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State Development, Infrastructure and Industry Committee
Parliament House
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Submission on the Vegetation Management Framework Amendment Bill 2013

Queensland has some of the most ecologically sensitive and important landscapes, rivers, and marine areas on the planet, and responsibility for the ongoing protection of these areas lies with the governments of the day. Present Queenslanders and history both will be judges of how well certain governments have acted to ensure our environment remains in the best shape possible... for nature and for economic prosperity given the environment is our best long term economic competitive advantage.

Over the last decade or so, Queensland has moved to ensure that broadscale land-clearing of remnant and regrowing native vegetation is no longer permitted in this state, in recognition that such clearing has devastating effects for biodiversity, for landscape intactness, for river catchments, and for the climate. Without very rigorous regulation and enforcement, numerous instances of smaller scale clearing of remnant and regrowing native vegetation can have the same impacts.

The current legislative model of protecting remnant and regrowing native vegetation, under the Vegetation Management Act 1999, represents good public and environmental policy, and its strengthening in the mid-2000s enabled the Howard Government to claim it was meeting the implicit Kyoto carbon target which would have applied to Australia.

The Newman Government's planned changes to land-clearing laws in Queensland, spearheaded by Natural Resources and Mining Minister Cripps, represent another strand of the broad anti-environment, anti-conservation agenda which is now being vigorously pursued by the Newman Government. The so-called 'four pillar economy' approach is excessive narrow, and merely a front for the mining resources and development sectors, where the focus on tourism and the role that environmental protection plays in supporting the economy, is relegated to an afterthought.

Other obsessions among the Newman Government concerning so-called reducing red/green tape and regulatory burdens, and plans for freeing up land for large-scale, often intensively-irrigated agriculture in Northern and Western Queensland at the expense of the natural environment and existing sustainable economic activities, are the drivers of its political agenda and policy focus. Science, rational analysis and basic common sense are clearly absent in these processes.

The introduction of the Vegetation Management Framework Amendment Bill 2013, without any prior community consultation or informed discussion, is indicative of a government which has a blinkered approach to winding back significant and vital environmental protections. Along with other issues such as uranium mining and proposed changes to Wild River protections in the Channel Country, it represents a broken commitment made at the last state election. No doubt, the Bill will be rammed through Parliament, and submissions from conservation groups and others concerned about the environmental impacts of the proposed amendments, will be ignored. There is no expectation that the comments provided below will make any difference to the government's thinking and actions. Merely, they are made for the public record.

Intent of the Vegetation Management Framework Amendment Bill 2013

The intent of the Bill is to undermine the existing ban on broadscale land-clearing of remnant and regrowing native vegetation via the creation of a series of exemptions, loopholes, relaxation of regulations, and reduction and removal of enforcement provision. The Wilderness Society totally opposes the principles which sit behind the Bill and its intent, believing his will prove to be an act of environmental vandalism.

Objectives of the Vegetation Management Framework Amendment Bill 2013

The stated objectives of the Bill are to:

- “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.”

In the Explanatory Notes for the Bill it is claimed:

“The government has committed to growing a four pillar economy based on construction, resources, agriculture and tourism development. Amending the vegetation management framework will support economic growth and the four pillar economy, particularly in the areas of agriculture and construction while maintaining protections for our important native vegetation.”

These Objectives and claims are flawed. There is no evidence that the existing vegetation management provisions are having unreasonable or unnecessary impacts landholders, business and government. There is an inherent contradiction between advancing the interests of construction, resources and agriculture on the one hand, and supporting tourism in Queensland on the other. This is not recognised or resolved in the Bill. Queensland's native vegetation is more than a mere ‘resource’; it is significant for eco-system services, for biodiversity, and for its own inherent value.

The Objective of “maintaining protection of Queensland's native vegetation” is inconsistent with the other Objectives of the Bill, and it unclear how, beyond the whim of the Minister, these conflicts will be mitigated.

The Wilderness Society believes that the Bill is unnecessary, is premised on flawed Objectives, and should be withdrawn.

Proposed additional Purpose of the Vegetation Management Act

The Amendment of s 3(1) of the Vegetation Management Act to add a new Purpose of Act allowing “sustainable land use” is flawed on two grounds. Firstly, “sustainable land use” is not defined anywhere in the Bill, and given the ambiguous nature of the term, without further definition it must be concluded that it will effectively be the Minister who determines whether something is or is not a sustainable land use. This establishes an unacceptable level of arbitrariness in the legislation.

However, the second issue with this proposed additional purpose is even more fundamental. Introducing as a purpose to effectively clear remnant native vegetation on the grounds of supporting “sustainable land use” completely undermines and is wholly inconsistent and incompatible with the existing purposes of the Vegetation Management Act, as laid out in s3(1).

“Sustainable land use” should not be accepted as a legitimate purpose of the Vegetation Management Act.

Additional allowed reasons to clear native vegetation

The Bill proposes that applications for the clearing of remnant and regrowing native vegetation now be allowed for “irrigated high value agricultural” purposes, and to support other high value agricultural activities. These reasons for clearing are fundamentally at odds with the principles and existing purposes of the Vegetation Management, and should be rejected.

It is unclear from the Bill how the Minister will determine what qualifies as “High Value Agricultural areas”, and on what basis the Minister will make such declarations, beyond his or her own whim. This establishes an unacceptable level of arbitrariness in the legislation.

Changes to non-assessable Category X mapped vegetation

The Bill proposes that a new mapping system - *regulated vegetation management map* - will classify areas of vegetation as ‘non-assessable Category X’. The Wilderness Society understands that some 700,000 hectares of high value regrowth vegetation on freehold and Indigenous land which has not been cleared since 1989 will thus be reclassified into this Category X, rendering it unprotected. This will have a devastating effect on biodiversity and intact landscapes, and will have serious consequences for carbon release and loss of carbon sequestration. Such amendments must be rejected.

Wild Rivers and the Vegetation Management Act

Queensland is lucky to have some of the last remaining, intact, free-flowing and largely pristine rivers left on the planet. The Wild Rivers Act, which was supported by Labor and the Queensland Liberals (the National Party abstained rather than vote against it), establishes a sensible approach to river protection which prohibits new destructive development in highly sensitive areas of key river systems, while allowing a wide range of recreational, cultural and commercial activities.

The Wild Rivers Code which underpins the Declarations on thirteen river systems in Queensland requires the maximum level of support and interaction from related legislation to ensure the riparian buffers of these rivers, special features and floodplains are fully protected.

The Bill proposes that all Wild Rivers provisions be removed from the Vegetation Management Act. The Explanatory Notes for the Bill assert:

“This is to remove unnecessary interactions between the VMA and *Wild Rivers Act 2005* and reduce regulatory burden on landholders.... using the Wild Rivers Code is essentially duplication of the existing regional vegetation management codes under the VMA and therefore unnecessary.”

This represents a dilution of current regulation of vegetation clearing, and would result in native vegetation clearing in the High Preservation Areas of the rivers only being assessed against codes under the Vegetation Management Act, and not the necessarily stronger Wild Rivers Code. This is an unacceptable undermining of vital rivers protections, and should be rejected.

In Summary

The provisions in the Bill would expose at least 700,000 hectares of regrowing native vegetation, and at this point an untold volume of remnant native vegetation in Queensland. This will have direct and irreversible impacts on endangered ecosystems, endangered species and the intactness of many landscapes and rivers. There will be direct effects on carbon sequestration and thus on land related carbon emissions, which is at odds with Federal Coalition policy which looks to vegetation and other measures as a key response to climate change.

Ultimately, the provisions in the Bill will have negative impacts on the competitiveness and long-term strength of the Queensland economy and on social well-being: outcomes which will be directly due to the failure of the Newman Government to get over its ideological opposition to conservation and regulation such as Vegetation Management, Wild Rivers and other existing policies and legislation, and instead recognise why these initiatives are so necessary and accordingly embrace them.

As stated previously, there is no expectation that the government, nor its representatives on the State Development, Infrastructure and Industry Committee, will pay any attention to these matters. Should you require any additional information about the views of the Wilderness Society in relation to the Vegetation Management Framework Amendment Bill 2013, or any other conservation issues, I can be contacted [REDACTED] or by email: tim.seelig@wilderness.org.au

Signed:



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