

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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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").

Constant change of Vegetation Management Regulations

- *My overriding issue with the Bill is that its 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. This constant change in legislation severely impacts on the ability of farm managers to plan and implement effective long-term property and business management decisions.*
- *I believe that this bill has been introduced without listening to the people who live and work the land. **The farmer's livelihoods and ability to plan for the future is being tossed around in a political football match with government looking to satisfy election promises to the 'Greens' to keep them in parliament.** If the decision makers came west to speak with farmers and the people who have been managing the land for over 100 years, they would find that landholders as a whole look after their vegetation as they are fully aware that how they manage their soils, grass and trees will determine the survival of your business.*
- *With the Bill being introduced when farmers are on their knees with over 86% of Queensland in drought conditions, it should come as no surprise that I am totally opposed to continued uncertainty and attacks on the viability of myself, the long-term sustainability of my business as well as attacks on fellow farmers.*

The Vegetation Management Act has already had significant costs on business productivity, sustainability and devalued properties.

- *Our property has a great location, close to town, schools and services. It was purchased in a run down condition 2001, much of the land had not been developed/improved in 20 years and it was our intention to develop it back up with careful land management and improving infrastructure. At the time we could have developed 70%. Drought depleted our finances in first couple of years and by the time we were in the position to develop the land the Vegetation Management Act was approved and has left us only 30% of our property being eligible for clearing/development which significantly affected our future development plans, the ability to increase our herd to a viable capacity, combat dry seasons and also future value of the property. **Estimated cost to business is \$100,000/year and if the property had been able to be developed fully, total valuation would have also increased \$750,000.***

- *The **South West Queensland region**, in particular the Mulga lands, was traditionally sheep and wool growing country. The country itself, in an unimproved state lends itself well to sheep, as their grazing method helps reduce woody weed and tree regrowth allowing grasslands to grow. In dry times, with permitted harvesting of trees for fodder this was a sustainable industry and time had proven it was the most sustainable enterprise for the region as it created plenty of jobs for shearers and associated businesses. Due to the explosive wild dog problems decimating flocks, in more recent years there has been a swing away from sheep to be replaced by cattle whose grazing habits are different to sheep and requiring greater volumes of feed for sustainability. This requires development of country to grow introduced pastures but this has been restricted with the introduction of the VMA. So farmers have had been forced out of an industry that was profitable due to wild dogs, to an industry that could be profitable providing adequate pastures can be developed, backed by the utilisation of using fodder harvesting in dry times but restricted due to the VMA. **Now in drought, wild dogs still bad, kangaroos are in plague proportions creating huge pressures on grazing land management, livestock numbers at record lows, the regional towns are dying and our government wants to add more stress to a landholders livelihood by adding further complications and restrictions with the reintroduction of the VMA. What compensation for the impact on their business is on offer? Nil.***
- *In recent years, due to profitability and also drought preparedness, landholders east of Mitchell are using their properties with better soils to grow crops and background and fatten cattle instead of breeding. So much of the breeder country has moved to west of the Mitchell line which incorporates the south west Mulga region. A landholder with breeders knows he has to manage his vegetation for sustainability of his business and survival of his livestock, especially in dry times. Species of trees like Mulga used in harvesting replenish very easily and a tree knocked down left in state holds water for pasture to grow, followed by the seeding of large numbers young Mulga regrowth trees which grow up to provide a Mulga graze for the next dry season and continue to grow for the next 15-20 whereby they may be knocked down again to provide fodder and the cycle goes again. Trees on the ground allowing pasture to grow does not cause erosion, it stabilises the ground and creates grasses that hold the soil. There is carbon in the grasses and soils too, not just trees.*

The Self Assessable Codes – still uncertainty

- *It has been stated in media, by Minister Trad, that the changes introduced in 2013 by the LNP Government relating to the self-assessable codes should not be affected. But within 2 sentences later Minister Trad refers to the 'thinning' code claiming it to be possibly taken advantage and used as 'clearing' which needs to be looked at. When thinning, you cannot only use a single machine and there is no chain with 2 dozers pulling such as in broad-scale clearing. To 'thin' country using this method is not that cost effective (costs out at about \$35 per hour as opposed to about \$15/hour).*
- *The Self Assessable Codes have as not taken regulations away but just made the process more user friendly, much easier to make applications and sets out requirements with much less jargon and includes easier to understand diagrams. Many landholders have attended workshops held by AgForce, SWNRM etc to understand the requirements under the self- assessable codes and use them accordingly. I would not like to see any changes to the self – assessable codes. It has just made things more understandable and user friendly,,, there are still rules and guidelines in place.*

In providing this submission I refer directly to the key provisions of the legislation which the 2016 Bill intends to amend.

1. Including High Value Regrowth as an additional layer of regulation under the Vegetation Management Framework on leasehold, freehold and indigenous land

- *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?*

2. Removing High Value Agriculture and Irrigated High Value Agriculture from the Vegetation Management Framework

- *The removal of High Value Regrowth (HVA) and Irrigated High Value Regrowth (IHVA) affects farmers across Queensland differently with those in the North most greatly affected. In dry seasons, North Queensland pastures become low in protein and energy with farmers having issue with stock survival. There are huge costs in transportation of fodder and supplements to feed stock until the next break of rain. The ability to develop their country and have the **opportunity to grow grain and fodder allows the properties to become more sustainable** and the possibility to finish stock more suitable to a diversity of markets.*
- *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 and development of crops and pastures will improve production levels and the ability to finish cattle 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.



3. Re-introducing 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. **Arrested members of Biekie gangs will be given more rights than respectable living farmers who produce food and fibre at that rate.***

4. That no compensation will be payable to HVA, IHVA and Property Map of Assessable Vegetation (PMAV) applicants during transitional arrangements

- *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 marginal beef production areas provided the opportunity of growing supplementary feed to overcome the protein drought in the dry season.*
- *The 2003 Commonwealth study mentioned above did not include north or west Queensland Local Government Areas and consequently grossly underestimated the areas to be considered for compensation. Another change since 2004 is the free market recognition of the value of carbon abatement with the recent auction of the Emissions Reduction Fund selling carbon at \$12.25 per tonne. The Queensland State Government needs to recognise the fact that they are robbing the rights of farmers to develop productive HVA/IHVA land sustainably and that the area for development and value for carbon are much greater than they were in 2004.*

- *In our own circumstances, the Vegetation Management Act has not only restricted us from developing two thirds of our property area and restricting the number of stock we can carry it has now **also affected opportunities with investment in carbon projects**. Carbon traders are looking for areas 'regrowth' trees that range from about 2 years to 25 years growth being more suitable than aged mature trees, if we had been allowed to clear more country as we should have been at time of purchase, we could have made the business more sustainable with parts of the property improved with pasture and utilised in livestock production and also a percentage of trees let to regrow and managed under a carbon contract which would provide for extra funds to counteract dry seasons. This would be a good outcome but government legislation has denied us of that and an estimate **cost to our business overall would be approximately \$1,500,000 over the 25 year contract**.*
- ***Suggestion is for panel to come out to the west and witness the process and see that knocking over trees, especially species like Mulga that self- replace tenfold, is not necessarily destroying the environment and in reality needs to be done to maintain a balance of pastures and fodder trees. Mulga trees are no way a threatened species, are self- replenished and should not be in the VMA.***
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Signed:	
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Date:	25.04.16