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Research Director
Agriculture and Environment Committee Parliament House
BRISBANE QLD 4000

vminquiry@parliament.qld.gov.au

To Whom It May Concern,

LGAQ Submission – Vegetation Management (Reinstatement) Bill 2016

Thank you for the opportunity to provide input to the above inquiry. As a membership organisation representing the interests of the 77 local governments of Queensland, it is important that we appropriately engage with our members to inform our work, including submissions on important matters such as the *Vegetation Management (Reinstatement) Bill 2016* (Bill).

Unfortunately due to:

- the number of Acts amended as part of this Bill;
- the complexity in examining the potential implications of the proposed changes on the diverse range of local government activities and specific scenarios the Acts apply to across the state;
- the need to consider the regional economic development contexts in which local governments are engaged; and
- the timing in relation to local government elections;

the length of time provided for comment was inadequate to enable appropriate engagement with members. As a result comments are limited to the consideration of the implications of the Bill on the broad operations of councils that involve vegetation clearing (see attached comments for specific clauses for details).

Notwithstanding, the consequential amendments to associated regulations, codes and guidelines will determine the full extent of changes and implications for local government. The Local Government Association of Queensland (LGAQ) requests that the committee recommends at least 3 months consultation with local government to ensure no adverse impacts to local government's ability to undertake activities facilitating community services and safety. Discussions are also requested to consider the reduction of negative impacts on regional economic aspirations.

Should you wish to discuss any aspect of this letter, please don't hesitate to contact Ms Dorean Erhart, Principal Advisor – Natural Assets, NRM & Climate Change [REDACTED]

Yours sincerely,

[REDACTED]
Greg Hoffman PSM
GENERAL MANAGER – ADVOCACY

VEGETATION MANAGEMENT (REINSTATEMENT) BILL 2016

LGAQ COMMENTS

CLAUSE	COMMENT
4	<p>22A(2)(b) necessary to control non-native plants or declared pests;</p> <p>This clause overlooks the occurrence of native invasive plants and animals that are managed by State and local governments and private landholders.</p> <p>To ensure the unimpeded management of native invasive species, the LGAQ recommends the inclusion of wording consistent with wording in the SPA:</p> <p>In addition to (b) include the sub-clause:</p> <p><i>'for compliance with a relevant Biosecurity Plan under the Biosecurity Act 2015'</i></p>
6	<p>67A (1) and (2)</p> <p>Illegal clearing of vegetation on land under local government control is an ongoing issue faced by many councils. Due to the wide distribution of land under its management and the lack of capacity for direct observation of sites, local governments face enormous difficulty in establishing evidence to support the identity and details of illegal clearing activity.</p> <p>This amendment unreasonably places local government at risk where they are the 'occupier' under a lease and vegetation is illegally cleared by a third party.</p> <p>The LGAQ seeks the inclusion of a clause that exempts local government from liability.</p>
11	<p>Schedule 1, 4.</p> <p>The wording is unclear in conveying the stated intention in the Explanatory Notes to prohibit broadscale vegetation clearing in High Value and Irrigated High Value Agricultural areas only. The proposed wording could easily be misunderstood to also capture other land uses.</p> <p>The LGAQ seeks clarification on the scope of this clause.</p>
13	<p>Chapter 2, Part 8 Riverine protection</p> <p>Error in Bill: Refers to Part 4, not Part 8</p>
14	<p>266</p> <p>Error in Bill: Refers to Section 218, not 266</p> <p>266(1)(a)</p> <p>Notwithstanding any exemptions that may be provided under a code or guidelines, this amendment has the potential to significantly impact local government activities such as the construction and maintenance of necessary built infrastructure. In particular, local governments that span large geographic areas will be particularly affected.</p> <p>For example, road crews and pest management crews must drive hundreds of kilometers to reach an area and will often stay away from home for up to two weeks while working in remote locations of their local government area.</p> <p>Without an exemption for local government activities, council will need to send</p>

	<p>staff to a remote location to gather information required for a permit, submit the permit application, then send the crew out to do the work. This will increase costs, loss of staff time for other works and timeframes for the delivery of essential services such as the reinstatement of essential roads in remote locations.</p> <p>The LGAQ maintains that local government activities must be exempt and requests adequate consultation with local governments to ensure the potential implications and additional costs are avoided.</p>
15	<p>268</p> <p>Error in Bill: Refers to Section 220</p> <p>Error in Bill: Should be (h), (i), not (i), (j)</p>
18	<p>814 (1)</p> <p>Error in Bill: Section 814(1)(a) refers to Section 221 which relates to expired water licences. Should it refer to Section 266?</p> <p>814 (2)</p> <p>As currently drafted, this clause does not provide exemption for local government activities, resulting in significant resource and inefficiency implications.</p> <p>The LGAQ recommends the amendment of S814(2) to include items (a) to (j) of Section 22A(2) of the <i>Vegetation Management Act 1999</i>.</p>