makes recommendations as to what may be required by local government in the future. The article also discusses road user charges and the potential for land tax to increase the revenue for local government. Within this context, the fact that Australia is facing an ageing population and that local government is being asked to increase its services to the elderly only highlights the importance of the Henry Tax Review on local government. The article also examines the Henry Tax Review approach to the housing affordability problem and role that local government plays in making housing affordable. A number of recommendations are made in light of the Henry Tax Review and these may assist local government in securing sufficient revenue in the future in order to continue to provide its vast range of services to the Australian community. 243

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