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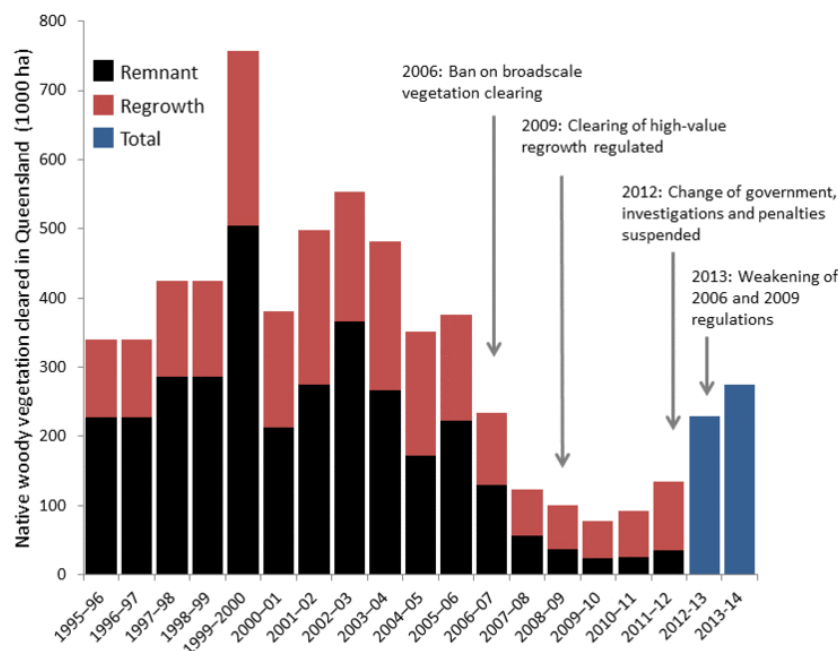
Submission to the Inquiry by the Agriculture and Environment Committee into the *Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016*

I greatly value native vegetation and am appalled by the environmental harm that has occurred as a result of the changes made to the regulation of vegetation clearing by the Newman government. I urge the committee to support the passing of the Bill to reinstate sustainable land management in Queensland.

The current legislation has lead to massive and unacceptable environmental impacts

Impacts of unregulated tree clearing that has resulted from the current legislation are as follows:

- Land clearing in Queensland has increased exponentially as a consequence of the Newman government's rollback of the *Vegetation Management Act*. The graph below shows that clearing of remnant vegetation has surged. 2015 figures are likely to be even higher than 2014. Queensland is responsible for more land clearing each year than any other state. The ~300,000 ha cleared in 2013/14 alone equates to an area half the size of Bali.



In attempts to redress the damage done by past habitat loss, landholders across the country have been working for decades to replant trees and restore land. A current national program (www.environment.gov.au/land/20-million-trees) seeks to plant 20 million trees over four years at a public cost of A\$50 million. However this is dwarfed and negated by the 50 million-plus trees lost to clearing in just one year in Queensland.

- Removal of protection of high conservation value regrowth on freehold land. Under the present legislation 27 endangered regional ecosystems are unable to regrow and recover out of their endangered status due to removal of protections of high value regrowth.
- Clearing of vegetation has massive impacts on vital habitat for wildlife leading to irreversible loss. Land clearing is the main cause of biodiversity loss and decline. 89 regional ecosystems are endangered as a direct result of land clearing.
- Threatened species have been placed in greater peril. 211,820 hectares of the bushland cleared in the period between 2012-2014 provided habitat for 200 threatened species (139 plants and 61 animals). The map below indicates the massive and widespread nature of the impacts. (See <http://www.wwf.org.au/?15660/More-than-40000-hectares-of-koala-habitat-cleared>).

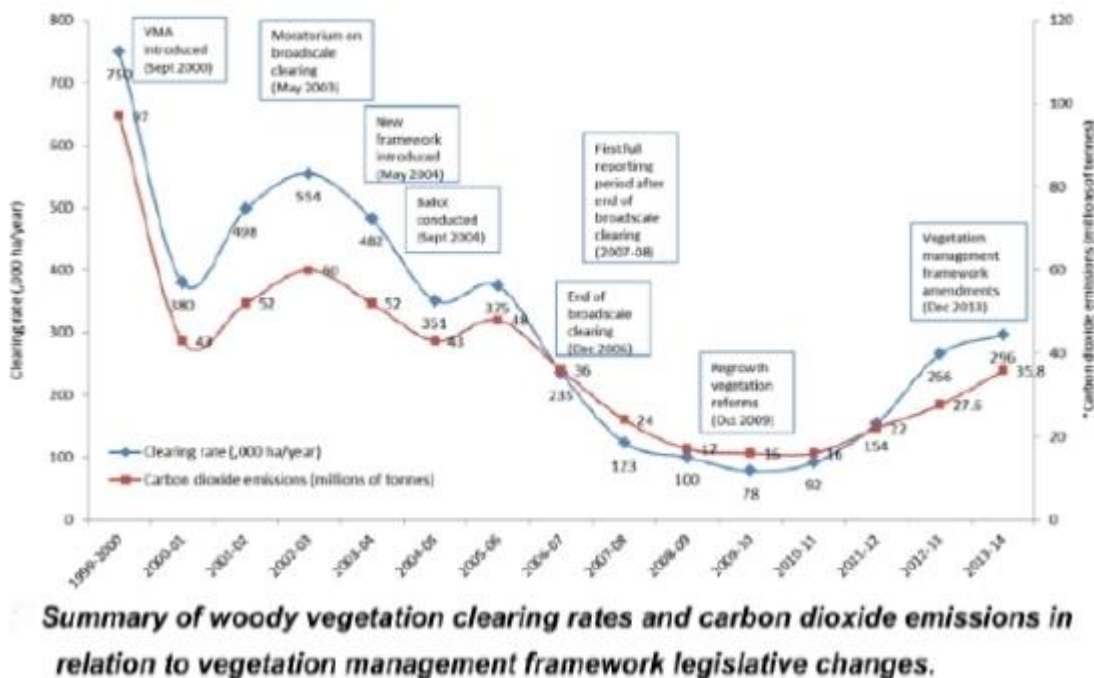


- The koala, an vulnerable iconic species highly valued by the community, has been particularly impacted with the staggering loss included 40,312 hectares of habitat between 2012-2014.
- Clearing of trees and other associated native vegetation leads to increased soil erosion and soil salinity increases in many areas.
- Reduction in water quality is associated with the increased soil runoff after clearing.
- Vegetation clearing worsens the impacts of drought through a lowering of local rainfall in areas that have been cleared. Research by the University of Queensland has shown a strong correlation between loss of tree cover and regional drought incidence and severity (Deo *et al.* 2009 *Geophysical Research Letters* Vol 36, L08705, doi:[10.1029/2009GL037666](https://doi.org/10.1029/2009GL037666).)
- Increased sediment and nutrient loads in streams from clearing within catchments of the Great Barrier Reef is detrimentally impacting on the Reef. Some quotes from the Auditor General's report *Managing Water Quality in Great Barrier Reef catchments Report 20: 2014–15* are given below to indicate the impacts of tree clearing.

1. *The recent relaxation of land clearing rules also increases the risk of adverse consequences from sedimentation run-off*
2. *Land cleared in reef catchments increased by 229 per cent, from 31 000 ha per year in 2008–09 to 102 000 ha per year in 2013–14.*
3. *The 113.4 per cent increase from 2010–11 to 2012–13 coincided with the policy change to reduce compliance activities.*

Both the Federal and Queensland governments made promises to UNESCO to restore land clearing protections for the protection of the Great Barrier Reef. This is a major reason UNESCO did not list the GBR as endangered. Passing of this Bill is absolutely essential to ensure government promises are met and protection afforded to the reef.

- Vegetation clearing contributes significantly to carbon emissions and hence exacerbates climate change. Indeed, vegetation protection laws enabled Australia to meet its Kyoto Protocol target for emissions reductions. The graph below shows that the significant spike in clearing that resulted from the Newman governments legislation has driven up greenhouse gas emissions in Queensland contributing to global warming.



Delivering on the purposes of the Act.

All Queensland political parties are agreed on the purposes of the Act. These purposes are to regulate the clearing of vegetation in a way that—

- (a) conserves remnant vegetation that is—
 - (i) an endangered regional ecosystem; or
 - (ii) an of concern regional ecosystem; or
 - (iii) a least concern regional ecosystem; and
- (b) conserves vegetation in declared areas; and
- (c) ensures the clearing does not cause land degradation; and
- (d) prevents the loss of biodiversity; and
- (e) maintains ecological processes; and
- (f) manages the environmental effects of the clearing to achieve the matters mentioned in paragraphs (a) to (e); and
- (g) reduces greenhouse gas emissions; and
- (h) allows for sustainable land use.

From the information presented above it should be clear that the present legislation does not deliver on the purposes of the Act and hence needs to be changed.

Mandate

The committee must take account of the issue of mandate in relation to vegetation clearing legislation. The Neuman government never had major changes to vegetation clearing legislation as part of their policy platform when they were elected. Quite the reverse, Campbell Neuman stated categorically that they would not be changing the regulatory framework for vegetation clearing. In contrast to this the Palaszczuk government was elected with the clear stated intent of returning the vegetation management legislation that the Neuman government dismantled. Furthermore, it should be remembered that the 2004 amendments for a ban on broadscale clearing had bipartisan support in the parliament with support from both the Labour and Liberal parties. The committee must take account of the expression of the will of the Queensland people through the election of the Palaszczuk government.

Vegetation Management regulation was accepted and compensated for

The agricultural industry had accepted the vegetation management regulation system and been compensated for its introduction. Thus \$150 million was provided in enterprise/exit assistance to farmers and contractors. Agforce received \$8 million of this and stated "We're prepared to accept the Act as it is". Clearing of half a million hectares was also allowed via a ballot system. Agforce also stated that their members had adapted well to the Vegetation Management Act (ie the one prior to the changes made by the Neuman government).

These amendments would bring the legislation closer to restoring necessary environmental protections through adequate and reasonable controls on large scale land clearing.

Some myths and scaremongering

There are claims that this Bill would put a complete stop to development of agricultural land. The reality is that even under the old legislation 70,000ha/year was the lowest annual clearing. There are also many exemptions in the new Bill that will allow clearing. It is important to note that these changes will not affect farmers and the many admirable stewards of the land undertaking agriculture in a sustainable manner.

Concerns have been raised about retrospectivity. The Bill indicates that 17 March will be taken as the day from which the new rules apply if the Bill is passed. This is reasonable given the likelihood of panic clearing. Such panic clearing is obvious in the 1999/2000 period when legislation was passed but never enacted.

Concerns have also been raised regarding the deeming of the landholder as being responsible for any clearing on their property. This is equivalent to what happens under the traffic act where if your car is caught speeding you, as the owner, are deemed to be the driver. If this is not the case then it is just a matter of providing details of who was driving. The Bill being considered would work in a comparable way.

Those opposing this Bill do not provide viable, proper examples of what they claim are reasons the Bill should not be adopted. In contrast there is much evidence relating to environmental damage that provide compelling reasons to pass and enact this Bill.

Good aspects of the Bill

1. Removes the ability to get a permit to clear for so-called High Value Agriculture and thus stops large-scale clearing of remnant woodlands.

2. Restores protections for ecologically important regrowing woodlands ('High Value Regrowth') on freehold and Aboriginal land.
3. Restores protections for vegetation in riparian areas and extends provisions from some to all Great Barrier Reef catchments.
4. Removes the 'oops' defence of claimed mistaken clearing, and restores the *starting* presumption that a landholder is responsible for clearing that takes place on their property.
5. It makes much of the prospective legislation retrospective to 17 March in an attempt to deter panic clearing and panic applications.
6. Tightens the vegetation management framework for controlling land clearing in Queensland and thus delivers on sustainable land management and minimises land degradation.
7. Reinstates certain environmental offset requirements
8. Restores prosecution powers including deemed landholder liability.

Limitations of the Bill

The Bill retains the self assessment codes allowed in amendments made by the Neuman government. This is particularly worrying in relation to thinning. This code:

- provides no scale limit (not capped in any way to keep ecological risks within bounds),
- has no requirement to demonstrate prior thickening,
- 75% of forest cover can be removed with just thin strips remaining that are highly susceptible to degradation over time and of little value to most wildlife, and
- 18 endangered ecosystems can be cleared without any requirement for offsets.

Self assessable codes should only apply if clearing is small scale (e.g. less than 10 ha). Amendment of the codes is vital to ensure the objectives of the Act are met.

Too many exemptions are allowed. Exemptions should only be allowed if clearing is very small (<0.1 ha per property) and only if not a high value regional ecosystem and not habitat for threatened species. Purpose tests should be replaced with an ecological impact test.

Property Maps of Assessable Vegetation (PMVAs) should only be a mechanism to ground truth the accuracy of regulatory maps. There should not be a presumption that the areas are forever exempt even if environmental harm can be shown to be significant.

The Bill retains a static definition of High Value regrowth using a fixed baseline of 1989. This should be changed so it relates to the actual age of the regrowth using an age of 20 years.

Yours sincerely,



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