

**SUBMISSION TO:****Vegetation Management (Reinstatement) and Other Legislation  
Amendment Bill 2016****SUBMISSION COVER SHEET**

Closing date for submissions is 25 April 2016.

Please complete and submit this form with your submission to:

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Agriculture and Environment  
Committee  
Parliament House  
BRISBANE QLD 4000

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## SUBMISSION

We provide our submission in support of the continuation of the Current Vegetation Management Act 1999 and rejection of the changes proposed in the Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016 ("the Bill").

Patricia Kaye Leahy has over 40 years practical experience in Grazing Land management and pasture development. A Property owner and livestock producer based in the North Burnett, Patricia, is a 3<sup>rd</sup> Generation land manager and well known for her love of the environment and the land that she owns.

Stuart Andrew Leahy is a property owner, Land manager, Woody weed Agronomist and Rural Valuer with over 40 years practical experience. Stuart, Pats husband, has been contracted to develop pastures on weed infested land for the past 25 years. Stuart's advice is widely regarded in the areas of increasing ground cover on exposed country. Stuart has increased ground cover on over 400,000 ha of regrowth country in Queensland over the past 25 years. In doing so he has directly improved the health of the Great Barrier Reef over and above any Government initiated programme ever introduced in this State. Recently Stuart gave a speech to young landowners and managers where he encouraged them to:

*You must study your paddocks and look at your pasture through open eyes. When you look at regrowth in Queensland and in particular Brigalow regrowth, make sure you look at what is growing under that regrowth. You will see that it is bare earth and extremely fragile soil. The misinformed activists in the WWF and the Wilderness Society would try and convince you that the Brigalow regrowth is called "ground cover", as you can see it is not ground cover and you can see the erosion taking place. Brigalow regrowth kills grass. Grass cover is the only form of ground cover that will stop this type of erosion. If the WWF and the Wilderness Society had half a brain they would be able to see this also. If they really wanted to protect the Great Barrier Reef from sediment runoff then they would allow us landowners to keep our regrowth under control and let the grass grow. Why do the Queensland ALP listen to the misinformed activists and not the Land managers and owners? Because they are scared of the truth and controlling regrowth can be portrayed by the WWF as environmental vandalism. There are more votes to be gained from the influence of the WWF than there is in helping landowners and discovering the truth.*

Our overriding issue with the Bill is that its introduction in the Queensland Parliament on 17<sup>th</sup> March represents **yet another** variation to the Vegetation Management Framework, which has been amended over 18 times since its introduction in 1999. This constant change in legislation severely impacts on the ability of farm managers to plan and implement effective long-term property and business management decisions. Ecological processes work in much longer timeframes and can be severely compromised when mismatching, constantly changing regulations are enforced. Farmers have long called for certainty with the vegetation management regulatory framework. With the Bill being introduced when farmers are on their knees with over 86% of Queensland in drought conditions, it should come as no surprise that we are totally opposed to continued uncertainty and attacks on the viability of ourselves, the long-term sustainability of our families business as well as attacks on fellow farmers.

On a personal level our family lost our Patriarch to cancer in 2014. Since his death our Mother and Mother in Law has embarked on a family succession plan involving the assets of her late husband. Part of this process involved valuations of all of the assets of the business. These valuations were carried out in mid-2015. The process of transferring those rural assets is currently taking place. Part of the valuation process is determining the vegetation status of the grazing land. In 2015 there was no Cat C or Cat R on any of the Grazing land. The Valuer commented in the Valuations below,

*The vegetation zoning on these properties is considered good with the majority of the country been well developed and mapped as such. We therefore do not believe the current Vegetation Mapping would negatively impact on the valuation or marketability of the property.*

*The property presents well with respect to regrowth, however we noted some Lantana regrowth particularly on [REDACTED] It is assumed that any clearing on the land has been undertaken with reference to any planning or statutory requirements.*

No PMAV's were done on the properties mentioned above by our late Father and this requirement was far from the mind of our Mother who was trying to cope with the passing of her husband. We now find that the Queensland Government has incorrectly mapped Lantana as proposed Cat C Regrowth.

It is now April 2016 and transfer documents and contracts have been drawn up and signed. We have submitted these valuations to Westpac in late 2015 and our loan was approved. The Documents are now sitting with our Solicitor in Brisbane awaiting delivery to the Office of State Revenue. Part of the Stamping process is to double check on Valuations if 3 months has expired since the valuation date. This is the case in our situation. In preliminary talks with the Valuer these grazing blocks have lost value. While we appreciate the fact that a lower valuation will mean lower stamp duty the impact this has had on our family succession planning will be more upheaval. Do we now try and argue a case with the family for a correction in the family tally sheet or do we just cop it sweet. If the Government offered compensation, as they should, this would be taken care of. But the Government will not offer compensation to us because they are greedy and vote hungry. This is an act of Bastardry by the Government.

With the help of the DNRM we are now trying to have the Cat C removed from the proposed mapping. This involves a considerable amount of time and expenditure. The DNRM are advising us not to apply for a PMAV until we have been successful in removing the proposed Cat C and Cat R areas. This is contrary to advice we have received from private experts who carry out this type of work. The DNRM are telling us that the ALP introduced the PMAV system and it will always be available to change. Agforce are convinced that we will never have another chance at applying for a PMAV, let alone having veg mapping changed.

The ALP Government continue to try and portray their proposed changes as for the good of everyone and they keep telling the community that all the "Stakeholders" have been consulted. Why does the ALP consider the WWF as Stakeholders? RACQ have just as many members and they weren't invited to the table. The WWF and the Wilderness Society are not Stakeholders in our land. They have not paid the price, they have no ownership. We draw our wages and have our superannuation all tied up in our land. Our family's education is paid for by the productivity of our land. We pay our taxes and our rates for the benefit of the wider community and so that the ALP can take our taxes and build roads and hospitals. We are doing enough already. Please do not refer to the WWF as Stakeholders in our land.

In providing this submission we refer directly to the key provisions of the legislation which the 2016 Bill intends to amend.

2. Re-introducing Reverse Onus-of-Proof
<p><b>Background</b></p> <p><b>The inclusion of Reverse Onus of Proof in Queensland Government's Vegetation Management Framework is a direct affront to the rights and liberties of farmers. Reverse Onus relegates farmers clearing vegetation to a level below that of criminals, where they are denied common justice under Section 24 of the Criminal Code: Mistake of fact. In Queensland not only are farmers presumed guilty until they are proven innocent, but they are refused the possibility of making a mistake.</b></p>
3. That no compensation will be payable to Property Map of Assessable Vegetation (PMAV) applicants during transitional arrangements
<p><b>We own Freehold land. We deliberately avoid buying or leasing any other form of Tenure because we believe that Freehold land should not be tinkered with by the Government. What is now the difference between Freehold land and Leasehold land? The Government is fiddling with the mapping on Freehold land and impacting on our profitability at the bequest of the WWF. If the Government don't want us to maintain our land and want to stop us from being productive for the good of the WWF then why don't the Government or the WWF buy our land and then they can do what they like with it. Who gave the Government the power to take from us our rights without paying the price? The Government have to pay a price, not us. We paid the price when we purchased the land. What the Government has done is make a land grab. We are disgusted with the Governments tactics.</b></p>
4. Including High Value Regrowth as an additional layer of regulation under the Vegetation Management Framework on leasehold, freehold and indigenous land
<p><b>Background</b></p> <p><b>In 2009 a new species of ecosystem was invented. The WWF called it endangered regrowth or high value regrowth. The Government fell for this and the ALP called a moratorium on controlling this invented species. This species never existed before 2009. Landholders today are still confused as to how their regrowth is now labelled as High Value Regrowth (HVR). It was never HVR before this date and overnight it appeared on Regional Ecosystem maps. The facts are that HVR is a conveniently invented term to give some sort of credence to the WWF grab for more land.</b></p> <p><b>In our case the proposed Cat C HVR is actually Lantana growing under larger trees. For some reason the Government are using a shotgun approach grabbing as much as they can. What they don't realise is the pain, the time involved and the expenditure involved in Landowners now having to prove them wrong. This is so time consuming. We went through this in 2009, with</b></p>

many Landowners making submissions to the moratorium and it simply didn't matter what we said the Government still went ahead with their stupid changes to the VMA.

The re-inclusion of High Value Regrowth (HVR) as an additional layer of regulation on leasehold, freehold and indigenous land is an overt grab by Queensland Government in search of targets for meeting international treaties such as the Kyoto Protocol and more recently the 2015 Paris Climate Deal. In 2009 when initially introduced, this HVR layer was prepared hastily in a 'desk-top' mapping exercise with associated errors including areas of non-native vegetation (such as orchards) and bare earth. In preliminary investigations of several properties it appears that the accuracy of the 2016 HVR is no better than that in 2009.

If the free market places a value of \$12.25 per tonne on carbon, what is the estimated dollar value of "High Value Regrowth" and where is the Queensland Government's recompense for farmers and indigenous land holders?

5. Increasing Category R vegetation to include the Burdekin, Mackay, Whitsunday and Wet Tropics Great Barrier Reef catchments and additional catchments Burnett Mary, Eastern Cape York and Fitzroy.

#### Background

This increase in Category R provisions is a further restriction on development in Northern Queensland, which is in stark contrast to the development imperatives contained with the White Paper on Developing Northern Australia.

The science is completely unproven on the necessity to include  $\geq 50$  metre buffers along streamlines. In fact, a study conducted in Queensland and published in 2016 shows that grass is a far better assimilator for nitrogen to prevent leaching into waterways. The current bleaching of the Great Barrier Reef is not caused by high nutrient runoff from agricultural lands.

Signed:	Stuart Leahy Patricia Leahy
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