



Gecko - Gold Coast and Hinterland Environment Council Assn Inc.

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State Development, Infrastructure and Industry Committee
Parliament House
George Street
BRISBANE QLD 4000



Per Email to: sdiic@parliament.qld.gov.au

Dear Sir

Submission on Vegetation Management Framework Amendment Bill 2013

Gecko-Gold Coast and Hinterland Environment Council (Gecko) thanks the Committee for the opportunity to offer our comments on the above Bill.

As a community conservation organisation of long standing, Gecko presents the following points for consideration for the better preservation of Queensland's environmental values in this era of great sensitivity and crisis with interconnected effects on our own species' survival.

Gecko- Gold Coast and Hinterland Environment Council Assoc. Inc. is a not-for-profit environment association founded in 1989 and has been active for the past 23 years in protecting the environmental values and ecological sustainability of the Gold Coast, Queensland and, when appropriate, nationally. Our organisation has had a long involvement with issues relating to vegetation management protection and were active participants in the protracted but ultimately successful campaign to end broad scale land clearing in Queensland in 2006.

Gecko members join with a host of environmental groups, scientists, biologists and land carers across Queensland who have expressed their grave concerns at the unravelling of effective environmental protection this Bill represents. The relaxation of so-called red-tape, purely to serve economic interests, reverses decades of progressive environmental protection and fails to protect biodiversity and carbon sequestration while signalling a return of broad scale land clearing.

The Office of Best Practice established by the Queensland Government on 2 July 2012 engaged Synergies Economic Consulting to examine costs to landholders of meeting the existing regulatory burden and their Final Report into Baseline Cost Estimates of Vegetation Management Regulation February 2011 (sic) notes only costs and potential increased financial benefits that might result if it was easier to undertake land clearing. The short section on Vegetation Management in the Final Report

Measuring and Reducing the Burden of Regulation February 2013, page 40 makes no reference to the environmental consequences of reducing regulation or the precautionary principle.

A question is posed at c) *“Are the potential net benefits from reform significant?”* and the response notes:

*Well-established estimates are not available at this stage for Queensland. The CIE (2012) report considered that the net benefits from reform are potentially large but **more likely to be moderate.***

The question *“Are the potential negative impacts from reform significant?”* was not posed.

Further we read *“(d) Is the need for reform well understood?”*

*The agricultural and land development sectors bear the immediate costs of vegetation management regulation and support reform. **An inquiry is needed to establish how environmental benefits can be preserved with reforms that reduce red tape.***

Gecko is hopeful that this Bill, with its potential dire consequences for the environment, will be subject to a rigorous inquiry process that meaningfully examines and reforms its provisions to deliver lasting and sustainable protection of our biodiversity. It is regrettable that there was no consultation prior to the drafting of this Bill. Further there is no information about the alternatives that were discussed and assessed by whoever drafted the Bill; this information would have been very valuable to the community

The above reports have contributed to the formulation of the Bill under discussion with, it would appear, the sole purpose of reducing costs to government, developers and landholders regardless of the environmental outcomes.

Background

Historically Queensland has been a major contributor to global levels of land clearing and vegetation loss. Over the decade 1990–2000, Australia had the sixth highest annual rate of land clearing in the world. Notably, Australia is the only country in the top 20 land-clearing nations with a developed first world economy. (Lindenmayer 2007).

The Queensland Government’s Statewide Landcover and Trees Study (SLATS) monitors Queensland's forests and woodlands, supporting the Vegetation Management Act and regional planning initiatives. It also provides satellite images, detailed spatial data and reports to help landholders, scientists, industry and government improve land management practices.

The Wilderness Society noted that SLATS reporting for 1999-2000 indicated a more than 100% rise in clearing permit figures when compared with the first six months of 1998 (211,199 hectares in first six months of 1998, 431,781 hectares to date in 2000). Wilderness Society Archive September 2003.

This rate of land clearing was referred to as a national tragedy and campaigners fought for many years to reverse this trend, calling for a ban on broad scale land clearing of remnant vegetation for agriculture in Queensland. In a landmark decision, this was enacted in 2006, with immediate positive benefits for our catchments, biodiversity and improved protection for the Great Barrier Reef.

The most recent SLATS Report for 2009-10 has recently been released and indicates the annual woody vegetation clearing rate was 77 590 hectares per year, being a 22 per cent decrease from the 2008-09 rate of 99 940 hectares per year. This represents a massive reduction in the loss of our woodlands, including regrowth. Clearly the management framework to date has been successful in reducing clearing

impacts on our ecosystems and biodiversity. Are we to abandon this positive trend by reverting to a system where clearing is permitted for moderate economic gain?

Land clearing, primarily for agriculture, is perhaps the single most important cause of environmental degradation, loss of species, and depletion of ecological communities, both in Australia and worldwide (Clark *et al.*, 1990; Schur, 1990; Sivertsen, 1994; Possingham *et al.*, 1995; Population Action International, 2000; State of the Environment, 2001a).

Objectives of Bill

- reduce red tape and regulatory burden on landholders, business and government
- support the four pillar economy - construction, resources, agriculture and tourism
- maintain protection and management of Queensland's native vegetation resources.

As the provision of the Bill, as they stand, will allow massive opportunities for clearing for agricultural and development purposes, Gecko questions the ability of government to meet the third objective. The many new permissible clearing activities have a very likely potential to deplete our native vegetation resources, reduce biodiversity and increase species loss.

Effects of the Bill

- The biggest rollback of environmental protection in Australian history
- Breaks an election promise by Campbell Newman to retain the current level of protection under the VMA see http://www.youtube.com/watch?v=V25qDAH40Lw&feature=player_embedded
- Will effectively overturn the 2006 ban on broad scale land clearing of remnant vegetation using new loopholes for High Value Irrigated Agriculture (including cattle pasture), High Value Cropping/Horticulture, and "Environmental Clearing" which turns out to include flood control works
- Introducing sustainable land use as a purpose to clear veg contradicts the purpose of the VMA
- The Minister without any process of assessment, public consultation or even consulting experts or other departments would be empowered under this Bill with declaring these High Value Ag areas wherever he deems it "necessary"
- Bill would open up at least 700,000 hectares of 23+ year old forests currently protected by virtue of containing endangered ecosystems, endangered species, near watercourses or wetlands and slopes above 12% on freehold and indigenous land to clearing once again... no permit, no code.

We refer to four key changes to existing vegetation protection summarised by the Environmental Defenders Office:

1. Clearing applications could now be made for additional relevant purposes of high value agricultural clearing and irrigated high value agricultural clearing under section 22A VMA. While there are criteria that must be met for those purposes, overall this means areas such as Northern Queensland would be freshly vulnerable to extensive clearing for agricultural purposes. This would have adverse impacts on the GBR.
2. A new map system called the *regulated vegetation management map* will lock in areas of vegetation as non-assessable Category X. High value regrowth vegetation on freehold and indigenous land which has not been cleared since 19894 is being moved into this Category X and will no longer be protected. *We understand this will expose hundreds of thousands of hectares of regrowth to clearing.*

3. All the wild rivers provisions are to be removed from the VMA5 which means that clearing on those wild rivers high preservation areas will be assessed against codes under the VMA not the stricter wild rivers declared area codes. Declared wild rivers in the GBR catchment that would have decreased protection from clearing if the Vegetation Bill comes into effect include Hinchinbrook, Lockhart Basin and Stewart Basin.

4. The compliance, offences and enforcement provisions are significantly weakened. For example the defences are expanded to include “mistaken belief”. The penalty provisions are removed that allow for forfeiture of lease if the lessee has more than one conviction for a vegetation clearing offence.

While there are many provisions of the Bill which are problematic we take the opportunity to comment on the following as discussed in the Explanatory Notes:

New section 22DAB — Requirements for making application

Under this section, relating to applications is for high value agriculture clearing or irrigated high value agriculture clearing, this statement is made:

“Also, if the application involves the clearing of native vegetation in an endangered or of concern regional ecosystem, the plan must contain information on proposed actions which will result in a significant beneficial impact to the biodiversity values located on the land which is the subject of the application.”

What actions are required to be taken to provide this beneficial impact and how will such actions be regulated and monitored for their beneficial value? How are existing biodiversity values assessed at the time of making this application and by whom? Is the farmer expected to have the knowledge and skills required for this assessment or this is covered under the “mistaken belief” provisions?

Amendment of s 30 (Power to enter places)

Clause 51 removes sections 30(1)(f),(g) and (h) which allowed an authorised officer to enter a place if a notification had been received for a native forest practice, clearing regrowth or an area management plan. This provision now relies on the consent of the occupier for an authorised officer to enter the place.

Comment- With the reduced scrutiny and regulation proposed and self-assessment for many clearing purposes, there is potential for even well-meaning landholders to cause environmental harm, including destruction of habitat, trees with nesting hollows and failure to identify and protect protected species.

Government Responsibilities under the EPBC Act

One of the intents of the Bill is purportedly to deliver “sustainable land use” yet the progressive loss of our native vegetation cover cannot be sustained and will eventually lead to a breakdown in the ecological services delivered by reducing resilience and biocapacity (Millenium Ecosystem Assessment Report as cited in Wikipedia).

Land clearing is listed under the EPBC Act as a “Key Threatening Process” and as such the provisions of this Bill should be assessed against their ability to ensure the conservation of biodiversity, especially threatened species and ecological communities. These are matters of national significance and Gecko is concerned that, according to the explanatory notes it does not appear that there has been any consultation with the federal Department of Environment to ensure the new policies are consistent with the national response to biodiversity decline. Other matters that have impacts beyond Queensland’s

borders include increased CO2 emissions and steam water quality that may impact upon the Great Barrier Reef.

Government Responsibilities for Climate Change Mitigation

It has long been recognised that plants are valuable sinks for the greenhouse gas carbon dioxide and that storing carbon in plant biomass is an important part of a suite of climate change mitigation measures.

Based on data from typical perennial grasslands and mature forests in Australia, forests are typically more than 10 times as effective as grasslands at storing carbon on a hectare per hectare basis.

<http://www.chiefscientist.gov.au/2009/12/which-plants-store-more-carbon-in-australia-forests-or-grasses/>

Current federal climate policy includes retention of vegetation as an important tool, while the Direct Action policy of the Opposition likewise has mass planting of trees as a primary action. The provisions of the Bill, which would facilitate a return to the former destructive clearing practices of the past, fly in the face of what governments around the world have come to recognize as responsible care for the planet. Gecko questions how and where a direct action policy to plant more trees can be fulfilled while at the same time this State is going backwards in vegetation protection. In an increasingly drying climate with harsher conditions as climate change progresses, it becomes more important than ever to protect existing vegetation, particularly our forests and to take immediate steps to increase vegetation cover as much as possible. It was Queensland's Vegetation Management Act and other measures to preserve forests and regrowth that enabled Australia to meet its international obligations of the Kyoto target of greenhouse emissions.

We implore the Committee to consider Gecko's comments as well as the many submissions from others detailing the negative impacts of the proposed Bill. While we recognize the efficiencies and cost-saving that can result from removal of duplicated processes, these amendments to our existing vegetation protections laws go too far in accommodating moderate short term economic gain at the cost of the environment on which we all depend. If these proposals are adopted they will set in motion an environmental decline it may not be possible to reverse in land sustainability, water conservation, biodiversity, the health of the Great Barrier Reef and carbon sequestration. The economic consequences of this Bill will be severe.

Yours sincerely



Rose Adams

Secretary

Reference

Lindenmayer, David. 2007. On Borrowed Time. Australia's Environmental Crisis and What We Must Do About It. Australian National University. 152pp