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Committee Secretary
State Development , Natural Resources
and Agricultural Industry Development Committee
Parliament House
George Street
Brisbane Qld 4000

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Dear Sir/Madam

Re: Vegetation Management and Other Legislation Amendment Bill 2018

We thank the Committee for the opportunity to comment on this important Bill.

As a community conservation organisation of long standing, Gecko presents the following submission 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 is a not-for-profit environment association founded in 1989 and has been active for the past 28 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 is fully supportive of the majority of the provisions of the Bill and believe they should be passed in full if the Government is to adequately redress the negative impacts of the vegetation law amendments imposed by the then government in 2013. These measures are entirely congruent with measures to ameliorate climate change by reducing carbon emissions, to protect Queensland's biodiversity and to support sustainable agricultural practice.

Gecko supports:

- Removing the ability to obtain permits for high value agriculture and high value irrigated agriculture. The Statewide Landcover and Trees Study found that 10% of mature bushland clearing from 2013-2016 happened under these permit types, with generally insufficient verification that the land was high value agricultural land, was

needed for agriculture, and was actually utilised for the agricultural activity applied for; (see clause 16)

- 2. Reintroducing the requirement to obtain Riverine Protection Permits to better regulate damaging clearing in watercourses (see clauses 51 and 52);
- 3. Phasing out existing Area Management Plans which have allowed significant clearing under lower regulation across Queensland; (see clause 14)
- 4. Extending protection for regrowth vegetation near watercourses across Great Barrier Reef catchments, to reduce damaging runoff, including Eastern Cape York, Fitzroy and Burnett-Mary catchments which were not protected under the VM Act currently. (see clauses 133 and 38)

As regards further elements of the Bill Gecko supports:

- Improved protection of 'high value regrowth vegetation', being vegetation that has grown back well after being cleared, and offering a broader definition of this vegetation category and re-extending regulation to freehold, indigenous land and occupational licences (see clause 38).
- However, 'high value regrowth vegetation' must be extended to protect high conservation value regrowth vegetation. Extra amendments are needed to allow much more extensive protection including endangered vegetation species and communities, vegetation in reef catchments, riparian areas, threatened species habitat and areas where landscape integrity is at risk.
- . Tightening of the definition of 'thinning' (now known as 'managing thickened vegetation') is supported. The Bill now requires that thinning activities must 'maintain ecological processes and prevent loss of diversity'. To ensure this definition is given effect there must be a requirement that it be demonstrated prior to clearing being allowed. (See clauses 4 and 38)
- 4. However, to truly reduce the significant clearing allowed for 'thinning' it should no longer be an allowable activity by permit or code, particularly not for mature and high value regrowth vegetation and under existing Area Management Plans. 'Thinning' can include clearing up to 75% of a forest under current laws and has been responsible for significant clearing across Queensland without scientific justification that this is a necessary activity at all.
- The Bill clarifies that landholders may seek to amend their property map of assessable vegetation (PMAV) to re-regulate clearing in areas which were locked in across Queensland as not needing assessment under Newman Government laws. This clarification is supported as helpful.
- However, the Bill needs to be changed to require amendment of maps that lock in unregulated clearing of all high value vegetation. Under the Newman Government, significant areas of Queensland were locked in under property level maps which allowed the clearing of unregulated 'category X' even though the clearing would impact mature, high value vegetation. Leaving map amendment up to the land owner will leave significant areas of Queensland where clearing is unregulated.
- The Bill does not tighten excessive clearing allowed under fodder harvesting codes so amendments are needed. Fodder harvesting should be limited to where there is an official drought declaration.

In preparing this submissions we have reviewed comments we submitted in 2016 to the previously tabled Queensland Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016, the contents of which remain entirely pertinent to this

Inquiry and which have even increased in importance as broadscale clearing has continued unabated to this day and the impacts upon biodiversity have heightened as described in the references below. We again offer these comments.

Current state of landclearing in Queensland

Research scientist Dr Martin Taylor has called the current state of land-clearing in Australia “a catastrophe for Australian wildlife.” and from research has estimated that at least 45 million mammals, birds, and reptiles are estimated to have been lost as a result of habitat bulldozing in Queensland during 2013-15, including over 1,000 koalas.¹ The update for 2015-2015 is equally shocking.

At the conclusion of the Society for Conservation Biology 4th Oceania Congress held in Brisbane 5-8 July 2016, a statement signed by over 200 scientist from universities and research institutions across Australia as well as overseas was released entitled Scientists’ Declaration: Accelerating Forest, Woodland and Grassland Destruction in Australia ² which calls upon Australian governments and parliaments, especially those of Queensland and New South Wales, to take action. It calls for “the prevention of a return to the damaging past of high rates of woodland and forest destruction, in order to protect the unique biodiversity and marine environments of which Australia is sole custodian.”

The same information is highlighted in numerous other reports, including the land cover change in Queensland 2015–16: Statewide Landcover and Trees Study report (2017)³ and the Scientific review of the impacts of land clearing on threatened species in Queensland (2017). ⁴

Opposition from AgForce and Queensland Farmers Federation

It is highly regrettable that these bodies have again united in an excessive level of rhetoric to oppose the Bill, despite the volumes of information that have been made available supporting the end of broadscale clearing and tighter protection for remnant native vegetation.

Gecko asks, how have the excessive relaxations in 2013 of the Vegetation Management Act 1999 Act been vindicated when they have failed in every respect to meet the purposes of the Act?

We note that the Queensland Farmers federation (QFF), partnered with Agforce, has worked closely with the Queensland Government to deliver the Agriculture Sector Adaptation Plan (AgSAP) ⁵, an assessment of current climate adaptation activities within the agriculture sector. It is highly disappointing that these organisations, in this document, appear to have demonstrated a comprehensive understanding of the threats posed by climate change and support for the development of sectoral adaptation strategies and yet continue to publicly engage in inflated rhetoric against the proposed changes to the Vegetation Management Act. These changes are part of the adaptation strategies which must be undertaken in order to contain the increase in global temperature rise to 2 °C. The Ag SAP identifies a number of climate hazards

- A drying climate, increased drought and reduced water security
- A warming climate with increased heat stress

- Increasing climatic variability
- Increased intensity of rainfall
- Increased storm risk
- Increased pest pressure and biosecurity risks

Yet QFF and AgForce in the current public dialogue regarding the Bill, do not appear to recognise or acknowledge the role these protection measures will play in addressing these threats.

Further comments

Historical Perspective

Queenslanders have undertaken land clearing and logging since early settlement using hand tools. Clearing rapidly escalated from the 1950's, reaching peak levels in the 1990's. Broad scale land clearing using bulldozers and chains resulted in massive loss of Queensland's old-growth forests and a public outcry against these policies grew strongly. The Vegetation Management Act 1999 slowed clearing rates but a more comprehensive package of amendment to phase out broadscale clearing was introduced in 2004, followed by additional reforms to protect high value regrowth.

These measures were introduced in 2005, in response to public demand and it is noteworthy that Liberal Members of Parliament, together with Independent Member Peter Wellington, offered bipartisan support, voting with the government of the day to end broadscale land clearing.

Queensland residents had fought hard to have vegetation protection laws put in place, and had confidence that, once achieved, they would remain in place.

This was expected to be the case because tree clearing legislation was progressively taken to the people of Queensland over a number of elections by previous governments in response to significant high clearing rates of 750,000 hectares a year. These high profile election commitments were endorsed by the electorate at successive elections and then, as per those commitments, were progressively rolled out between 1999 and 2010. This saw the clearing rate reduced from that high of 750,000ha per year to less than 78,000 ha.

Recent legislative change to Vegetation Management

- In February 2012, the then incoming government made a commitment, promising that "On vegetation management, the LNP will be retaining the legislation". Only 10 days before the state election the then Opposition leader wrote to the WWF clarifying his commitment promising that "an LNP government will retain the current level of statutory vegetation protection." Queenslanders went to the election with confidence that Queensland's forests and wildlife habitat would continue to be protected.
- However, one year after the Newman government was elected, the then Natural Resources Minister announced he was "Taking the Axe to Queensland's Tree Clearing Laws." This was not only a huge betrayal of the people who had voted them into government, it has had significant consequences for the protection of Queensland's native species and habitat. As history now shows, the then government went on to repeal the laws taken to voters in 2009 that protected 20 year old endangered and of concern regrowth forests, amended the vegetation laws to free up clearing of endangered vegetation in urban areas and allowed broad acre clearing for agriculture, accelerating the risk of extinction for animals such as the Koala and the Cassowary and resulting in the more than tripling of clearing rates.

- At the 2015 election, the newly elected government made it clear that they would reinstate the vegetation management laws. Regrettably, the Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016 failed to be passed.
- Without amendment, the vegetation management laws as they currently stand directly threaten our unique biodiversity, threaten our natural assets like the Great Barrier Reef and Moreton Bay Marine Park and endanger our threatened species like the koala through habitat destruction, and contribute to greenhouse gas emissions as well as loss of carbon sequestration.

Gold Coast perspective

As the peak regional environmental organisation on the Gold Coast, Gecko has serious concerns about the current regime of vegetation management which is now reflected in the new City Plan. Under the current framework which allows greater clearing, koala habitat is less effectively protected, driving this beloved and iconic species ever closer to localised extinction in the wild. Prior to 2013, exemptions were provided for clearing under a development approval for a material change of use or reconfiguring a lot, if the lot was less than 2 hectares. In 2013 this was changed to 5 hectares, putting at extreme risk the few remaining patches of threatened regional ecosystems and wildlife species, such as koalas and greater gliders that use these areas as refugia, and will no longer be assessed.

Impacts on greenhouse gas emissions

This steady loss of woody vegetation, a crucial carbon sink, has serious implications for Australia's ability to meet its Kyoto obligations and make a meaningful contribution to reducing greenhouse gas emissions.

This is discussed in a comprehensive report commissioned by WWF from environmental consultants CO2 Australia, *Tree clearing in Australia: Its Contribution to Climate Change*, in which the authors state that "Rates of tree clearing and deforestation emissions have increased from 2013 levels through 2014-15. Based on the latest Australian Government projections, deforestation emissions for the period 2013-2020 will average 46 Mt CO₂-e per annum, representing an 8.8 Mt CO₂-e per annum, or 23.7% increase, on 2013 levels."

The report highlights the elevated rate of tree clearing in QLD and refers to the Australian Government Department of Environment report on the latest National Greenhouse Gas Inventory (NGGI) data (2015). This shows that net emissions in the LULUCF sector have increased each year from 2013, through 2014 and 2015, indicating acceleration in tree clearing rates. The Department of the Environment comments that "The primary driver for this increase has been increased emissions from deforestation."

Bulinski, Enright and Tomsett² reach the conclusion that "Reducing impediments to clearing at the State and Territory level, with subsequent escalation in deforestation related emissions, simply increases the burden on the Australian Government to achieve emissions reductions in other areas of the economy" and that "Any resultant increase in deforestation emissions adds to the abatement challenge required to be met if Australia is to achieve its 2030 targets."

Gecko asserts that, in the face of a drying climate, rapidly increasing temperatures and a predicted future of increasing climate instability, the very short-term gains to be made in the agricultural sector for increased production activity are destroying not only Queensland's biodiversity, but its resilience and threatening the very industry it purports to benefit. At a time when we are experiencing the starkest coral bleaching of the Great Barrier Reef ever, action to reduce greenhouse gas emissions, a key purpose of the Vegetation Management legislation, is critical.

We thank the Committee for its consideration of Gecko's comments on the Bill and our further recommendations. We hope the bipartisan spirit which enabled the passing of landmark vegetation protection measures in the early 2000's will again prevail.

Yours sincerely



Secretary

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