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Submission No. 221

Research Director  
Agriculture and Environment Committee  
Parliament House  
BRISBANE  
Queensland ... 4000

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Brisbane ... 4068

21 April 2016

Dear Sir,

### **Submission on Vegetation Management etc Bill**

I am making this submission in my capacity as a retired regional planner with 15 years experience as convenor of a Bushcare Group. I am writing a book on sustainable land management and conservation of bio diversity in brigalow, mulga and channel country under the title *Bushcare : a Citizen's Audit*.

I strongly support the Bill.

My submission explains why I am concerned about land clearance; why it is important to reinstate relevant legislation and why I support specific provisions of the Bill. I also identify what I consider to be deficiencies in the Bill.

#### **I Why I am concerned about land clearance.**

I want to conserve the wonderful biodiversity of this state and I want to manage our land and water resources so that they can be passed on to future generations in a sustainable state.

Broadscale land clearance can cause :

- loss of biodiversity through loss of habitat
- erosion via the removal of deep rooted perennial plants which exposes topsoil to wind and water erosion
- sedimentation and pollution of river systems and marine environments
- the release of stored carbon thereby adding to the green house gasses which are causing climate change

Broadscale land clearance in Queensland has caused extensive land degradation and serious loss of biodiversity. For example McIvor tells us that :

" Substantial areas of the Burdekin are considered to be in poor condition leading to reduced productivity, reduced ground cover, increased weed spread, increased run-off, increased erosion, and increased nutrient loss from soils that are already relatively infertile.

This limits the productivity of the cattle industry and contributes to increased sediment discharge into the Great Barrier Reef. Increased sedimentation poses risks to reef ecosystems by shading out and smothering coral and seagrass beds as well as the tourism and fishing industries dependent on the Reef" (McIvor 2012, 20).

Writing some 40 years ago Gordon gives us a graphic appreciation of the impact of land clearance on the mammal community in the Darling Downs.

"The country has changed drastically ... Eucalypt woodlands remain only on steeper slopes and hilltops. The valleys and lower slopes have been cleared, dissected into small paddocks and converted into grassland and croplands. The water courses are often entirely denuded of eucalypt species ...

The present mammal fauna is only a small fraction of the original. The sordid rat ... has now vanished from the district entirely; small ground mammals are one of the first groups to suffer from the impact of stocking. Other small ground dwellers that probably also occurred such as the short-nosed bandicoot the rufous rat-kangaroo and the bridled nail-tailed wallaby have also disappeared. ... the swamp wallaby occurs in sparse populations on the occasional shrubby hills ... other wallabies that may have occurred here once, the red-necked wallaby and the black-striped wallaby are absent although both occur in less well developed country.

This pattern of mammalian extinction and survival will be repeated inevitably in any bush country subject to similar intensive development in the future" (Gordon, 1978, 110).

Clearly we must strictly regulate land clearance if we are to conserve bio diversity and maintain the condition of our land resources.

## **2 Why it is important to reinstate vegetation management legislation.**

Land clearance in the brigalow and eucalypt woodlands of Queensland was proceeding at extremely high rates in the 1980s and '90s. Seabrook tells us that clearance rates in brigalow country were among the highest ever documented - rivalling those in the forests of Brazil and other developing countries. He relied on satellite imagery to establish that in the 10 years from 1995 more than 1 million ha of trees were cleared in the Brigalow Belt alone (Seabrook et al, 2006, 374 & 380).

The potential for land degradation from land clearance on this scale alarmed commentators (Fensham & Fairfax, 2003, 417). Learned bodies such as the Royal Society of Queensland and the CSIRO alerted the public to the scale and adverse impacts of broadscale land clearance in Queensland.

Public alarm at the damage being done led ultimately to the Vegetation Management Act of 1999. In 2004 the legislation was amended. Implementation commenced in 2006 with a ban on broadscale land clearance.

This legislation was passed after a protracted period of public consultation. It incorporated many grounds for exemption and it came with a generous transitional package to minimise disruption or hardship to land owners. So there was a popular mandate for vegetation management and the legislation was carefully constructed after full public consultation.

This legislation was undermined by the Newman Government with blue sky exemptions and a move from conventional compliance measures to self assessable codes. As a consequence annual rates of tree clearance returned to the grossly unsustainable rates of the 1990s. Satellite imagery shows that some 300,000 ha of woodland were cleared in 2013 / 14.

The Newman Government did not secure an election mandate to undo the vegetation management legalisation. The Palaszczuk Government won a mandate to restore the vegetation management legislation at the 2015 elections. So this government has a mandate, and this parliament has a clear duty to the people of Queensland, to restore the spirit and intent of the original legislation.

This issue also effects our standing in the international community. Our governments (State and National) have relied on the environmental benefits flowing from the vegetation management legislation to win credits in climate change negotiations for reduced carbon emissions and to avoid censure for failing to honour international commitments to protect the Great Barrier Reef from agricultural runoff.

We have a moral responsibility to live up to these commitments.

### **3 Why I support specific provisions of the Bill.**

#### **a) Re: restoration of protections for high value regrowth.**

Extensive areas of woodland have been cleared across the pastoral regions of Queensland. The challenge now is to arrest this harmful practice. For all practical purposes high value regrowth has similar environmental value to undisturbed woodland. It should therefore be given the same level of protection.

Secondly we are going to look very foolish indeed if we allow the removal of regrowth now only to find that we will shortly be encouraging land owners to grow trees in order to sequester carbon emissions. I rely here on a recent CSIRO report which explores a variety of scenarios for Australia's development to 2050. What emerges from the analysis is that under plausible assumptions about carbon pricing large tracts of farming and grazing country could be devoted to forms of carbon farming with substantial improvements in farm income and significant benefits to habitat rehabilitation and species conservation (Hatfield-Dodds et al, 2015, 8 & S 5.1).

#### **b) Re : high value agricultural land.**

If I am not mistaken the Bill proposes that high value agricultural land be recognised as a 'relevant and allowable purpose' for which development approval could be granted. That is a sensible provision but one which should be used with caution.

The 'man on the land' and agricultural experts have been combing this state for more than 150 years looking for land with high agricultural value. The chances of discovering new tracts of such land must by now be slim. Care must be taken by legislators to ensure that this provision is not exploited to make a mockery of the spirit and intent of the legislation.

c) Re : protection of riparian zones.

If we want to protect local environmental values and maintain the health of downstream river and coastal environments we must protect water bodies and the land along drainage lines and water ways. Land owners should be required to comply with strict permit conditions if they want to do anything which will disturb these environments.

As indicated above we have been aware for a long time now of the adverse effects of agricultural runoff on the Great Barrier Reef marine environment.

The health of the Reef is critical to employment in central and northern Queensland. It forms an irreplaceable part of our national heritage. It is valued by people around the world as a natural wonder. It is listed as a World Heritage site.

I therefore strongly support the reinstatement of riparian zone control measures with particular reference to land management in the basins of the Burdekin, the Fitzroy and other rivers which flow into the Great Barrier Lagoon.

d) Re : various procedural matters.

The introduction and enactment of legislation on vegetation management brought to an honourable conclusion a lengthy process of negotiation and compromise between rural interests and the authorities. Those responsible for representing the public interest in the sustainable management of our natural resources made concessions.

The debate opened in the mid 1990s. Legislation was introduced in 1999. Every opportunity was given for consultation. Generous exemption provisions were written into the legislation which was not implemented until 2006. An adjustment package of some \$150 million was made available. Compliance operations were benign.

*I consider rural interests have acted in bad faith in pressing the Newman Government to radically amend the original legislation. The exemptions granted have seen clearance rates climb back to the levels which caused such a public outrage in the 1990s. A weak compliance regime has been further weakened with transfer of much of the responsibility for administering vegetation management from public officials to land owners via a system of assessable codes.*

Accordingly I not only support the restoration of the provisions which were undermined by the Newman Government. I also strongly endorse the removal from the legislation of grace and favour provisions on such matters as the onus of proof or the relevant date for the operation of the proposed legislation. Land owners should no longer be able to argue that they are not responsible for clearance on their properties. Land owners should not be able to exploit consultation periods to frustrate the intent of legislators.

#### **4 Deficiencies in the Bill.**

As an extension of the above I submit that the whole apparatus of assessable codes and Property Maps of Assessable Vegetation should be abandoned in favour of a conventional

vegetation management system with public officials responsible for protecting the public interest as established by legislation and established government policy.

If some variant of the PMAV system is to continue then the new legislation should expressly dismiss any notion that these establish land owner rights over vegetation. We should put to rest for all time any notion that land owners have enforceable rights against the wider community in relation to environmental management issues. We have seen what havoc such rights claims have caused to sensible water resource management in the Murray Darling Basin.

Finally I suggest that the high value regrowth benchmark be reformulated. If I am not mistaken the current benchmark year is 1989. Only trees established before then can qualify as high value regrowth. That means that more recent regrowth can never qualify as high value regardless of age. It would be more appropriate to set the benchmark with an age cut off rather than specify a particular calendar year.

### **Other matters**

I am attaching signatures and details of 6 persons who are joining with me in making this submission

I would appreciate an opportunity to appear before the Committee at its forthcoming hearings to elaborate on my submission.

Signed :



(DES HOBAN)

### *References :*

- Fensham R J & Fairfax R J, 2003, *A Land Management History for Central Queensland, Australia as Determined from Land Holder Questionnaire and Aerial Photography*, in The Journal of Environmental Management 68 (2003) : 409 - 420.
- Gordon G 1978, *The Bush : Here, There and Everywhere*, in Lavery H J, ed, 1978, Exploration North : Australia's Wildlife from Desert to Reef, Richmond Hill Press, Richmond, Victoria.
- Hatfield -Dodds et al, 2015, *Australian National Outlook 2015: economic activity, resource use, environmental performance and living standards : 1970-2050*, CSIRO, Canberra.
- McIvor J, 2012, *Sustainable Management of the Burdekin Grazing Lands*, Dept. of Agriculture, Fisheries and Forestry, Brisbane.
- Seabrook L, Mc Alpine C & Fensham R, 2006, *Cattle Crops and Clearing : Regional Drivers of Landscape Change in the Brigalow Belt, Queensland, Australia, 1840 - 2004*, Landscape and Urban Planning 78 (2003):373 -385.

# ATTACHMENT TO HOBBS SUBMISSION

We the undersigned support Des Hobbs submission  
on the Vegetation Management (Reinstatement) and  
Other Legislation Amendment Bill. ~~and to~~

Signed:

Karl Goodell

Upper Brookfield, QLD, 4069.

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