

From: [REDACTED]
To: [Agriculture and Environment Committee](#)
Subject: Wildlife Q'ld Submission on Vegetation Management Amendment Bill 2016 Part A
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29th April 2016

Research Director
Agriculture & Environment Committee
Parliament House
Brisbane Q 4000

Dear Sir
Submission on Queensland Vegetation Reinstatement and other Legislation Amendment
Bill 2016

Submitted and by Authorized by Wildlife Q'ld Gold Coast & Hinterland Branch
[REDACTED]
Southport 4215

Herein find the policy response from Wildlife Q, Gold Coast & Hinterland Branch, and organization formed more than half a century ago, by eminent Australians and Internationally recognized Conservationists, such as Dr David Fleay, Judith Wright and others. Our Organization is based on Volunteer Service in what is the sixth largest and most biodiverse City in Australia.

Our reason for being is to protect the remarkable and non-replicable Australian natural heritage.

Please note that our ethos and intent is altruistic, not self interest or gainfully motivated. The importance and veracity of our Submission are supported by this.

We also belong to an Organization that has long been widely respected and consulted and which bases its policies and submissions on evidence based, scientifically verified, peer assessable data. The importance and veracity of our Submission are supported by this.

WQ GC&H offers its strong support for the introduction of this Bill, which in large part addresses the greatly reduced protection of our native vegetation and biodiversity, which protection was removed by the Vegetation Management Framework Amendment Act 2013. This Act made substantial changes to the Vegetation Management Act 1999 (Q'ld) and the Sustainability Planning Act 2000 (Q'ld) concerning vegetation protection and management.

We record on public record the following points:

1 In 2014 Wildlife Q, GC&H Branch placed on public record, in a submission to the former Government that the dismantling of the existing Vegetation Legislation was scientifically insupportable.

It was also, we stated, directly contradictory to the Westminster Separation of Powers, as the direction of the Legislative intent was indicated with a strongly inflexible tone and the expectation was strongly evident that the executive should formulate justifications, rather than the correct practice of an intent of Legislation indicated and then subsequently supplied with independent, expert advice to guide and ethically enable.

Thus the dismantling, our Society affirmed, the untenable result of less than best practice consultation and the public submissions that endorsed its direction were largely based on assertion rather than empirical data.

Formidable, we cited, was the omission of duty of care. These conclusions were placed on public record, particularly intended a observations should there be an Inquiry or Royal Commission.

2 Wildlife Queensland also placed on record " Agriculture already occupies 60% of the Australian landscape. Governmental assistance and the insistence of sustainable use of this existing resource is important, not further clearing and alienating of the natural systems that support agriculture. Ironically, increased land clearing puts this industry at risk, via drought, for instance, as rainfall decreases transpiration, provided by forests decreases."

3 It is gravely important to reinstate the prior Legislative regimen. Apart from consideration of the widespread and tragic fauna and flora loss, which undoubtedly was aided, in the most biodiverse State in Australia, by the dismantling of the prior protective Legislation, we risk International censure and economic loss, as well as the ecological diminution, if this and retrograde and simplistic Legislation remains.

4 Our State Emblem and iconic native creature, which symbolizes Australia, has just been declared vulnerable Statewide.

Loss of habitat, which was so mistakenly aided by this now to be amended Legislation, was a significant means of contributing to this decline.

On the Gold Coast, about to be a centre of World attention, as the City hosts, on behalf of Queensland and Australia, the Commonwealth Games, focus will be on the koala emblem of those Games, a motif chosen after wide public participation.

However on the Golden Coast, the decline of the Local koala population is at a critical stage. Large tracts of Coastal lowland vegetation are being smashed daily and the Coomera Conservation Group, based in East Coomera reports thus-"We have been daily shocked at the rapid destruction of important koala habitat in our area. We are now seeing koalas dead on our roads, climbing light poles, dehydrated, starving, diseased or just lost and disorientated">

There were efforts to evacuate koalas from the area but many remain.

International notice already occurs, to our detriment. National Geographic focussed recently on the startling decline of Australian koalas.

Failure to rectify the backward Legislation, introduced by the Newman Government, which saw the clearing in 2013/2014 of almost 300,000 hectares of native woodlands, and area approximately the size of Samoa, and action which decimated yet more habitat of species at risk, such as the koala....failure to rectify this ill-advised legislation would not only be unethical, it would obviously be, as the World focus is on our custodianship of the Barrier reef and our hosting of the Commonwealth games, very unwise.

WQ GC&H supports the reinstatement and acknowledges the efforts of the Government and those members of other parties and those independents who vote with them.

5 However, we reference the fact that the Vegetation Legislation has offered less protection, historically, in the natural heritage placed within urban areas.

Professor Hugh Possingham has stated that the vegetation of South East Queensland, in planetary terms, is a priceless rarity. This is because it exists in Australia, an isolated continent where natural systems developed independently, and, further it exists in an

overlap of cool temperate and warm subtropical regimes, which generated remarkable and prolific systems.

However extensive and often intensive urbanization has meant there are often small of rapidly diminishing, disconnected examples of the differing vegetation systems and the fauna they shelter.

For this reason it is imperative to remove the 2013 change to the Legislative Requirements, whereby exemptions for clearing are not required, if the Lot were 5 hectares and under a development approval for a material change of use. Previously this was 2 hectares. Because of the situation of the city, with regard to the Overlap cited above, these urban pockets and natural spaces often house important and multiple life forms.

All regional ecosystems in urban areas, because they may well be stationary arks, are vital refuges in an increasingly surrounding urban "sea" and should require assessment and are deserving of the highest level of protection.

6 Self Assessable Codes

Even after prior inclusive Consultation, at the time when the Vegetation legislation was first instituted, when political leaders gave bi-partisan agreement, when financial concessions were given, and taken, and when an assumption of modern best practice was permanently in place-it was clear that when reckless and deleterious pre-emptive clearing, which exceeded any widespread clearing ever seen before, self assessable, self governing regimens would be untenable.

Self Regulation has not had significant success in many fields of human endeavour but in this critical area, self assessable should clearly not apply, with its inherent risk of loss of our shared biodiversity and the risks of adding to Australia's already high list,

Per S. Spain President Wildlife Q'ld Gold Coast & Hinterland Branch



From: [REDACTED]
To: [Agriculture and Environment Committee](#)
Subject: Submission Part B - Gold Coast & Hinterland Branch of Wildlife Q"ld
Date: Friday, 29 April 2016 7:28:27 PM

Submission on Queensland Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016

Part B

Wildlife Queensland, Gold Coast & Hinterland Branch offers its support for the above Bill and includes the following commentary:

- 1 Monitoring, Compliance, Prosecution, Responsibility for Clearing activity by the Landholder and procedures for early detection of clearing are all necessary adjuncts to this Reform. There can be no non-culpability exit/excuse clause and no "self assessment when 89, out of our shared heritage of 1383 Regional ecosystems are endangered due to Land Clearing and 531 are of concern.
- 2 High Value regrowth must be protected to help prevent loss of biodiversity. The Draft Biodiversity Strategy 2010 identified that "Almost half the species living in Queensland are found nowhere else in the world. Queensland is home to 72% of Australia's birds, 85% of its mammals and just over half of its native reptiles and frogs. More than 12000 plant species grow in Queensland."

Prior to the Newman Government 50 new plant species a year were found in Queensland. many with unknown properties, potential and roles in the interconnectedness of species. However, the retrograde changes in plant protection legislation in Queensland, under the above past Government, paved the way for many of these potential flora to be lost before they were ever found.

Regrowth Protection is now more than ever important, especially as there may now be no other way for some plants to re-establish and then sustain their tenuous presence and, critically, for endangered and threatened ecosystems to move to a lower threat status.

One grassland Regional Ecosystem (12.8.27) near Ipswich exists only as regrowth and, unless regrowth protection is given, via legislation, is vulnerable to extinction.

Other systems may follow unless regrowth is given the status it deserves and this is especially necessary to ameliorate years of destructive and dangerous, wholesale, broadscale clearing and incessant thousand cuts of localized clearing.

- 3 Newman Government clearing relaxation of regulation, in the Great Barrier Reef Catchment, was instrumental in causing massive increases in sediment run-off. Commendations to current proposals to rectify this critically important issue. The great living Reef did not need further exacerbation of its already critical situation--and anyone opposing the current Legislative endeavours to rectify this is culpable.
- 4 With regard to exemptions the word "purpose" should be replaced by "ecological impact." Exemptions should be allowed on a very small scale and only if outside areas with threatened species, threatened ecosystems or land degradation issues

We cannot, as a Society, afford to tolerate clearing as a result of myths, myths which help to destroy the systems we all share and depend on- myths such as "it's my land and I'll do

what i like with it"" (including destroy natural systems, cause rainfall loss, initiate erosion, lose carbon sinks and alter climate, while sheep and cattle are confined to stand in merciless heat, without shade, or wind shelter, on vast denuded landscapes0.

Some of our bio regions have lost over 50% of their native vegetation (Draft Biodiversity Strategy 2010). Also 70% of our natural habitat in Eastern and South Eastern Queensland has been lost to clearing. Pre cautionary principle and a very narrow gateway for exemption should apply.

5 Commendably this Bill, in line with obligations for Sustainability, will limit the denuding of landscape and the topsoil loss caused by large scale clearing of valuable rain and oxygen generating, topsoil stabilizing, remnant woodlands. These, under the previous Government, could be cleared under the auspices of the ill-defined and unsubstantiated "high value agricultural land " clearing loophole. ironically, as has been cited, prior massive clearing has undeniably contributed to the devaluing of agricultural land.

Further the Bill, to the benefit of the environment and agriculture intends to restore Riparian protection.

Also, again, commendably, the Bill proposes retrospective powers, so that their is no repeat or the reckless and disgraceful pre-emptive clearing, which preceded the original Vegetation legislative protections now proposed to be restored

Further the onus of responsibility is now on the Landholder and custodianship, as it should be.

6 This Bill supports the concept that Climate Change is not a faith but a fact. The original modification of Queensland's vegetation clearing loss was part of the Kyoto Protocol and contributed to Australia's target. Belated reconstruction of this, via Legislation is very necessary. Loss of carbon sinks puts lives and communities at risk. Clearing is not an isolated at with no planetary consequences.

7 Improvement of natural landscape urban protections is supported by this Organization.

A few of a multitude of examples, locally, from Gold Coast City, the most bio-diverse City in Australia, include the remarkable number of separate species of mangroves found at Jabiru Island during the successful campaign to save it from becoming a carpark; the locally valuable regrowth found, adjacent to Black Swan Lake at Bundall Racecourse and the forty species of Birds cited at the black Swan Lake, when it was saved, also, from becoming a carpark; as well, the Coomera Coastal lowlands, mentioned prior, wherein the koala is a flagship species, signalling the presence of many other native species.

Of great import, and deserving of legislative protection, is the highly important areas, on occasion subject to ill-advised clearing, that are on the periphery of the World heritage Springbrook area and contribute to and often replicate its extraordinarily valuable biodiversity.

8 It must be noted, in support of this Legislation that the Government which thought it up was swept from power, not in the ordinary way of a periodical changing of the political landscape but by the loss of its overwhelming majority.

A negative community response to the policy manifested in the Legislation now proposed for reform cannot be dismissed as one of the causal factors for the unprecedented loss of that huge majority and, thereby, the Governance of Queensland.

The peculiar logic of the legislative effort that supported the unnecessary vandalism of

our Australian heritage is illustrated in the following, a statement from this antediluvian legislation, which the current Government has the onerous task of dismantling--"If the application involves the clearing of endangered or of concern ecosystems the applicant must show the nature and extent of anything proposed as well as (that?) clearing will have a significant beneficial effect on the biodiversity value of the land (?)"

It shouldn't be too difficult to dismantle this Legislation.

What is difficult, or impossible, is to replace or ameliorate what was lost during its brief but destructive existence.

What would be difficult, would be to take up a foolish rear guard defensive position on its behalf, and try to justify that such legislation could be promulgated or countenanced, anywhere in Australia in the 21st century.

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