

Sub No 50.

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10 APR 2013

STATE DEVELOPMENT, INFRASTRUCTURE
AND INDUSTRY COMMITTEE

Barry Fitzpatrick

Re Proposed amendments to the Vegetation Management Act:

I make the following comments on the proposed changes to the Vegetation Management Act in the Vegetation Management Framework Amendment Bill:

Amendments of concern to me include those which greatly increase the potential for broadscale land clearing through a relaxation of the conditions which exist in the current legislation.

1. The proposed amendments would significantly weaken protection of vegetation in all GBR catchments and other areas of the state. Under the changes, 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. This will expose hundreds of thousands of hectares of currently protected regrowth and remnant vegetation to clearing.

2. Of concern are proposed amendments which will allow for more self assessable code assessment opportunities for clearing regrowth and native forest for development, infrastructure, extractive industry and the questionably titled 'environmental clearing'. When self assessment is combined with a reduction in government staffing levels around compliance, it becomes clear that these amendments will have potential to allow considerable abuse of process, leading to uncontrolled broadscale clearing. This is an unacceptable outcome for legislation which is proposed to be about 'sustainability'.

3. A further proposal of concern is where the minister, without any process of assessment, public consultation or even consulting experts or other departments would be given the capacity under this Bill to declaring these High Value Agricultural areas wherever he deems it "necessary". This flies in the face of openness and transparency, which has been a clearly stated commitment of the current government, and has potential to lead to abuses of process.

4. Another concern in the proposed amendments centres around the general weakening of compliance and enforcement provisions for illegal clearing, where a defence can now be simply "mistaken belief". Furthermore, in the proposed amendments, penalty provisions have been removed that allow for forfeiture of lease if the lessee has more than one conviction for a vegetation clearing offence.

5. Provisions in the amendments for applications for material change of use and reconfiguring a lot are now proposed to operate on a reduced lot size trigger of 2 hectares, down from 5 hectares. This will result in unacceptable levels of vegetation clearing in crucial Koala habitat in SE Qld on peri urban sites. This flies in the face of government commitments to protect dwindling koala populations.

6. I also would express concern about the introduction into these amendments of the absurdity of nominating 'sustainable land use' as a purpose to allow for more clearing of vegetation. Quite self-evidently, continued erosion of our native vegetation base is inconsistent with any broad based consideration of what is "sustainable land use". Land clearing has been listed as a "Key Threatening Process" under the Commonwealth EPBC Act (since 2001). It is likely that any relaxation of land clearing regulations will have adverse impacts on CO2 emissions and potentially other impacts such as on stream water quality, all of which should be integral to any policy framework that aims to be about sustainability

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