

Research Director
Agriculture and Environment Committee
Parliament House
BRISBANE QLD 4000

by email to: vminquiry@parliament.qld.gov.au

Dear Sir/Madam

**RE: The Queensland Vegetation Management (Reinstatement) and Other Legislation
Amendment Bill 2016**

I have been directed by the State Council of the Wildlife Preservation Society of Queensland (Wildlife Queensland) to write to the Agriculture and Environment Committee to offer comment for consideration on this Bill.

Wildlife Queensland is one of the longest established and most respected wildlife-focused conservation groups in Queensland. With over 6500 supporters spread across branches throughout the State with supporters interstate and overseas, Wildlife Queensland is a strong voice for our wildlife and its habitat. Wildlife Queensland is apolitical. Our aims include preserving the flora and fauna of Australia by all lawful means, educating the community in an understanding of the principles of conservation and preservation of the natural environment and encouraging rational land use and proper land planning of existing and future development and the use of the natural environment and its management.

Wildlife Queensland appreciates this opportunity to provide comment on the proposed legislation. Wildlife Queensland will focus on issues of particular concern to our Society. Failure to comment on certain aspects should not necessarily be construed as support for such matters. Also there are aspects that other organisations are more qualified to comment on.

Wildlife Queensland welcomes this legislation and acknowledges that the Palaszczuk Government is fulfilling yet another of its election commitments. This legislation does not prevent clearing but rectifies in part amendments to vegetation management legislation introduced by the Newman Government.

It is our understanding that the purpose of the legislation will:

- reinstate a responsible vegetation management framework to more effectively manage vegetation clearing in Queensland thereby reducing clearing rates and consequential carbon emissions;
- protect high value regrowth on freehold and indigenous land;

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- guard against excessive clearing of riparian vegetation, especially in the Great Barrier Reef catchments;
- amend the Water Act 2000 (Water Act) to reinstate the application of the riverine protection permit framework to the destruction of vegetation in a watercourse, lake or spring;
- amend the Environmental Offsets Act 2014 (Environmental Offsets Act) to reinstate environmental offset requirements that ensure adequate conservation outcomes for prescribed environmental matters; and
- remove the defence of claimed mistaken clearing and reinstates that landholders are responsible for clearing that occurs on their holding or holdings.

Naturally the legislation could be stronger from Wildlife Queensland's perspective but at least it is a step in the right direction. The Bill fails to correct the purpose tests that should be replaced by ecological impact statements, there is need to address the self-assessable codes to ensure ecological risk is kept within boundaries and the fact that unlimited areas can be thinned with bulldozers. However this Bill if enacted will commence to address the balance required among society needs, sustainable ecological development and environmental needs. Unfortunately the balance has yet to be achieved and there is still a long way to go as current approaches and strategies are not protecting our biodiversity that is still in decline.

It is for this reason that Wildlife Queensland strongly supports this Bill as it will assist in affording protection to our biodiversity. Without question broadscale vegetation clearing results in extensive loss of wildlife habitat. Not only does the wildlife suffer but the clearing process usually contributes to soil erosion that in turn leads to increased sediment load in creeks and waterways and a down grading of water quality with all the negative impacts for the environment. Back in the 1990s the Governments of the day appreciated that this practice of broad scale clearing had to be modified and in 2004 guidelines were further refined. Clearing was not prevented but the enhanced guidelines and significant financial assistance provided to the rural industries saw a significant reduction in vegetation clearing rates. In 2009/2010 clearing had been reduced to approximately 78,000 ha compared to about 500,000 ha back in 2003/2004. However during the Newman Government's term unfortunately the vegetation management laws were substantially weakened and broadscale clearing has again escalated with reports of around 296,000ha of clearing occurring in 2013/14. Of most concern is the significant increase in the clearing of remnant vegetation from about 34,590ha in 2011-2012 to over a 100,000 ha in 2013-2014. Granted some of that clearing may have been illegal but a review of recent history clearly shows for that prosecution of wrong doers are few and far between. Certainly this Bill will strengthen the purpose of the Vegetation Management to conserve and protect certain remnant vegetation.

There is also a need to protect regrowth with high conservation value. There is about 700 000 ha of such regrowth that prior to the amendments under the Newman Government was protected. This Bill will reinstate that protection. Unfortunately damage has occurred in the interim.

This Bill will play a significant role in ensuring protection of the riparian vegetation in catchments that impact the Great Barrier Reef. Protecting the riparian vegetation will reduce the sediment

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and nutrient runoff from catchments and it is well recognised that deteriorating water quality has been and still remains a major threat to this iconic natural wonder. The management of the Great Barrier Reef is still attracting international interest and the threat of this World Heritage Property being listed as “in danger” has not dissipated entirely. The management performance of both the Commonwealth and Queensland Governments is still under scrutiny by UNESCO and rightly so.

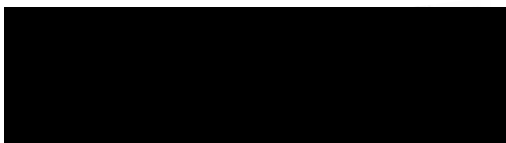
The reinstatement to provide offsets for any residual impact on prescribed environmental matters rather than only significant residual matters is most welcomed. A product of such a requirement will also contribute to a much needed reduction in carbon emissions.

In most circumstances Wildlife Queensland would object strongly to legislation adversely affecting the rights and liberties of individuals but not in this case. Wildlife Queensland would have preferred a moratorium on clearing until the fate of this Bill was known to prevent the panic clearing that has occurred in the past when changes to vegetation management legislation were being considered. The retrospective commencement from the date of the Bill being introduced into the House largely allays our concerns.

Wildlife Queensland also welcomes that the fact that the defence of a mistake of fact no longer will apply under the Vegetation Management Act should this Bill be enacted. However there are other organisations far more qualified to comment on this.

Wildlife Queensland urges the Committee to consider the benefits that will flow to the environment and its wildlife. Vegetation clearing is not being stopped. This Bill merely restricts inappropriate methods, activities and reasons for broadscale clearing. Published research undertaken by R. C. Deo *et al* 2009* shows strong correlation between loss of tree cover and regional drought incidence and severity. Wildlife Queensland strongly advocates that the Bill is recommended to be passed by the Committee.

Yours sincerely

A black rectangular box redacting the signature of Des Boyland.

Des Boyland, Policies and Campaigns Manager

29th April 2016

*R. C .Deo, J. I. Syktus, C.A. McApline, P. J. Lawrence, H. A. McGowan and S. R. Phinn (2009). Geophysical Research Letters, Vol 36, Lo8705, doi:10.1029/2009GL037666,2009.