

Presentation to the State Development, Natural Resources and Agricultural Industry Development Committee re *Vegetation Management and Other Legislation Amendment Bill 2018* (Land clearing Parl Inquiry 23/03/18)

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Thank you for the opportunity to present to you today. I wish to acknowledge the Traditional Owners of the land we are meeting on: the Jaggera and Turbul peoples, and pay respects to their elders past and present, and recognise their emergent leaders.

Queensland Conservation Council is the peak body for conservation groups in the state. QCC has made a detailed submission to this Inquiry, and I would like to highlight the key recommendations we have made. Before I do, I would like to contextualise the fundamental policy issues we are dealing with here.

In doing this, I must admit it feels a lot like Groundhog Day – so much has been said on the issue of land clearing in Queensland, there have been many Parliamentary Inquiries and debates over recent years, and a fair bit of media coverage. I think the expression is that the issues have been ‘well ventilated’. But of course, much of this will be new and seemingly potentially quite complex to you as the Committee charged with analysing the current Bill. I can only hope that I add to your understanding of the issues, and the reasoning for why the Bill should be first strengthened, then passed, and become the catalyst for further reform.

The clearing of native woodlands and trees is the biggest threat to biodiversity and native wildlife in Queensland. Land clearing impacts on literally millions of animals, habitats, causes land degradation, hydrology, soil erosion and drought; clearing impacts on the GBR, and it releases vast volumes of carbon into the atmosphere. This not only contributes to global climate change and negative weather patterns but also adds to local rainfall reduction. Paradoxically, clearing is in fact not so great for the farming sector, and that’s not to mention international reputational or commercial considerations.

400,000 hectares – that’s the equivalent of 550,000 soccer pitches – were cleared in just one year alone in Queensland...the last year we have data for (2015-16). Clearing in Queensland is out of control again.

Queensland’s clearing rates over the past twenty years have been a very good example of the impacts of legislative reform – positive and negative from a conservation perspective – and the rates have been reflective of the policy intent of the government of the day.

The reasons why we have an upward trend in clearing again, and the highest rates of land clearing for a decade is pretty clear. Indeed, it was intentional. The Newman LNP changes to land clearing laws and enforcement in 2012 and 2013, which contradicted earlier promises, were designed to both change the practice and the culture on land clearing in Queensland. This has created a crisis that needs to be urgently reversed. The failure of the previous Parliament to address this was disappointing, but the current Parliament has a fresh opportunity to do so.

In the QCC submission, we make 7 key recommendations:

- That the Committee supports provisions in the Bill to scrap high value agriculture as a relevant clearing purpose, protect high conservation value regrowing woodlands, scrap the thinning self-assessed code, extend Reef riparian areas, and to terminate current Area Management Plans.

- That the Committee supports amendment to the Bill to completely remove ‘managing thickened vegetation’ provisions from the VMA.
- That the Committee supports amendment to the Bill so that Clause 4 establishes an exclusive list of items which does not include thinning, to completely remove any capacity to create a new thinning code.
- That the Committee supports amendment to the Bill such that Clause 14 requires immediate termination of all existing AMPs, and guarantees that no new AMPs could be created under the VMA in the future.
- That the Committee supports amendment to the Bill so that Clause 13 removes reference to Category X.
- That the Committee supports changes to the fodder code including formally tying any clearing to official drought declaration, and further restrictions on volume (such as maximum of 10 hectares or 1% of the property) to ensure that such reforms are adopted.
- That the Committee proposes removing ‘sustainable land use’ from the objectives of the VMA, but requiring consideration of greenhouse gas emissions in deciding development applications.

In addition to these formal recommendations, we also flag the need for additional reforms at the policy level and potentially at the legislative level to further protect koalas and their habitats, protect native woodlands that will miss out on protection because of past policy, and to implement the Land Restoration Fund to create incentives for additional woodland retention.

In considering these recommendations from QCC, and indeed in listening to and weighing up the content of submissions and presentations to you on the Bill, it is important I believe to place the issues within the framework of the VMA.

s3 Purpose of Act

(1) The purpose of this Act is to regulate the clearing of vegetation in a way that—

- (a) conserves remnant vegetation that is—
 - (i) an endangered regional ecosystem; or
 - (ii) an of concern regional ecosystem; or
 - (iii) a least concern regional ecosystem; and
- (b) conserves vegetation in declared areas; and
- (c) ensures the clearing does not cause land degradation; and
- (d) prevents the loss of biodiversity; and
- (e) maintains ecological processes; and
- (f) manages the environmental effects of the clearing to achieve the matters mentioned in paragraphs (a) to (e); and
- (g) reduces greenhouse gas emissions; and
- (h) allows for sustainable land use.

(2) The purpose is achieved mainly by providing for—

.....

- (d) a framework for decision making that, in achieving this Act’s purpose in relation to subsection (1)(a) to (e), applies the precautionary principle that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment if there are threats of serious or irreversible environmental damage; and
- (e) the regulation of particular regrowth vegetation.

The QCC submission also highlights some key criticisms that have been levelled at land clearing law reform in the past: the assertion that in fact more woodlands are regenerated each year than cleared, that frequent law reform is unhelpful, and that provisions will unfairly disadvantage Indigenous landholders on Cape York Peninsula.

Our Submission seeks to indicate how these criticisms are not informed nor accurate.

This Bill represents an important milestone in our land clearing legislative approach. It will see the re-protection of high conservation value regenerating woodlands under a modified definition, it will see the ending of broadscale remnant clearing for spurious HVA, and it will see a curtailing of remnant thinning. extend Reef riparian areas, and to terminate current Area Management Plans. We strongly recommend the Committee supports these provisions in the Bill.

It will not stop all clearing of native woodlands in Queensland...gaps will remain around remnant woodlands protections, some high conservation value regrowth will likely end up being cleared because of property maps, and other regenerating woodlands will fall outside of any protection. More needs to be done to ensure koala habitat is out of bounds to all development, and we look forward to the release of the Koala Expert Panel report so that we can move into finding responses under the VMA, the Planning Act and State and local government policy.

It is not a fully comprehensive response to Queensland's land clearing crisis, but it is a significant step forward that will make a big difference, and we strongly welcome and support it.

You will no doubt hear today many claims about what the Bill will achieve and what it won't. One thing the Bill will not do is negatively impact on overall agricultural productivity...that's what history as well as logic tells us. In time, we will need to find ways to shift the culture on clearing, but this can only be done with strong protective laws in place.

The Committee has an opportunity to reverse the trend in land clearing, help bring down clearing rates and protect more native woodlands by supporting this Bill. I hope it takes it.

Thank you.