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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Date: 27th April 2016

Summary

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").

The Bill's 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. Although review is essential, the constant change in legislation driven by political imperatives rather than good science or in response to on ground fieldwork 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.

Although the Vegetation Management Framework reforms that were implemented under the previous LNP government were not perfect in terms of vegetation management, the framework provided a step in the right direction towards a practical approach to the development of a holistic management framework that recognises the reality of the situation onground, matched solution to problem and was district relevant. It was an attempt to provide flexibility, sustainable opportunities, and the ability to manage vegetation issues in a time pertinent way as well as restoring some degree of autonomy and dignity to those who have invested their lives in agriculture in the State of Queensland.

Our concerns are as follow:

Item 1. The ability to manage the impact of the current drought on the landscape

The reinstatement of the previous regime will only further compromise the ability to manage ecological damage being caused by current rapid tree growth and regrowth.

Our properties are situated in the southern gidyea woodlands of the Mitchell grass downs bioregion. This area is now in its fifth year of drought. Despite the lack of rainfall, trees are demonstrably growing at a rate that is severely threatening the viability of significant grasslands.

In discussions about vegetation management in relation to gidyea (*Acacia cambagei*) and invasive gidyea seedling growth, it has been advocated in the literature that natural cycles of thickening are balanced by natural cycles of thinning through events such as drought and fire. (Fensham et al., 2005, Fensham et al., 2009). (1)

This is used as an argument against timely management of gidyea regrowth and invasive gidyea seedling.

Case study: Norwood - The actual on ground picture 2016

This site was first shown to Government representatives in 1995 in order to demonstrate the destructive nature of gidyea seedling on grasslands. At that time there was a dead adult gidyea tree surrounded by waist high seedlings. Today the original tree has all but disappeared in the middle of the now immature trees all of which have survived.

Figure 1 Norwood Blackall 2016: Note healthy tussocks in surrounding landscape

Figure 2 Norwood Blackall 2016: Note area around group of trees has no tussocks

Figure 3Norwood Blackall 2016: Note no understory or grass

Figure 4 Norwood Blackall 2016: Original tree source of seed

Figure 5 Norwood Blackall 2016: Note no bidodiversity

There is no understory of mixed vegetation only a monoculture. There is no grass. No trees have died and no natural thinning has occurred despite this thicket having been through two of the worst droughts in 100 years being the 2002-2004 drought and the current drought which is in its 5th year. Similar examples of invasive seedling outbreaks can be found across our landscape.

Figure 6 Norwood Blackall 2012

These pictures demonstrate that there is no biodiversity (purpose (d) of the Act) and no maintenance of ecological process (purpose (e) of the Act) and that if left unmanaged or restricted severe environment effects eg loss of significant grasslands and subsequent soil degradation, will occur.

It is imperative that the vegetation management framework be as flexible as possible to restore the tree grass balance.

This anecdotal case study is supported by a recent unpublished paper by Dr Bill Burrows entitled *Vegetation Management in Queensland - Some essential facts for politicians, rural industry and all Queenslanders* 2015

Dr Burrows summarises:

- *Different satellite based sensors can now reliably detect changes in the aboveground biomass of vegetation, as well as carbon dioxide (CO_2) levels in the air column above the earth's land mass and oceans.*
- *Aboveground biomass increased in Queensland over a 20 year observation period (1993-2012), even though this also coincided with different years of either well below or well above average rainfall, along with years of extensive ('panic') clearing – in the highly publicised lead up to the passing of the State's Vegetation Management Act 1999.*
- *The satellite sensor observations are validated by a myriad of ground based and aerial photo interpretation studies. This research confirms that uncleared woody vegetation is "thickening" (increasing in stem density, stem size/basal area and/or canopy cover) on the State's rural landholdings. This results in increased woody plant biomass and carbon storage, as well as providing strong competition that limits the growth of associated pasture.*
- *Independent sensors on Japan's IBUKI and NASA's OCO-2 satellites now both show Queensland is a net annual sink for CO_2. In other words vegetation is currently removing more CO_2 from the air (atmosphere) above this State than is being added to it from the combined impacts of land clearing, plant respiration, fire, fossil fuel use, adjacent ocean outgassing etc.*
- *It is concluded that arguments for the reintroduction of strict tree/shrub clearing control bans on this State's rural landholdings are not supported by the evidence. Our 'intact' woody vegetation is not static, but on a definite 'thickening' trend overall. This trend threatens the viability of many rural enterprises. Reintroducing strict restraints on the clearance of trees/shrubs from the rural landscape will only exacerbate this problem.*
- *A review of research literature provides further support for these conclusions. (2)*

Item 2 High Value regrowth

The re-inclusion of High Value Regrowth reverts to the unsupportable proposaal that regrowth can be anything else but regrowth. It does not have high value and manifest itself on the ground as a mono culture. An examination of local mapping indicates that in general the proposed HVR areas are so small as to be meaningless in terms of the purported purposes of the act.

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.

Item 3 Re-introduction of 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.

Item 4 Category R

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.

Item 5 Removal of High Value Agriculture

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.

(1)

Fensham, RJ., Fairfax, RJ. and Archer, SR. (2005). Rainfall, land use and woody vegetation cover change in semi-arid Australian savanna. Journal of Ecology: 93 , 596–606.

Fensham, RJ., Fairfax, RJ. and Ward, DP. (2009). Drought-induced tree death in savanna. Global Change Biology: 15, 380–387.

(2)

Vegetation Management in Queensland - Some essential facts for politicians, rural industry and all Queenslanders

Dr Bill Burrows* FTSE 2015