



Submission No 9.

**Submission to State Development, Infrastructure and Industry Committee  
Inquiry into Vegetation Management Framework Amendment Bill 2013**

*This submission focuses on two aspects which are seen to be central to the acceptability of the Bill. It is most important that the outcome of current action to improve the vegetation management framework in Queensland can be embraced by the community as a whole.*

**Inadequate Consultation:**

The Vegetation Management Framework Amendment Bill was introduced to the Queensland Parliament on 20 March 2013 with a closing date for submissions to the Committee of 10 May 2013, a period of only 21 days. The explanatory notes to the Bill report that:

- consultation across government has occurred in relation to the new relevant clearing purposes under the Vegetation Management Act (VMA) and for proposed reforms to vegetation mapping and that this will continue with departments to support implementation; and
- consultation with external stakeholders and the community has not occurred, but will occur once the Bill is introduced into Parliament.

This is in stark contrast to the process which preceded the Vegetation Management Act. Stakeholders and the community were engaged in detailed consultation over a significant and sufficient period of time within a properly structured process. This developed a real confidence that:

- all the issues had been canvassed;
- the options had been considered; and
- the resultant Bill leading to the Act would be as good as could be achieved at that time.

It is most difficult to have similar confidence in the Amendment Bill. The amendments introduced are far reaching. There are significant interactions amongst the several Acts involved. The development by an individual of a complete picture of the changes to the regulatory regime and what these may mean is very time consuming and requires detailed analysis and integration of ideas and provisions.

The Parliamentary Committee processes, including submissions from the community and stakeholders, is no substitute for a structured public process prior to the introduction of the Bill. There are undoubtedly shortcomings in the present legislation as well as a variety of views on the options in how to overcome them.

In the circumstances it would be appropriate for the Committee to recommend that further consideration of the Bill be placed on hold until a structured and comprehensive consultation process with stakeholders and the community has been undertaken. This should include a whole of Queensland approach with the goal of identifying the preferred options for improving the complete legislative framework. Changes resulting

from this process could be incorporated in the Bill before it is reactivated for consideration in the Parliament.

**New Relevant Clearing Purposes:**

It is presumed that the across government consultation which has taken place on these new aspects of the VMA is indicative of the sensitivity inherent in the topics involved, particularly clearing for agricultural purposes. Australia, like most countries, has a history of agricultural development proposals which have failed. The reason for this has often been that all the relevant aspects have not been taken into account. Lack of markets or market access, shortcomings in infrastructure and transport, potential for salinity problems, pests and diseases are amongst the many factors given insufficient attention. There have been problems in the execution of proposals, but the main problem has been that the "vision" has not been adequately tested.

The criteria for assessment of clearing proposals listed under Clause 47 of the Bill - 22DAC Matters for deciding application – can only be regarded as a starting point. Several of these are technical and relate to agronomic practices. Whether the list is sufficiently comprehensive on the one hand and specific on the other is open to debate. The extent to which the Chief Executive sets a high enough standard and demands proof of responses will have a major impact on success or failure of proposals, the utility of the criteria and above all the impact on vegetation communities.

This submission does not seek to raise a debate on whether a balance should be struck between economic development and conservation of important vegetation. The reality is that the choice should be between the highest net value to the community in specific instances, not a balancing act.

Simply making a judgement about the economic viability of a proposal at a particular time is insufficient. An important vegetation community cannot be relocated, but an agricultural proposal often can be moved to already cleared land even if this requires acquisition by the proponent. The business skills of the proponent and their ability to attract adequate guaranteed finance is just as important. Several tracts of land now grow weeds because of shortcomings in these aspects. Similarly, important corridors for the movement of species in response to global warming have gaps after failed agricultural exercises.

Agriculture must continue to be innovative to survive and flourish in today's world. However, this should not be at the risk of important and high value vegetation. Further consideration needs to be given to the criteria for clearing for high value agriculture in the Bill. One major problem is that simple economic viability does not measure high value and net worth to the community. At the same time it is recognised that as a community we do not generally have a well developed appreciation of means of demonstrating and publicising the net worth of particular vegetation. Overcoming this is also a high priority issue.