SUBMISSION

In providing this submission I refer directly to the key provisions of the legislation which may be amended.

1. Removing High Value Agriculture and Irrigated High Value Agriculture from the Vegetation Management Framework
These concepts are not sufficiently useful across a very diverse state with very different development and conservation opportunities. The two purposes of High Value Agriculture and Irrigated High Value Agriculture should be removed from the objects of the act and instead, through negotiation with environmental groups and primary producer organisations, be embedded as provisions in the act to facilitate a special category of development as it relates to vegetation management for primary producers. The implementation of provisions for the current purposes is quite onerous as they stand and should form the basis for starting negotiations in each region/bioregion.
2. Retaining Self-Assessable Codes
The VMA's existing provisions are adequate in this regard. Self assessable codes are an effective mechanism and should be kept for lower risk activities and for routine management of properties. For example, the environmental clearing purpose should be kept as it facilitates efficiencies without risk to the environment; however, some of the existing codes only apply to certain regions/bioregions. We note that these codes need to be built around regionally (or bio-regionally) specified and implemented programs, clearly designed around and linked strongly to the outcomes sought by the regulation.
3. Including High Value Regrowth as an additional layer of regulation under the Vegetation Management Framework on leasehold, freehold and indigenous land
High value regrowth provisions should be reintroduced given the importance of this vegetation to the State. It is proposed a moratorium on clearing of high value regrowth across all tenures until matters associated with its protection are worked through with community and industry – preferably on a region/bioregional basis. Our experience is that it is critical that any moratorium is backed clearly and soundly with a coincident compliance program. This program needs to cover the whole compliance spectrum to ensure wholesale panic clearing does not occur. This is a complex area that cannot be adequately addressed through a Statewide mandate. Primary producers should not be put out of business without compensation or structural adjustment. However, where high-value re-growth is serving the highest public good, it must be protected and its ongoing maintenance needs to be funded.
4. Increasing Category R regrowth watercourse vegetation to include additional catchments in the Burnett Mary, Eastern Cape York and Fitzroy Great Barrier Reef Catchments.
The work to simplify categories for clearing should be kept; however Cat R needs to be urgently extended to all at risk waterways in Queensland and not just the Great Barrier Reef catchments given the emerging sediment, nutrient and water quality science dealing with ground cover in

streams. General high value regrowth protections could be reintroduced through the regional/bioregional negotiation process as desired.

Our Northern Gulf landscapes require a nuanced and contextualised approach that is not well-served by mechanisms designed with the GBR in mind. As with other conservation measures, however, it is not sufficient for the Government to simply lock up land without a program to re-structure the livelihoods of existing land managers. We strongly support the inclusion of natural justice provisions for the people affected by additional regulation.

5. That no compensation will be payable to landholders subject to added layers of regulation – high value regrowth, regrowth watercourses and essential habitat during transitional arrangements

This is a problematic area. As a whole, our State has benefitted from the economic activity that primary producers have cultivated from the landscape.

With improved science and society's rising expectations for sustainable land management, the need for conservation investment has dramatically increased. However, the Government is not holding a large slice of the economic benefit...that has already been enjoyed by the private investors and communities who developed the land.

Now, we feel that it is entirely unfair to shift the goalposts towards better land management without bringing land managers along for the journey: we cannot regulate them out the door backwards.

Land managers should not wear the entire cost of additional layers of regulation.

We support a regionally-informed process for assessing and assigning compensation and incentive to help lift the whole process of improved land management and conservation at the same time.

6. Increasing compliance measures and penalties under vegetation management laws.

We support "carrot" and "nudge" strategies as the first and most essential way to gain progress in this issue.

However, there must be a sharp and serious compliance mechanism as well. In this matter the local and regional context must be combined with the state-wide policy in an informed, intelligent, and effective manner.

We fully support strong compliance enforcement, but only when it is undertaken properly. Otherwise the community will lose faith entirely.

7. Other matters relevant to the Vegetation Management and Other Legislation Amendment Bill 2018 that the review committee should consider appropriate and worth some consideration

We support the main proposals and intent of the Vegetation Position Report prepared by NRM Regions Queensland and submitted to the Department in the last round of consultation.

Some points with special merit include:

The current minimum area triggers for VMA clearing applications under SPA is five hectares. This is problematic and should give way to significant impact guidelines (or similar) which establish the minimum triggers based on the logic similar to that used in the EPBC Act and the Environmental Offsets Act 2014. Again, the provisions of the act are adequate for this and having the second prong

to negotiate the minimum trigger requirements would ensure for example, the potential for the 5 ha minimum trigger to result in many more ecosystems lost without any scrutiny in more developed landscapes like the south east and Queensland coast (previous trigger was 2 ha). In western or far northern areas, the minimum trigger requirement will likely be very different to south east Queensland.

The triggers in SPA need to be reassessed and strengthened to ensure the objects of the act remain. Many triggers for of concern and not of concern ecosystems have been removed.

The SPA community infrastructure exemptions brought in by regulation on 2 August 2013 need to be reassessed and most removed to ensure the objects of the act can be met. There is a major equity issue between community infrastructure purposes and other clearing purposes which place infrastructure proponents at a substantial advantage to other development proponents which is not justifiable or equitable in terms of the VMA objects.

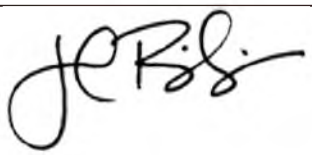
The State Development Assessment Provisions (SDAP) and SARA processes are positive and should be in large part maintained; however, advice agencies need to be given more involvement and responsibility in the process and the triggers assessed for their contribution to sustainable development. Many of the triggers favour destruction of vegetation over sustainable development and exempt most development inside an urban area. This needs to be renegotiated on a regional/bioregional basis to facilitate wildlife corridors and the like.

The reverse onus of proof needs to be reinstated to facilitate both voluntary and legal compliance. While prosecution needs to be a last resort option, it should not be made difficult and costly to the extent where the unscrupulous entity can premeditate illegal works in order to make prosecution near impossible.

Third party appeal rights should be reinstated to ensure some unscrupulous proponents are held to account. Again, the second prong process to negotiate the details of the accountability process should be developed on a regional/bioregional basis if needed.

While not directly related to the VMA, there are a number of considerations in the *Nature Conservation Act 1992* and attendant regulations such as the protected plants provisions which create duplication in process and confusion for people and communities from feedback we regularly receive. The Government may also wish to consider aligning the two pieces of regulation to facilitate the objects of both acts in a cohesive and efficient way.

The Bill needs to be changed to require amendment of maps that lock in unregulated clearing of all high value vegetation. Under prior legislation, 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.

Signed:	
Address:	
Date:	22 Mar 2018