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Legislation
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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:

Email: vminquiry@parliament.qld.gov.au

Post: Fax: 07 3553 6699

Research Director
Agriculture and Environment
Committee
Parliament House
BRISBANE QLD 4000

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State:

Q.L.D

Postcode:

4570

Postal address:

AS ABOVE

Suburb/City:

State:

Postcode:

Is all or part of your
submission confidential?

Yes, all

☐

Yes, part

☐

No

☒☒ (copy box to indicate answer)If part, please identify
which sections are
confidential:

Reason for confidentiality:

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.

*B.

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.

*C.

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!


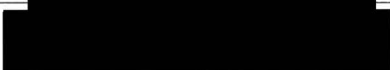
In the 2016 Bill transition period the situation is quite different to what it was in 2004. The threat to remove HVA and IHVA from farmers' potential to develop property provides considerable grounds for compensation, particularly for those that have structured investments and farm management activities 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

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.

*F.

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

*G.

Signed:	
Address:	 Gunalda Q.L.D 4570
Date:	18-4-16