WBB ENVIRONMENTAL
VEGETATION MANAGEMENT SPECIALISTS

Research Director
Agriculture and Environment Committee
Parliament House
BRISBANE QLD 4000

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Dear Sir/Madam

On 17 March 2016, The Palaszczuk Government introduced *The Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016* (Reinstatement Bill). Tree clearing laws in Queensland have historically been a very contentious and polarising topic and one that which affects the lives of a very large number of Queenslanders.

I am an environmental scientist, based in the diverse and rich agricultural area of Bundaberg, who has specialised in the Queensland Vegetation Framework since 2006, the years 2006-2007 being spent as an employee at DNRM as a Vegetation Management Officer, assessing applications to clear regulated vegetation. Since 2008 I have operated my own business, WBB Environmental, specialising in Queensland's Vegetation Framework. I am well respected by stakeholders and DNRM alike.

The Reinstatement Bill is currently being considered through the parliamentary committee process and it is anticipated they will report back to parliament by 30 June 2016. If the Reinstatement Bill is passed in its current form, some changes to the vegetation management framework will be effective from the date the Bill was introduced (17 March 2016).

Under the current framework, clearing can only occur for a 'relevant purpose' as defined in S22A of the *Vegetation Management Act (VMA) 1999*. This includes to control non-native plants or declared pests, to ensure public safety, for thinning, for fodder, for clearing encroachment, for relevant infrastructure activities, for an extractive industry and for high value agriculture and irrigated high value agriculture.

The application process for all of these purposes requires the relevant State Development Assessment Provisions (SDAP) codes to be met (for native vegetation clearing – Module 8). For each of the above 'relevant purposes', the code requirements are virtually the same.

Clearing is defined as the actual action of removing the woody vegetation by cutting down, ring bark, push over, poison or destroy. All applications need to demonstrate clearing has been minimised and where possible avoided. Clearing must avoid wetland areas and watercourses, achieved by establishing a buffer zone within which clearing cannot occur, retained regulated vegetation needs to be of a sufficient size to remain in the landscape despite threatening processes, soil erosion must not arise as a result of the clearing of vegetation, clearing of any endangered and of concern regional ecosystems must be offset so no net loss occurs, essential

habitat needs to be retained to preserve habitat for important wildlife and acid sulfate soils must not be disturbed.

Since the introduction of the *VMA 1999* applications for subdivisions and buit infrastructure have been approved and many new roads have built with extensive clearing occurring under exemptions (with no assessment). In these instances, the native woody vegetation is removed and replaced with impermeable surfaces such as concrete altering environmental flows and processes occurring in any one given area. Applications for extractive industries have been assessed and approved. Extractive industries adversely alter the quality of the environment within which they are located.

Applications for high value agriculture (HVA) and irrigated high value agriculture (IHVA) are subject to the SDAP Module 8 code requirements just the same as for reconfiguring a lot (subdivisions) applications, material change of use applications, for applications for built infrastructure, thinning, fodder, weed control, plus high value agriculture and irrigated high value agriculture applications are subject to demonstrating land suitability for the chosen crop/s and provide business plans determining the likely economic viability of the proposed cropped areas. Financial viability is not required in applications for any other purpose. Not for extractive industries. Not for built infrastructure. Demonstrating land suitability is no small task. If DNRM soils mapping is not available, as is the case just north of Bundaberg, suitably qualitied persons need to be engaged to carry out extensive soil sampling and carry out very complex assessments against the relevant 'Regional Land Suitability Frameworks for Queensland', prepared by DNRM and DSITIA. Only the soil types that can be demonstrated to be suitable can be applied for, and some of these areas may not ever get to be cleared as the application still needs to meet the extremely rigourous S22A test and the SDAP requirements.

Incidentally the assessment of 'relevant purpose', land suitability and financial viability now form the assessment carried out to meet the S22A determination. Historically this assessment was carried out once an application was lodged with DNRM. Due to the shift to DILGP being assessment manager and lacking the skills to make this determination, the S22A process has been moved outside of IDAS timeframes and is a pre-requisite before an application can be lodged with DILGP, therefore a large chunk of an application is assessed before it can even be considered 'properly made' under the *Sustainable Planning Act 2009* and therefore fall under legislative timeframes (IDAS). DNRM assess S22A applications and provide a letter confirming that the proposed application is for a relevant purpose. This is then included in the application lodged with DILGP (assessment manager), with DNRM as the *technical advice agency* (assess SDAP requirements). This means that applications for HVA and IHVA, require a huge commitment from applicants before even getting to the point of being able to lodge an application. It also means that no fees are charged by DNRM in carrying out this assessment since it falls outside of legislative timeframes and is not recognised as a stand alone application.

The Reinstatement Bill proposes to remove the 'relevant purpose' of clearing regulated vegetation for the purpose of HVA and iIHVA. Any clearing of native woody vegetation inherently affects the functioning of a natural environment. Clearing for the relevant purpose of HVA and IHVA was introduced to enable clearing, in suitable areas, that is where soil type has proved to be suitable for the specified crop/s, where likely financial viability has been demonstrated and where the relevant State Development Assessment Provisions (SDAP) code have been met. Clearing for HVA or IHVA was not simply a notion of just get in and clear any old land. As outlined above, the application process for HVA and IHVA is rigorous and transparent. It is more rigorous than for any other 'relevant purpose'.

Agriculture could be argued to have the least adverse impact on the environment when compared to clearing woody native vegetation for built infrastructure (i.e. roads, buidlings, dams) and extractive industry. Agriculture retains living plants in the ground that utilise the soil, its nutrients and minerals, utilises water, carries out photosynthesis, and importantly plays an active role in ecosystem processes including sequestration carbon underground.

The introduction of HVA and IHVA has been one of the only economic and evenironemtally sustainable amendments that has been made to to the *VMA 1999* since its introduction. It allows for future growth of the agricultural industry in a regulated way and it seems unjustified to remove the provision to apply to clear for HVA and IHVA. The application process for HVA and IHVA is subject to a very stringent assessment process, a process that is far more stringent than for applications for any other relevant purpose, whilst provisions to clear for other 'relevant purposes', also result in the reduction of cover of native woody vegetation, still remain.

Since the introduction of HVA and IHVA as a relevant purpose, some very large scale applications have been approved, and the subsequent broadscale clearing reported. These applications highlighted some loopholes within the assessment process which have now been closed, resulting in the very rigorous and transparent assessment process undertaken by DNRM and DILGP in their assessment of all applications to clear for HVA and IHVA. The media has gone to great lengths to highlight the one or two incidences of these very large scale, and potentially inappropriate, uses of the HVA and IHVA provision. However, the majority of people wanting to utilise the provision to clear for HVA and IHVA only require to clear relatively small areas to expand current farming enterprises. These include areas as small as 2ha, an area equal to that which is assessed as being cleared for any new lot created in a reconfiguring a lot application, 2ha is also an area that meets some of the acceptable solutions for some of the SDAP Module 8 Performance Outcomes, 2ha is also an area that is made exempt for clearing under the routine management exemption in least concern vegetation. Other applications seek to clear larger, but not massive areas, for example <30ha.

Clearing for HVA and IHVA doesn't necessarily mean clearing large extents of remnant vegetation. It can mean clearing relatively small but valuable areas that significantly increase economic productivity of a very important Australian industry, agriculture without significantly adversely affecting the natural environment, which is our most important resource.

Agriculture is a very important industry to Queensland and Australia, both regional and metropolitan areas. Queensland's Government needs to support it and take every step possible to ensure it has a long, sustainable future both at the national and international level.

If you wish to discuss any of the issues please contact me on [redacted] or email [redacted]

Kind regards

[redacted]

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