

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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Email:
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Agriculture and Environment
Committee
Parliament House
BRISBANE QLD 4000**Organisation or individual:** PR & J Kahler**Principal contact:** Jean Kahler**Position:** Partner**Telephone:** [REDACTED] **Fax:** NA**Mobile:** NA**Email address:** [REDACTED]**Street address:** [REDACTED]**Suburb/City:** Springsure **State:** Qld **Postcode:** 4722**Postal address:** As above**Suburb/City:** **State:** **Postcode:****Is all or part of your
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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").

Over 80 percent of Queensland is in drought and new and different vegetation management laws only add to the stress of primary producers during an already stressful period. We need certainty and continuity so that we can comply with the legislation. Changing the rules every couple of years does not assist the environment or the producer. I believe that the majority of primary producers try to do the right thing and they now realise the value of natural ecosystems and diversity. Instead of being penalised, public funds would be better spent on educating those who have not heeded the message.

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 central parts and the north particularly hard hit. Throughout these areas of 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 central and 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

Background

The inclusion of Reverse Onus of Proof in Queensland Government's Vegetation Management Framework is a breach of natural justice. An accused murderer in Queensland will have more right to justice than an accused producer. Considering the number of errors that the relevant government departments have made in the mapping, and the reluctance to correct these mistakes, I consider that it is an affront to deny producers the right to the defence of mistake of fact.

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.

These constant changes are making planning impossible for producers who would like to take a long term view. If opportunities are lost due to a change of direction from government, then the producer must be compensated.

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?

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 but by climate change.

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

- A. It is not appropriate for Government to change the law each time a different political party takes office. Even primary producers are citizens and electors and we deserve consideration and respect. It is inappropriate to use us and our livelihoods to score political points. Both major parties treat miners in a vastly different manner to the way they treat other primary producers. They have been allowed to change the course of waterways, remove high value vegetation and neglect to reinstate and revegetate after mining operations are concluded. The difference in treatment of miners and primary producers will be even more unjust if the vegetation management laws are changed again.
- B. It has been proven that the rate of vegetation thickening in Queensland is double the rate of land clearing.
- C. I don't believe that the current regulations are failing. Broad scale clearing is certainly not prevalent in our area and has not been for many years.
- D. I believe that regulations do need to exist and education needs to continue, but we also need to be able to plan and effectively work our properties. We need certainty and fairness.

Signed:	[REDACTED]
Address:	[REDACTED]
Date:	SPRINGSURE QLD 4722 25/04/2016