



28 October 2013

Mr Rob Hansen
Research Director
Agriculture, Resources and Environment Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Hansen,

Re: Inquiry for the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013

AgForce is the peak lobby group representing the majority of beef, sheep and wool, and grain producers in Queensland. AgForce represents around 5,000 members and exists to ensure the long term growth, viability, competitiveness and profitability of these industries. Our members provide high quality food and fibre products to Australian and overseas consumers, manage approximately 50pc of Queensland's land area and contribute significantly to the social fabric of rural and remote communities.

AgForce thanks the Agriculture, Resources and Environment Committee for the opportunity to make a submission to the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013 (the Bill). AgForce would like the Committee to note that this submission will only make comment on the sections of the Bill relating to proposed amendments to the *Vegetation Management Framework Amendment Act 2013* (VMFAA).

In the last five months, AgForce has raised concerns with the Department of Natural Resources and Mines (DNRM) in relation to sections of the VMFAA and the proposed application of these sections through the associated codes and regulations. AgForce has also participated in the DNRM's Vegetation Management Reforms Industry Working Group (IWG), where these concerns were consistently raised by all industry groups present.

Specifically these concerns included, but were not limited to:

Section 22DAB Requirements for making an application

2(d): details about how adverse impacts of the clearing will be minimised or mitigated, and

3: Also, if the application involves the clearing of native vegetation in an endangered regional ecosystem or in an of concern regional ecosystem, the plan

must show the nature and extent of anything proposed to be done as well as the clearing that will have significant beneficial impact on the biodiversity values of the land.

and,

Section 22DAC Matters for deciding application

1(e): adverse impacts of the clearing will be minimised or mitigated

1(i): if section 22DAB(3) applies, the nature and extent of anything proposed to be done as well as the clearing will have a significant beneficial impact on the biodiversity values of the land.

AgForce has outlined our concerns with each section below.

Section 22DAB (3) and 22DAC 1(i) - significant beneficial impact on biodiversity values of the land (SBI)

Importantly, the VMFAA failed to define either *significant* or *beneficial*, nor have definitions been proposed in the following five months of development. This left the development of the codes and regulations to meet the SBI requirements in the VMFAA open to ambiguity and duplication.

In fact the process originally proposed to the IWG mirrored that of an offset requirement, but the IWG was specifically advised that SBI was over and above any offset requirements that may be mandatory under the government's offsets legislation.

Furthermore, the offsets regulations are also currently undergoing reform with no date set publicly for a finalisation of the reviews. This left the DNRM, the IWG members and the landholders wanting to undertake High Value and Irrigated High Value Agriculture (HV and IHVA respectively) in an impossible position in knowing what might be expected of them in the future, or what would be an appropriate process to implement without being duplicitous or a 'double dip'.

The requirements proposed in the draft SBI documents to the IWG were onerous and restrictive and the exchange area ratios were proposed at levels that would exclude almost all landholders from receiving approval for HVA and IHVA. There was also little to no detail provided on the outcome that might be achieved by the inclusion of this requirement. This was obviously an unintended consequence of this section of the VMFAA when it was first passed in May.

AgForce agrees with the removal of these provisions in the VMFAA and looks forward to further information on how the offsets policy may operate.

Section 22DAB (2)(d) and 22DAC 1(e) details about how adverse impacts of the clearing will be minimised or mitigated

Unlike the reforms for self-assessable codes in the VMFAA, the HVA and IHVA still require assessment under the *Sustainable Planning Act 2009* (SPA). This requires landholders to lodge an application through the State Development Assessment Provisions (SDAP) showing how they will fulfil the performance outcomes within *Module 8: Native vegetation clearing*.

The performance outcomes (PO's) essentially require a landholder to demonstrate how they intend to minimise and mitigate any adverse impacts their proposed development may have. The PO's include areas such as maintaining watercourses and wetlands, maintaining ecosystem connectivity, avoiding and minimising soil erosion and salinity, and conserving endangered and of concern regional ecosystems. The same requirements were proposed to the IWG to meet the 'minimise and mitigate' requirements in the VMFAA.

As was the case with the SBI requirements, the inclusion of Section 22DAB (2)(d) and 22DAC 1(e) within the VMFAA was yet another case of duplication, not only for a landholder but for the government as well. If a landholder satisfactorily met the PO requirements under SDAP there should be no need to repeat the process for a second Queensland Government department or minimise and mitigate twice for the one application.

AgForce agrees with the removal of these provisions in the VMFAA.

The statements made by both Deputy Premier Jeff Seeney and Minister for Natural Resources and Mines, Andrew Cripps asserted that the High Value and Irrigated High Value agriculture reforms were about creating opportunities for landholders. They also maintained the reforms would assist the Queensland Government in meeting its goal of doubling the value of agriculture by 2040. Unfortunately if these amendments are not made to the VMFAA it will constrain many, if not all landholders from taking up this opportunity.

In summary, AgForce wholeheartedly supports the amendments to the VMFAA proposed within the North Stradbroke Island Protection and Sustainability and Another Act Amendment Bill 2013.

Should you require further information on this submission please contact Tamara Badenoch on 0732363100 or email badneocht@agforceqld.org.au

Yours sincerely

Ian Burnett
General President


CEO