Submission No. 198

SUBMISSION TO:

Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016

SUBMISSION COVER SHEET

Closing date for submissions is 25 April 2016.

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SUBMISSION

I provide my 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").

My overriding issue with the Bill is that its introduction in the Queensland Parliament on 17th 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 I am totally opposed to continued uncertainty and attacks on the viability of myself, the long-term sustainability of my business as well as attacks on fellow farmers.

My Family has occupied this lease for over 125 years. During that time, using much hard work, many dollars and an enormous accumulation of landcare knowledge, we have sought to develop a bare block into a sustainable and profitable enterprise. Much of this has come about by having the ability to manage the land, without interference. This included tree clearing .

I find it quite onerous that I am having to spend time writing this submission to "in effect" fight our own Government who should instead, be our greatest ally.

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

1. Removing High Value Agriculture and Irrigated High Value Agriculture from the Vegetation Management Framework
Background **The removal of High Value Agriculture (HVA) and irrigated HVA (IHVA) affects farmers in regions differently, with those in the north particularly hard hit. Throughout northern Queensland energy and protein become limiting in cattle diets during the dry season and this can cause farmers issues with stock survival and welfare through years of drought. HVA and IHVA permits provide farmers in northern Queensland with the opportunity to grow fodder and grain for supplementing in the dry season and finishing off stock for market.** **The removal of HVA and IHVA is in direct conflict with the Australian Government White Paper on the Development of Northern Australia. A current example of this is $220 million being spent to upgrade roads to communities across Cape York, but Queensland State Government**

Vegetation Management Framework is preventing indigenous and non-indigenous land holders from developing agriculture projects.

In central and southern Queensland, HVA and IHVA provides opportunity for farmers to drought-proof properties and stabilise production and income over variable climatic and market conditions. Sustainable clearing for relatively small pockets of high value agriculture enable agricultural production to improve continuity of supply to food processors and meet the increasing requirements of international markets and Australia's Free Trade Agreements.

Indigenous development is particularly compromised by the re-inclusion of High Value Regrowth (HVR) as well as the stripping of the right to develop traditional lands as HVA or IHVA. For example, Indigenous landowners on the Gilbert River in northern Queensland preparing to submit IHVA applications have now been denied the possibility of stabilising beef production and employing community labour on their properties.

Much of Australia, and indeed Southern Queensland, has already been developed to a high degree. The fact that Northern Queensland has not yet reached its full potential should not now be a reason for us to be disallowed development and bear the brunt of the nations emissions targets.

2. Re-introducing Reverse Onus-of-Proof

Background

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.

This is a direct affront to the farming and grazing community. It makes us worse than the worst criminals and denies us rights granted to any other Australian citizen. It brings shame to the government and any member who votes for it.

The inability for farmers to "make a mistake" is also completely unacceptable. Given problems with the Governments mapping, and the ever changing regulations, inaccuracies are inevitable.

3. That no compensation will be payable to HVA, IHVA and Property Map of Assessable Vegetation (PMAV) applicants during transitional arrangements

Background

The proposal that compensation will not be available for HVA, IHVA or PMAV applicants during the Bill transition period may be a tactic to prevent panic clearing, but the implications for compensation for vegetation management in the broader sense are quite alarming.

With the cessation of broad scale land-clearing, compensation for landholders to offset opportunity cost, lost development potential and decreased property value has been a critical omission from the Vegetation Management Regulatory Framework. The issue of compensation has been debated heavily by federal and state legislators, however a precedent was set by the Beattie Government in 2004 with provision of $150 million over 5 years to offset landholder losses due to the removal of their rights to clear. This however was a copout with the funds unable to provide effective recompense for opportunity costs incurred, despite prior assessment undertaken for the Commonwealth Department of Agriculture, Fisheries and Forestry in 2003. In 2004, there was no doubt considerable rejoicing by the Queensland Government who boasted of compensating carbon dioxide abatement for less than $1 a tonne!

In the 2016 Bill transition period the situation is quite different to what it was in 2004. The threat to remove HVA and IHVA from farmers' potential to develop property provides considerable grounds for compensation, particularly for those that have structured investments and farm management activities to take advantage of HVA/IHVA in the near future. Also HVA/IHVA has attracted far greater interest in northern Queensland, with large swathes of marginal beef production areas provided the opportunity of growing supplementary feed to overcome the protein drought in the dry season.

The 2003 Commonwealth study mentioned above did not include north or west Queensland Local Government Areas and consequently grossly underestimated the areas to be considered for compensation. Another change since 2004 is the free market recognition of the value of carbon abatement with the recent auction of the Emissions Reduction Fund selling carbon at $12.25 per tonne. The Queensland State Government needs to recognise the fact that they are robbing the rights of farmers to develop productive HVA/IHVA land sustainably and that the area for development and value for carbon are much greater than they were in 2004.

4. Including High Value Regrowth as an additional layer of regulation under the Vegetation Management Framework on leasehold, freehold and indigenous land

Background

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?

Queensland, and particularly Northern Queensland, should not have to make up for ever other over cleared, over cultivated, over populated and over exploited area in the rest of Australia. We deserve our chance to sustainably develop our patch of farming country as well and should not now carry the stigma of criminal farmers out to rape and pillage the land at any cost.

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 ≥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.

Ms Tradd's comments that "everyone knows that trees prevent reef runoff" is alarmingly ill informed.

I have included photos taken of grass cover on our property. These photos were taken in the same paddock, on the same day. They clearly show the amount of grass cover, (preventing runoff) in the cleared area as opposed to that in the timbered country. See photos 1 and 2.

Clearing land is a very expensive business. Contrary to popular media and green activist's assumptions, we do not clear the land in order to turn it into a barren wasteland. The object of land clearing is to increase groundcover, improve and diversify grass species, reduce runoff, (every drop is critical) and above all develop sustainability. Only then, will we have a hope of having a profitable, sustainable enterprise.

6. Other matters relevant to the Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016 that the review committee should consider appropriate and worth some consideration

As previously stated, our family have held this lease for over 125 years. It used to be described as open Savannah grassland. The thickening that has occurred over the past decade or so is alarming to say the least. Much of the vegetation springing up is commonly known as woody weeds. Some of them are on the pest list but some of them,

because they are "native" are not. Native or not, I am sure they were never meant to be as thick as they are now, causing an inbalance, detriment to other species and land degredation. I have included a photo of some of the "thickening" timber. See photos 3 and 4. You will notice that the trees are thin and spindly and the grasscover underneath is very sparse. There are too many of them and we need to be able to restore the balance to our pastures in order to preserve the fertility and sustainability of our land. Government interference to the degree proposed with onerous thinning permits and fear of wrongdoing hanging over our heads will only hinder the preservation of "A " condition land and this will in turn be detrimental to the reef.

I have just read about the new recording regulations required for the use and handling of chemicals. My husband and myself, both over the age of 60 have spent the last two weeks, in temperatures in the high 30's crawling up and down creek banks, juggling with spray tanks, tripping over vines and weeds, walking from one end of our property to the other, dispensing poison and spraying noxious weeds. This is a requirement, we are repeatedly told, of maintaining our lease. It is also something we do because we are so passionate about looking after our land and maintaining a healthy environment. Now, this government are going to heap a whole load of paperwork, 2 day courses and other expensive regulations and requirements on top of this already onerous job. I feel fairly confident that nobody dispenses any more chemical than is absolutely necessary. Despite locking in a PMAV, completing a BMP, doing a Grazing Land Management Course being a Landcare member, having our business win runnerup in a state Landcare award last year and having 4 generations of passion in my blood for our property, we apparently still don't know what we are doing and at the whim of a passerby I can still be guilty until proven innocent. Drowning in paperwork and regulations, I am very tempted to say "I give up!"

Signed:	[redacted]
Address:	[redacted], Charters Towers, Qld 4820
Date:	17/4/16

1

Submission No. 198