

**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 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 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.

Far too many Governments & businesses make CHANGE for Change Sake.

Changing laws for political gain, that have not had sufficient time for all involved parties to assess the positive & negative effects, is clearly an agenda. The State Government needs to govern transparently and make decisions based on genuine facts which are supported by science, for the people of the whole of Queensland.

If the State Government is to make any inroads in paying back the huge debt they have, it is in their best interest to support the agriculture industry as it has been and always will be the back bone of Queensland, through boom and bust times.

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**

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.

## **2. Re-introducing Reverse Onus-of-Proof**

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.

No matter who you are, where you live, what you do, the Australian way of life is to give someone a 'fair go' and to me that means that you are innocent unless proven guilty. Re-Introducing Reverse Onus-of-Proof is something that is practiced in third world countries, not a first world country as Australia. We are living in the 21<sup>st</sup> Century, laws need to be applicable to the 21<sup>st</sup> Century.

Immigrants come to Australia illegally and are not denied the possibility of making a mistake, why should the citizens who feed and clothe Australians be denied this liberty.

The committee needs to be aware of the huge differences in available internet services to farmers to be able to view and assess their property maps on the various websites. I live only 60 kilometres from the port city of Gladstone and our only option for internet is satellite connection which is slow to say the least. I was unable to download Google Earth Pro and Queensland Globe from our home office so took up an opportunity whilst in Gladstone to use a friends' internet connection. I can only imagine what some Queenslanders, living in more regional and remote areas than I, have to contend with.

On opening the programs and navigating through, I came upon inconsistencies in the maps available. This is ongoing with DNRM and in my opinion these inconsistencies could have led us into making a decision to clear regrowth which in turn may have been 'a mistake' as we would have been guided by the misinformation in these maps.

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

The Queensland Government needs to remain aware of the fact that during the GFC and again now in the Resource Industry downturn, the agricultural industry has kept Queensland's head above water.

The Queensland State Government needs to recognise the fact that they are robbing the rights of farmers to develop productive HVA/IHVA land sustainably. 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.

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

We have areas on our property which if we didn't have a PMAV locked in, would be included in this category. Decades before the Vegetation Act of 1999, we have sustainably thinned these areas so that trees of value are left and able to grow. These trees, once large enough are sold for mill timber, giving us an income and the ability to be viable during times of drought and low commodity prices (ie. The 1970's Beef Slump).

It is in the DNA of Australian native trees, that in good times, they over populate to compensate for the dry times. We have received our annual or above rainfall for the last 5 years and this has been a major factor in the regrowth on our property.

#### **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.**

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.

It is totally unfair that all Reef catchments are being treated the same.

"One size Fits All" is not the way to approach these vastly different ecosystems considering the vast differences in rainfall.

It is baffling to say the least that the State Government would want to extend these catchment areas when the southern part of the Great Barrier Reef, from Bowen to Gladstone is actually growing and getting healthier. The area between Bowen and Cairns is growing and recovering too. Coral bleaching is at its worse in the northern part of the Reef and this is due to cyclones and warmer waters from the El Nino.

Please do not avoid reading the truth in these scientific reports, that are coming out of your own departments, written by your own employees.

## **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**

I would like to raise my concern about the inconsistencies in the Vegetation Management Maps and I believe these inconsistencies come about from too many changes to the Vegetation Management Act being rushed through Parliament and made without proper consultation. I am still in communication with DNR about this matter.

My husband is the 4<sup>th</sup> generation of his family, with our property being held by our family for 114 years and we need certainty within legislation to overcome changes every election cycle so we can plan for not only our future but that of our daughters and ensure we can make decisions to keep sustainably farming our land. It is totally unacceptable for Government to waste monies, which they don't have, on red tape, hearings etc when the current Vegetation Management system is working. We want to be able to clear regrowth vegetation so to drought proof our business for a successful future.

Farmers have proven to be the best land managers with regard to weeds and feral animal control. Year after year we see Governments not investing in their own land (ie National Parks) to control these pests as they do not have the funds to take on the huge effort required. We have National Park and State Forests on half of our boundary and are continually battling weed infestations from these areas as we are downstream in the catchment. We spend thousands of dollars each year maintaining fire breaks along these boundaries due to the immensely high fire hazard from the huge amounts of fuel as no controlled burns ever take place. Needless to say that there is a huge amount of carbon to be lost into the atmosphere if a fire were to eventuate. Sensible vegetation management would not allow this amount of fuel to build up. We also spend thousands of dollars controlling weeds such as Giant Rat's Tail Grass and Parthenium which at present have been left untreated in these Government owned lands for numbers of years. The Government should take a step back from their political agenda and actually get out & see what's happening on the land that they own and start to manage it sustainably. Most State Forests & National Parks are over run with woody weeds and feral animals which then encroach onto privately held land.

The committee needs to also keep in their mind the affect these laws will ultimately have on farming businesses ability to employ staff. At present we have 2 staff members and also use contract staff at busier times. Living close to Gladstone, we see the pain people are going through being laid off and not having the chance to be re-employed and having to move away to seek other employment. If we are not able to keep regrowth under control on our property, it will impact heavily on our total business module and will in turn determine the number of employees we have. In the current employment downturn, the Government should be concentrating on allowing businesses to grow and therefore keep more people in employment. If these laws are introduced, there will be substantial negative flow on effects in communities across Queensland – unemployment usually leads to crime, drugs etc which in a lot of areas in Queensland already exists.

Being able to sustainably control regrowth in a way which we know & can prove works successfully, gives us the ability to increase our profitability long term whilst looking after our property for not only our daughters but their children.

Signed:	Kathryn Chapman
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Date:	Thursday April 21 <sup>st</sup> 2016