



Queensland
Conservation

Submission No. 38



PROTECT
CONSERVE
SUSTAIN

State Development, Infrastructure and Industry Committee

Parliament House
Brisbane QLD 4000

Email: sdiic@parliament.qld.gov.au

Date: 10th April 2013

Re: Submission to the Vegetation Management Framework Amendment Bill 2013

Dear Sir or Madam,

As the States peak environment non-government organization, the Queensland Conservation Council (QCC) welcomes the opportunity to provide the following comments and recommendations regarding the Vegetation Management Framework Amendment Bill 2013 on behalf of our membership.

1. Comments and recommendations:

1.1 Amending the purpose of the *Vegetation Management Act 1999*

The key objective of the *Vegetation Management Act 1999* is to regulate the clearing of native vegetation in order to conserve remnant vegetation, prevent land degradation, preserve biodiversity, maintain ecological processes and reduce greenhouse gas emissions.

The Bill proposes to amend the purpose of the VMA to enable vegetation to be cleared for sustainable land uses yet it does not provide a definition of sustainable development, which is necessary to avoid any ambiguity and to ensure that achieving the above mentioned core objectives of the Act will not be compromised or impeded as result of development.

In order to align with other Queensland legislation (*Water Act 2000*), the definition of sustainable development embedded in the *Vegetation Management Act 1999* should reflect the goal, objectives and principles of the 1994 National Strategy for Ecologically Sustainable Development - to which Queensland is a signatory.

The goal of the National Strategy for Ecologically Sustainable Development is to ensure that economic development improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends.

To achieve this goal, the Strategy's core objectives are:

- Enhancing individual and community well-being and welfare by following a path of economic development that safeguards the welfare of future generations
- Providing equity within and between generations
- Protect biological diversity and maintaining essential ecological processes and life-support systems

The Strategy's guiding principles to achieve its objectives are:

- Decision making processes should effectively integrate both long and short-term economic, environmental, social and equity considerations
- Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (Precautionary principle)
- The global dimension of environmental impacts of actions and policies must be recognised and considered
- The need to develop a strong, growing and diversified economy which can enhance the capacity for environmental protection must be recognized
- The need to maintain and enhance international competitiveness in an environmentally sound manner must be recognized
- Cost effective and flexible policy instruments should be adopted, such as improved valuation, pricing and incentive mechanisms (valuing ecosystem services)
- Decisions and actions should provide for broad community involvement on issues which affect them

The guiding principles and core objectives of the Strategy must be considered as a package, that is no objective or principle should predominate over any other.

Essentially, development activities that do not conform to the goals, objectives and principles of the National Strategy for Ecological Sustainable Development should not be allowed to occur under any circumstances.

Recommendation:

To ensure the core objectives of the *Vegetation Management Act 1999* are achieved, a clear definition of sustainable development based on the goals, objectives and principles of the 1994 National Strategy for Ecological Sustainable Development must be incorporated into the Act.

1.2 Ministerial discretionary powers

Amendments contained within the Bill will provide the Minister responsible for administering the Act with a range of new discretionary powers, which include:

- Declaring restricted high value agricultural areas
- Making self-assessable codes for particular vegetation clearing activities such as fodder harvesting, thinning encroachment and native forest practices
- Making self-assessable codes for any vegetation clearing the Minister considers is necessary or desirable

As these new powers have far-reaching and potentially adverse consequences, it is essential that criteria and guidelines are established that the Minister is required to follow to ensure that implications are fully considered and due processes are followed so that unforeseen outcomes are avoided. In particular, the Minister must be required to:

- Fully consider potential adverse social, economic and environmental impacts
- Consult the community and stakeholders (including the conservation sector)
- Base decisions on best available and peer reviewed science
- Demonstrate how the core objectives of the Act will be achieved
- Demonstrate how development conforms to the goals, objectives and principles of the 1994 National Strategy for Ecological Sustainable Development

Recommendation:

Criteria and guidelines must be established, which the Minister is required to follow when exercising new discretionary powers contained in the Bill.

1.3 External stakeholder consultation

As our organization has not been consulted about the Bill prior to it being tabled, there are many aspects of it that are unclear – particularly in regard to the proposed mapping changes and allowing vegetation clearing for high value agricultural, irrigated high value agriculture and necessary environmental clearing.

As we (and other external stakeholders) do not fully comprehend the Bill, we are unable to provide meaningful comments other than to say that many aspects of the Bill are deeply concerning to our sector due to the very high risk that environmental degradation is likely to occur as result of the proposed amendments to the *Vegetation Management Act 1999*.

Recommendation:

Given the lack of external consultation, we strongly recommend that the Bills passage be postponed until all external stakeholders have been fully briefed, consulted and given adequate time to assess the Bill.

1.4 Consequential implications

At least 700,000 hectares of native forests across the state could be cleared as a result of the proposed amendments to the *Vegetation Management Act 1999*. The potential extent of native vegetation clearing that could occur is likely to cause a wide range of adverse social, economic and environmental impacts, which include:

- Biodiversity loss – particularly endangered ecosystems and species
- Water quality decline due to watercourse and wetland degradation
- Increased land degradation due to clearing allowed on steep slopes and watercourses
- Increased greenhouse emissions, which will impede achieving state and national GHG emissions reduction targets
- Tourism downturns due to degradation of iconic natural assets

From our assessment, it would appear that these and other potential consequential implications of the proposed amendments to the *Vegetation Management Act 1999* contained in the Bill have not been adequately assessed or quantified.

Recommendation:

The consequential social, economic and environmental consequences of the proposed amendments to the *Vegetation Management Act 1999* must be independently assessed and quantified before the Bill is passed.

3. Conclusion

The proposed amendments to the *Vegetation Management Act 1999* contained in the Bill go too far in favour of accommodating moderate short term economic gain, which is likely to cause a wide range of long-term adverse social, economic and environmental impacts should the Bill be adopted in its current format.

Furthermore, given Premier Newman's commitment prior to the election that the LNP would retain current levels of native vegetation protection if elected, therefore the proposed amendments to the *Vegetation Management Act 1999* contained in the Bill are essentially a broken election promise.

It should also be noted that according to the Northern Australian Taskforce established by the Australian Government, the ability of Northern Australia to become a food bowl is not supported by evidence.

Please do not hesitate to contact me should require further information or clarification regarding any aspect of this submission.

Regards,



Toby Hutcheon
Executive Director
Queensland Conservation (QCC)