

From: [REDACTED]  
To: [vminquiry](#)  
Subject: Submission to changes in Vegetation laws  
Date: Friday, 29 April 2016 11:37:43 PM

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Dear Sir / Madam,

I have followed the variations to the vegetation laws over the last several years and find that the complexity of the laws is overwhelming and fail to understate how those in government could possibly conceive how the layman could possibly have a basic understanding of what the laws mean and how they have relevance to the management of their property. Many of the legislative changes over the years have been poorly introduced and even more poorly understood. The current proposed changes add further to the complexity and adds further burdens to management of Freehold land in Queensland well beyond the understanding of the average landholder. Add to this the fact that the current legislation reverses the onus of guilt so that the landholder has to prove his or her innocence and even further that the mistake of fact does not apply, then this is truly recalcitrant legislation that is being proposed, well beyond the accepted level of being innocent until proven guilty, that is generally accepted in Queensland. Landholders are not being offered this basic human right. The law regards landholders as criminals until they can be proven innocent. This begs the question as to what regard the legislation holds ordinary people to - just because they own land, they are all put into a bracket that even a murderous person had better social and criminal rights.

For our own property, we are fortunate that we recently did a Lock In PMAV, so we are largely immune to the proposed legislation.

However, landholders that are in our neighbourhood and other that I know through work are not so fortunate. They are perplexed by the intent of the proposed legislation. The mapping is way too simplistic. It is erroneous. It certainly does not reflect what is reality on the ground - it has very little relevance. It definitely detracts from the good work that Catchment associations, industry groups, Councils and others have been doing to engage with landholders to participate in good land management. Under the proposed amendments, no landholder would wisely let trees grow in pasture land (for example) in the knowledge that by doing such will inevitably mean that that parcel of land will be targeted as regrowth. This grossly detracts from good land management.

I work with a number of dairy farmers.

I work with a number of graziers.

I get on with landholders who are very conservation minded with respect to management of vegetation on their properties.

I own a property where we have successfully integrated grazing with vegetation conservation.

I see value in keeping trees, for a whole range of reasons.

Part of my paid work is to get landholders to acknowledge and endorse the role that vegetation has in the management of their property. And yes, you can make money from trees, but not just from chopping them down as timber, but through an integration with land management.

The programs I have been working with in the last several years has seen kilometres of creek fenced off, hundreds of hectares of land now with off stream water that has encouraged stock away from creeks and other biodiversity hot spots. I encourage the use of shade trees, protection of riparian zones and creeks. For the life of me, I fail to see how the proposed legislation will enhance vegetation preservation or give land holders any ownership of protecting and expanding vegetated areas on their property. There is no provision in the legislation to encourage good management practices - it is all about being punitive, being negative, being regressive. I fear the legislation will do the opposite of what it is intended to do. It gives no encouragement to voluntarily preserve, or indeed expand, existing areas of vegetation. To the contrary, it will do the exact opposite.

Our property has Land for Wildlife status. At a minimal level this gives us a conduit to get information on wildlife preservation, plus gives us a sense of belonging to a community that cares for what we have. We are also members of wildlife conservation groups that add to the aforementioned euphoria. However the legislation will build up fear - fear that any beneficial works we do will back fire on what we are attempting to do on our place - and that is to earn an

income while at the same time to give nature a fair go. We have the added privilege of having two kilometre frontage to a National Park. We see that enhancing the natural values of our property will extend the reach of the National Park. The proposed changes will certainly not enhance this - again will detract from it. The proposed legislation does nothing to boost our confidence in what we are doing.

Further, on local properties that have the "pink" and Orange" proposed Cat R and C, I find from a limited analysis, that the mapping is quite poor to the extent that it has little relevance of what is on the ground. An example is a nearby property where there are 10 hectares which have been mapped as proposed Cat R. There are 40 trees in this 10 hectares - so it begs the question, how do 4 trees per hectare constitute regrowth? They are there as shade trees, on commercial productive land. Is the intent of the legislation to scare landholders so that they knock out every tree that appears on their property. Certainly this is not the intent, but this is the message that the legislation is passing onto landholders. The mapping needs to be condemned. No review committee worth its salt would allow the mapping in its current form to exist and hold any relevance. Additionally, proposed Cat R areas are based on some very loose computer modelling of waterways which certainly does not represent riparian zones. Again, no committee worth its existence would accept this mapping as it holds little substance and relevance.

Based on our local area (SEQ), I estimate that at least 50% of the proposed veg mapping is erroneous - probably well over 80%. If the mapping is to have any relevance and credibility, it must be redone to reflect what it is supposed to. Extending this erroneous level across the State, I would suggest that the blurb purporting the area captured by the proposed changes to be grossly over exaggerated and completely misleading. Such publicity needs to be withdrawn.

But there is a mechanism to correct the poor mapping. It will cost the landholder around \$500 plus whatever material and consultants are required to prove the mapping is incorrect - in the meantime, the landholder is potentially guilty because of the poor level of mapping. How can an advanced society such as Queensland accept this as being satisfactory? It simply cannot.

Then there is the legislation itself. It is impossible for a lay person to be able to interpret the intent of the legislation. Fortunately I have a small amount of experience with such matters, I find it difficult to follow. How is the average landholder expected to be able to understand what is the meaning of the legislation - and then be guilty because he does not understand. The legislation itself is complex, convoluted, open to conjecture and not supported by logic. If passed, it is likely that many a lawyer so engaged, both for the private and public sector, will quickly get rich - surely this is not the intent. Additionally, there is little support material for the proposed amendments to enable the public to interpret what the legislation is trying to do.

Positive enforcement has many benefits. Landholder get ownership of making improvements on their property. Industry can make supportive advances. Councils can offer conservation programs to enhance biodiversity. Communities can have great euphoria by participating in beneficial programs. The legislation does nothing to enhance any of these, in fact is a great detract ant.

The review committee needs to look at this legislation for what it is. It is too complex to be understood. It does not enhance positive enforcement of biodiversity values. It has poor mapping, not reflective of reality. It has been introduced without the support of those that it affects. It will make criminals out of the innocent - others in society have the right of innocence till proven guilty. It does not make logical sense. It will certainly fail to achieve its objectives. There are better ways to achieve positive outcomes.

Yours

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