

**Submission to the Queensland Parliament Agriculture Committee regarding
The Vegetation Management (Reinstatement) and Other Legislation
Amendment Bill 2016**

Submission by George Chapman AO

28 April 2016

Whilst I have many concerns about the inequity of the Vegetation Management Act and particularly the High Value Regrowth Legislation I accept that this Government is committed to bringing back all of its previous draconian provisions. However what has surprised me when I have now looked into it is not the proposed Legislation but the fact that the bureaucrats have taken the opportunity to massively increase the areas to be classified as Category C, High Value Regrowth.

A cursory look at existing and proposed Regulated Vegetation Management Maps shows very extensive areas that were classified as Category X in 2011 (before the changes introduced by the LNP Government) are now proposed to be classified as Category C.

I am sure that this bureaucratic action will have widespread devastating effects throughout the State but I will cite below examples of properties owned by my companies in the Cairns Region.

1. Goldsborough 1 and 2

These properties were bought in 1989 as part of a large aggregation which was zoned Rural Residential and the price paid reflected this zoning. Because of the depressed real estate market in Cairns since then, development has been slow but we have managed to develop and sell over 300 Rural Residential Lots of 4,000 sq. m. or more. Almost all of the land was formerly used for cane farming but some areas that we haven't kept slashed have had saplings regrow on them.

I am confident that, unless there is a change to the definition of High Value Regrowth, we can prove that the areas shown circled in red on the Maps should not be Category C. In fact when High Value Regrowth Maps first came out we protested about a large section of the area marked Goldsborough 1 and the Department finally agreed that that section should be removed, which it was. Now the Proposed Vegetation Management Map shows that Category C is to be imposed on this land again. We should not have to go to the cost of again proving that designation does not stand up.

A similar situation applies to the land shown as Goldsborough 2 except that those areas were never previously designated Category C.

The areas circled on Maps Goldsborough 1 and 2 have been the subject of applications to develop and subdivide with the Cairns Regional Council for some years but have not yet received final approval. Whilst I understand that these applications can still be considered

under the old legislation, if we cannot reach agreement with Council and have to lodge a new application it will presumably not be approved thanks to the land being now classified Category C.

This effectively wipes out virtually all of the previous value of the land as it becomes, at best, one house site.

I understand, but cannot be sure because of all the different authorities and red tape involved, that Urban land for development is exempt from the prohibitions of Category C but we were previously advised by the Department that Rural Residential land is **not** considered to be Urban.

2. Skyrail and Tjapukai land

These lands currently have some sections classified as Category X and some as Category B. Now, on the Proposed Regulated Vegetation Management Maps, a large area of both properties that was previously Category X will become Category C. The only change to the vegetation on the Skyrail land has been the considerable amount of tree planting that Skyrail has undertaken to improve the environment and attractiveness of the property. We should not now be penalised for this by having Category C, with all its attendant restrictions, imposed over the property.

Summary

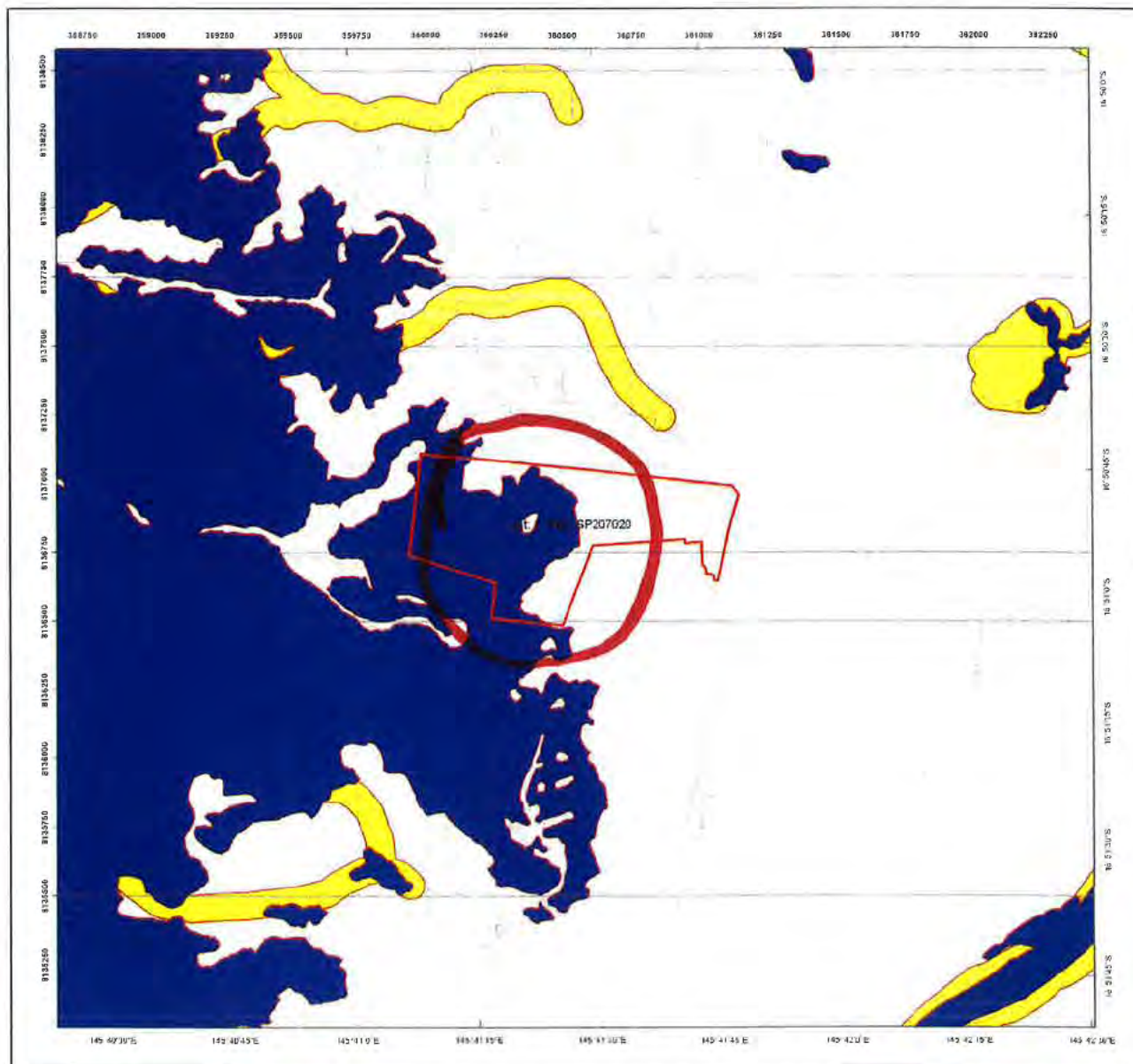
The above are specific examples of properties owned by us and we only became aware of them this week when I decided to check on the existing Regulated Vegetation Management Maps to see if they had changed. I also note that significant areas of other peoples properties are to be Category C when they were previously Category X.

This is grossly inequitable as if, as the bureaucrats will no doubt argue, these areas have now got more regrowth vegetation on them than previously it will only be because the owners have deliberately or negligently not kept the properties slashed to prevent regrowth. In other words they have done the right thing and are now to be severely penalised because of that.

Whilst this submission is not directly commenting on the proposed new Bill, the Parliament should be aware that the bureaucrats, and presumably the Minister, are using the smokescreen of the new Legislation to greatly expand the areas classified as Category C. At the very least they should be instructed that areas classified as Category X when Labor was previously in power should remain so.


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Regulated Vegetation Management Map

Please note, the Government has proposed changes to the Category C and Category R areas which are shown on the Proposed Regulated Vegetation Management Map. For more information on these changes, please refer to the Department's website.

Legend

- Lot and Plan
- Category A area (Vegetation offsets/compliance notices/VDecs)
- Category B area (Remnant vegetation)
- Category C area (High-value regrowth vegetation)
- Category R area (Reef regrowth watercourse vegetation)
- Category X area (Vegetation not regulated under the VMA)
- Water
- Area not categorised
- Cadastral line
- Property boundaries shown are provided as a locational aid only

LOCALITY DIAGRAM



0 200 400 600 800 1,000 m

This product is projected into:
 GDA 1994 MGA Zone 55

Disclaimer:

While every care is taken to ensure the accuracy of this product, the Department of Natural Resources and Mines makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.

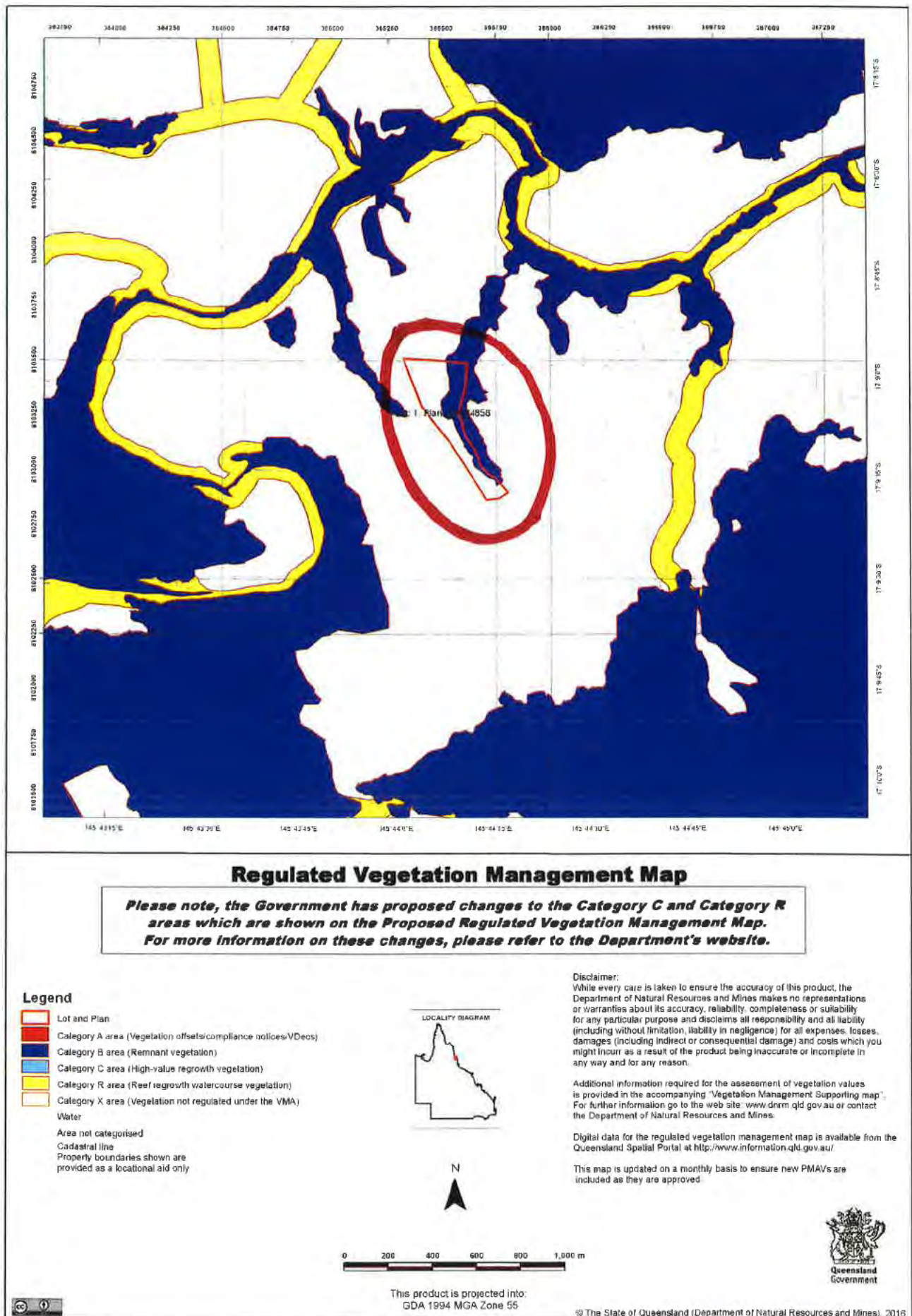
Additional information required for the assessment of vegetation values is provided in the accompanying "Vegetation Management Supporting map". For further information go to the web site: www.dnrm.qld.gov.au or contact the Department of Natural Resources and Mines.

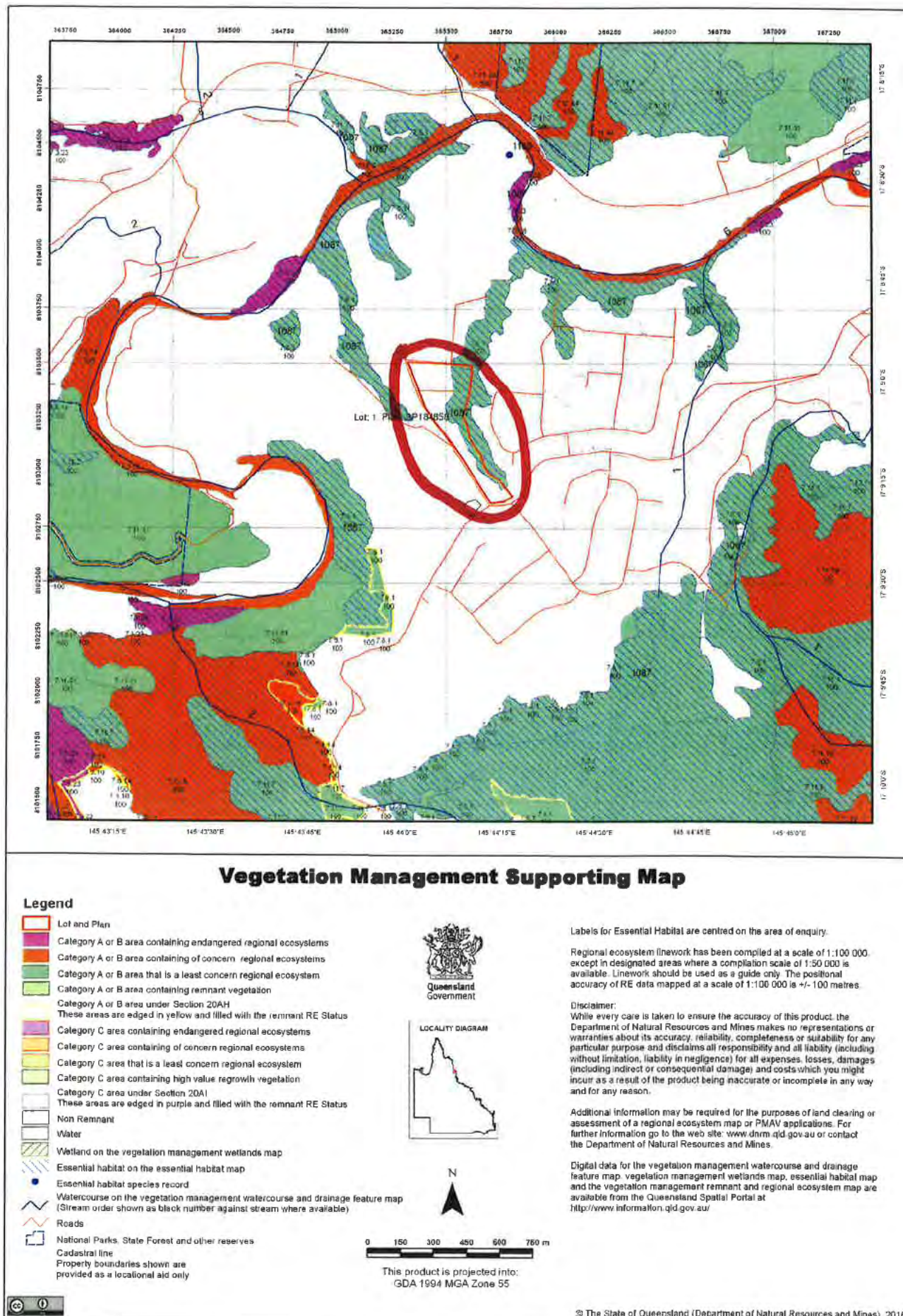
Digital data for the regulated vegetation management map is available from the Queensland Spatial Portal at <http://www.information.qld.gov.au/>

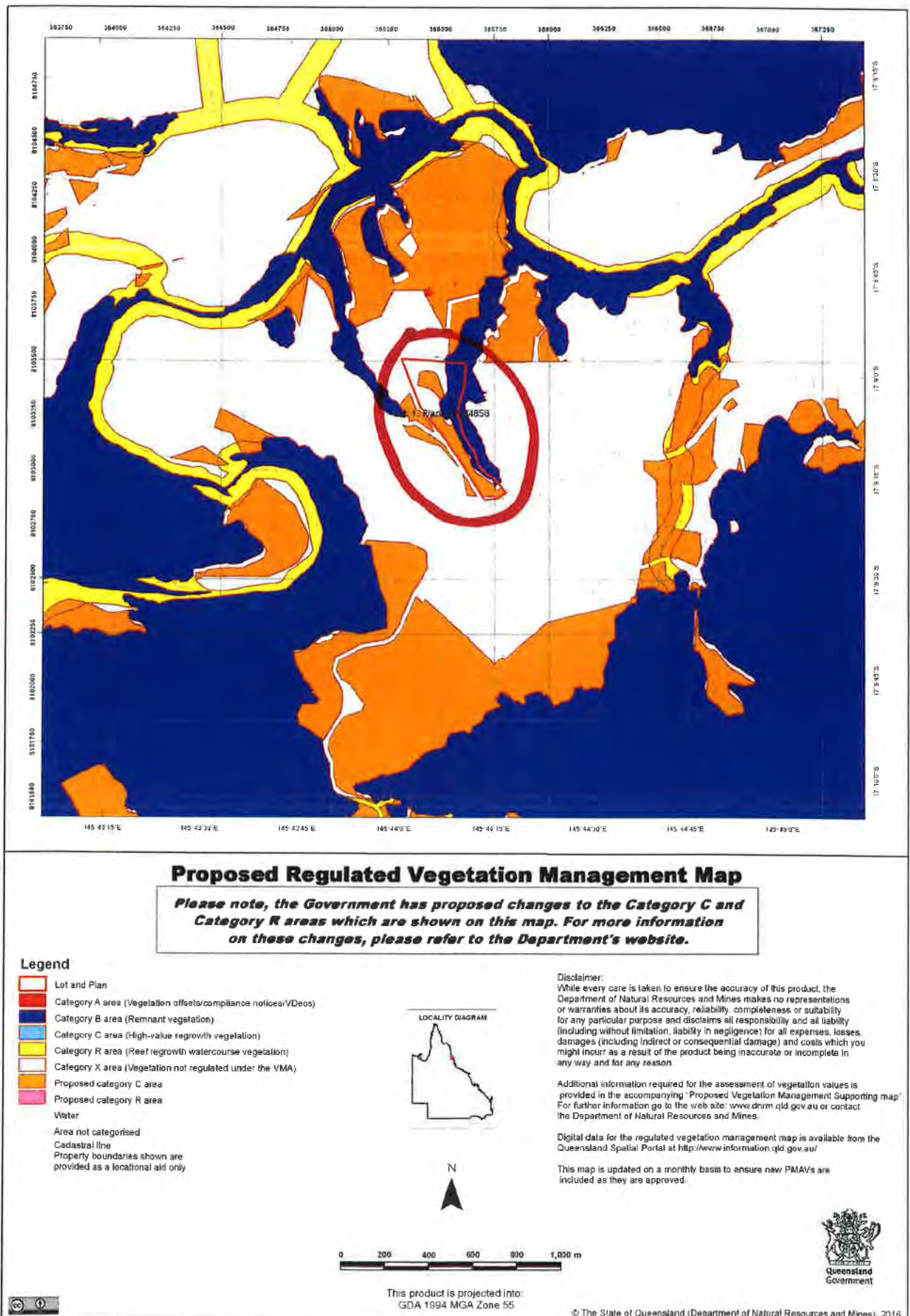
This map is updated on a monthly basis to ensure new PMAVs are included as they are approved.

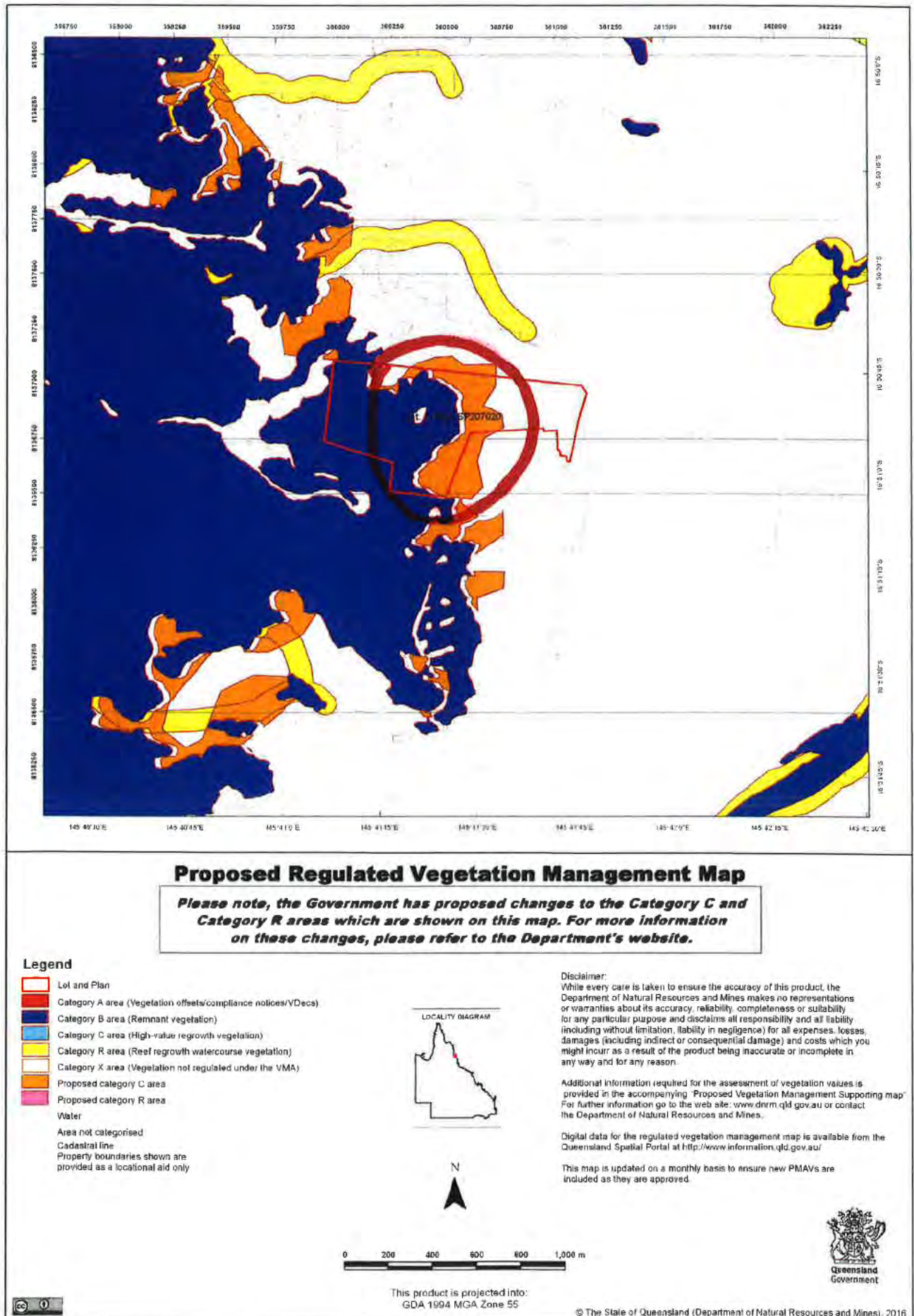


SKURAIL AND TJAPUKAI









SKYRAIL AND TJAPUKAI