



25 April 2016

To: Inquiry Committee, Vegetation Management Act

Cc: Etheridge Shire Council, Gulf Cattleman's Association

RE: *Vegetation Management (Reinstatement) and Other Legislation Amendment Act 2016*

Thank you for the opportunity to comment on the proposed amendments to the Act.

The Northern Gulf Natural Resource Management Group is a community-led, non-profit organisation concerned with the people and environments of our regional area.

The Northern Gulf region encompasses the catchments of the Norman, Gilbert, Staaten and Mitchell river systems, covering a land area of approximately 196,000 km².

Our Northern Gulf Regional Plan and delivery programs support healthy and productive country, viable communities, and sustainable industries. We work from the paddock to the regional scale to address issues that require a long-term, holistic perspective. Our approach enables community and landcare activity to better address strategic issues of national importance.

As administrators of both State and Commonwealth government funding programs over the past two decades we have developed strong working partnerships with the people and industries that support this natural and cultural landscape.

Contested views and differing opinions are in many ways the sign of a healthy discourse about the region's future. We have plenty of experience with polarised debate.

In this context, our underlying concern with the proposed amendments is that they appear to be little more than re-establishing a previous policy mindset. The amendments do not make a substantive improvement over a regrettable pendulum swinging between the clichéd extremes of pro-conservation or pro-development. To the extent that this view is accurate, we feel the Government is missing an opportunity to significantly improve on vegetation management in Queensland. And improvement is much needed.

There is no rational defence for the extreme versions of both pro-development and pro-conservation ideology. Continuing to support a zero-sum exchange between these extremes will continue to deliver poor on-ground outcomes for the environment, economy, and community. We've got no time to waste on an outdated, indefensible, ideological contest.

We suggest that what is needed is a creative re-think of how to approach the mutually dependent outcomes for healthy landscapes, healthy communities, and healthy economies. Unfortunately, in such a complex space, legislation is often the bluntest of instruments that can be chosen to effect policy. Although the Act was a hard-won victory for the environment in the late 90's, and provided a much-needed barrier to unrestrained development, times have moved on.

We suggest that the amendments could be an important opportunity to sharpen a blunt instrument into a more useful tool for policy realisation. As a contribution toward this goal, the key questions we ask are:

1. **Is legislation the best tool for this job?** Legislation is one of several methods government can use to implement policy. How efficiently does the legislation support policy intended to safeguard our ecosystems from both large-scale speculative clearing and the cumulative impacts of small scale clearing? Has the government commissioned a critical review of the legislation in both pre- and post-Newman versions? As part of these amendments, we suggest that a modest, yet meaningful mechanism to impartially evaluate the legislation's effectiveness be commissioned and resourced. There are existing policy research and productivity groups who could be tapped for this.
2. **Are there proper compensation arrangements between public and private interests?** The general public has a concern to protect ecosystem function and environmental integrity. Primary producers have invested private resources in the expectation of earning a return from the land under their management. Does the legislation properly respect and fairly compensate private interests where the right to economic opportunity is diminished in the public interest? Do private interests contribute fairly to the overall health of the ecosystems that support their livelihoods?
3. **Is the legislation adaptive and sensitive to local conditions?** Species and habitats that are rare in one part of the State can be common in another. Resources that must be carefully rationed in one catchment can be quite abundant in another. How have the State's experts decided on their rankings for protection? Is the prioritisation methodology transparent and validated with recent on-ground data? Looking forward, what measures have been built into the legislation to ensure that it is resilient as economic and environmental conditions change? Are there explicit connections to survey, census, and monitoring programs that will trigger informed reviews of the legislation on an appropriate timeframe? Generally, what mechanisms in the legislation are used to ensure that the vast economic and environmental differences across the Queensland landscape are factored in to the regulatory and permitting framework that the legislation enables?
4. **Does the legislation recognise differences in economic scale?** Is the legislation appropriate across scales of enterprise? Does it encourage equitable outcomes for the

small family operator developing a few hundred hectare as well as offshore investors who propose to clear hundreds of square kilometres?

5. **Is the legislation up to date?** Are there better policy alternatives to this (1999 era) legislation, given improved understanding of ecosystem processes, more sophisticated farming and grazing technologies, and a growing emphasis on systemic landscape and community resilience? Are there better models that can be considered from other states or informed through international experience?

These questions capture many of the fundamental objections our members have with the legislation. Given our severely restricted budgets and time constraints, we cannot offer more in-depth comment or propose answers. Given an opportunity, we would gladly contribute further.

Specific Stakeholder concerns

Within the scope of this brief response, we can underline the following concerns that have been identified in prior consultation and engagement efforts:

Woody thickening. Woody thickening of vegetation is occurring across the dryland savannah of north and western Queensland. This woody thickening competes with the desirable pasture species which underpin the productivity of cattle operations. Thinning and removing this thickened vegetation is a legitimate management activity associated with a sustainable cattle property. *We support maintenance clearing of existing paddocks.*

Small-scale irrigated pasture. Irrigated pasture can be a valuable tool in developing a drought proof, diversified, and viable beef business. This form of development can deliver a compelling environmental outcome as it enables beef producers to make use of alternatives to native pasture, and therefore allowing pastures to rest and regenerate. *We support the development of small-scale irrigated pasture on good land, especially where it complements improved soil conservation, riparian protection, and economic diversity.*

Broad-scale clearing needs appropriate regulation. While broad scale clearing for irrigated agriculture should be regulated, this regulation should be region-specific. This approach protects environmental values while not impeding emerging agricultural development. Large-scale agricultural enterprise has the potential to provide much needed infrastructure, employment and economic diversification to the disadvantaged communities and sparse economies of our region. Large-scale development is also a large risk. Science and economics have consistently shown that this region poses tough challenges. The risk of failure is significant. Historically, local communities are the ones left to bear the environmental burdens of failed development schemes. *Within these cautions, we recognise the importance of appropriate agriculture where it maximises local benefit and minimises the risk of catastrophic environmental degradation.*

Permits need to be appropriate. If a permit system is to be re-introduced, we support changes to the assessment process to ensure that it is simple, fair, and affordable. Current state government application and referral fees can be expensive, creating an undue burden on small family-run properties already struggling on low margins. *We recommend that application fees be set in a contextually appropriate manner using common sense to guide the fair exchange between primary producer and policy administrator.*

In summary, we are concerned that the proposed changes to this legislation simply re-sets the ongoing conflicts over appropriate land use to the other side of an unproductive pair of extremes. A simplistic reversal of the previous government's excessively pro-development posture misses an important opportunity to move policy to a more integrated, emergent position where the inextricable, complementary, and dynamic linkages between landscape health, community health, and economic health are installed as a foundational philosophy.

- We believe there is an essential role for **local expert input** to the decision-making process so that current regional context is always used as a reference point at the policy implementation stage.
- We believe there is a critical role for a **non-partisan, honest-broker mechanism** to mediate contested proposals on a case-by-case basis to ensure that consistency of intent is realised more efficiently than through static, one-size-fits-all legislation.
- And we strongly support funding for **monitoring, evaluation, and research** to deepen our understanding of how the landscape can be nurtured toward maximised productivity in all aspects of its function; commercial, biological, and cultural.

These issues present are an opportunity for us to provide policy-makers with valuable intelligence. Our regional communities share profound common interests and are hungry for better narratives and opportunities to thrive in their landscape. Consultation, enabled through organisations such as ours, can surface insights and alternatives that will not occur otherwise.

Finally, we would like to recognise the Government's efforts to reach an equitable, sustainable policy around vegetation management and we thank you for the opportunity to comment.

Kind regards,



John Brisbin, Chair

