

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:

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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. WITH IMPROVED ACCESS TO THIS AREA THIS WILL IMPROVE THE ABILITY TO MAKE IMPROVEMENTS TO BETTER UTILIZE THE BETTER MORE PRODUCTIVE SOILS. THIS WILL STOP THE PLANNING & IMPLEMENTING THESE IMPROVEMENTS.

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. THE CHANCE OF MAKING A MISTAKE WHEN CLEARING IS HIGH DUE TO LACK OF ACCURATE MAPPING & GPS POSITIONING, SHOULD BE PRESUMED INNOCENT UNTIL PROVEN GUILTY AS WITH COMMON LAW

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!

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


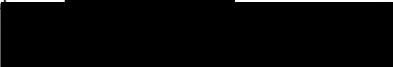
This increase in Category R provisions is a further restriction on development in Northern Queensland, which is in stark contrast to the development imperatives contained with the White Paper on Developing Northern Australia.

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.

*F. DURING A GOOD SEASON THE HIGH WATER MARK COULD TAKE AWAY A LOT OF THE GOOD SOIL. NO CONSULTATION WITH REGARDS TO MAPPING

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. INTRODUCTION OF THIS BILL HAS CAUSED A LOT OF UNCERTAINTY & STOPPED ANY SERIOUS FUTURE PLANNING. THERE HAS BEEN NO CONSULTATION ~~THE~~ WITH THE LAND HOLDERS

Signed:	
Address:	 WEIPA
Date:	13/4/16