

State Development, Infrastructure and Industry Committee  
Vegetation Management Framework Amendment Bill 2013

SUBMISSION  
GUS MCGOWN.



Gus McGown is the longest serving rural industry representative on vegetation management policy in the state. He has served on every policy advisory body at both state and federal level since the mid 1980s. Gus currently sits on the AgForce Queensland Vegetation Committee that has submitted a number of proposed changes to the Vegetation Management Act 99, associated policy and administration.

On the 21<sup>st</sup> October 2012, I attended the Community Cabinet Meeting in Goondiwindi and raised a number of issues relating to the Vegetation Management Act 1999.

I was grateful for the audience I received. I have attached the brief note that I handed out before the meeting.

An Objective in the VMA99 that states; Sec 3(1)(g) *reduces greenhouse gas emissions*, implies that all approvals and allowable activities under the legislation would be assessed against that Objective.

I have maintained for some time that no such practice exists nor has it been since that Objective was introduced into the legislation in 2004.

The notion that reduced areas of broadscale tree clearing will contribute to greenhouse mitigation has been accepted since the negotiations conducted in Kyoto where Australia argued that the Land Use Change and Forestry Sector could be used by Australia to meet its Kyoto target. Areas that were mapped as so called Kyoto Forests in the baseline year of December 1989 had to have additions and removals accounted for in Australia's National Accounts for greenhouse gases. At no time during this period did Queensland Agencies have access to the methodology used by the NCAS (National Carbon Accounting System) the Commonwealth's principle source of information.

In summary the Objective can be achieved in a general way however the complex arrangements required for an accurate assessment of net greenhouse gas emissions, by any proposal, under the VMA99 cannot be achieved by an Assessment Manager within Queensland.

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I have been opposed to the inclusion of the "Greenhouse" Objective in the VMA99.

There are a number of procedural reasons for its exclusion and my principle reason is that it is being used to create an arbitrary baseline for the definition of a so called regrowth layer or category C. Any detected regrowth where the original clearing occurred after December 1989 is deemed to be high value regrowth and will be shown on the statewide "regulated vegetation management map".

Frequently the floristics of these areas bear no resemblance to the original vegetation cover and landholders are faced with a process that can be time consuming and costly to have the mapping errors resolved.

Notwithstanding these errors at the state level the date of December 1989 was adopted in Kyoto for the purposes of greenhouse accounting and has no scientific or ecological basis.

The date deprives rural landholders of their investment in developing their land and provides for regulatory creep over time where "regrowth" can become so called "remnant".

The Vegetation Management Framework Amendment Bill 2013 creates a regrowth layer as described in the Explanatory Notes:

*Category C—high value regrowth vegetation (only on leasehold land for agriculture and grazing) with no differentiation between VMA conservation status (including cleared areas the chief executive decides to show as category C under section 20A1 of the VMA). and*

*Category R—regrowth watercourse areas.*

Both category C and category R are poorly explained and defined. It could be read that the regrowth described in these two mapping layers might be made up of any vegetation regardless of the expectation under the VMA99 since its proclamation that regrowth, to have value, should be capable of maturing into a functioning and representative regional ecosystem (RE) as described in Sattler and Williams 1999. It is clear that detection of regrowth has been by remote sensing such as satellite imagery. Much of the vegetation detected in this way is highly disturbed, thickened and in all likelihood made up of woody weeds or species not representative of the predominant layer in the short description of the RE.

I have been advised that category R had been designed to address matters in the "Reef" catchments. If this is the case where is the explanation, the scientific justification and the landscape scale detail necessary for such amendments?

Category C only applies to leasehold land. Why? The entire focus of the original VMA99 when introduced was that vegetation matters were tenure "blind". Either regrowth controls apply to all tenures or they apply to none. I suspect that this is a very poor attempt to show delineation between freehold and leasehold.

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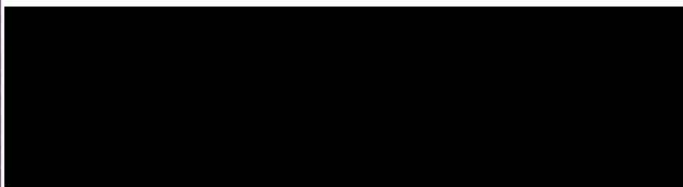
SUMMARY and CONCLUSION.

- o The definition of “regrowth” in this Bill is dependant on the greenhouse accounting baseline of December 1989.
- o Queensland does not have the capacity to accurately measure net greenhouse gas emissions under this legislation.
- o The Objective to “reduce greenhouse gas emissions” was not part of the original legislation in 1999. It was introduced in 2004 as part of a political argument with the Commonwealth over adjustment funding to landholders.
- o There is a very serious risk that if left as part of the regulatory framework a regrowth layer as described in this Amendment Bill could deny lessees opportunities such as participating in offsets or should it occur - trading in the carbon in that regrowth.

CONCLUSION

1. Remove the regrowth layer, category C from leasehold land.
2. If you agree that the regrowth layer should be removed then changes to sections 20(A-ZC) do not limit the power to regulate areas. Clause 16 could be redundant given that under the “regulated vegetation management map” (clause 12) can show an area as category B. Why do we need C? The matters referred to in clause 16 (4) are superfluous and these areas can be regulated as category B.
3. Should you agree to the recommendations above then the Objective to “reduce greenhouse gas emissions” also becomes superfluous and should be removed from the VMA99.

Contact details for Gus McGown.



## Vegetation Management in Queensland

There are 50 to 60 million hectares of grazed woodlands in Queensland. Woody vegetation competes with and has a negative effect on pasture production. Beattie stated in March 2000 that they would not "revisit the legislation". Amendments to the VMA 99 since that announcement have made the framework more restrictive, unworkable and unfair.

Announcements made recently by the Minister Hon Andrew Cripps, have been received with relief and enthusiasm in the bush.

Most landholders simply want balance between production and nature conservation values. They just want to be given the same opportunities as other industries.

We recognise that we have to work within the Government's stated objectives:

- o Restore the state's finances – reduce the cost of government
- o Increase agricultural production
- o Reduce red tape

The effect of the VMA 99:

- o Stops development on rural land – VMA is linked to the SPA
- o Restricts management on rural land
- o Alienates landholders who then resist other state programs

Problems with the VMA 99:

- o Policy and administration
- o Mapping
- o Legislation
  - Fundamental legislative principles
  - Greenhouse objective

Solutions:

- o Support the Minister in his efforts to make this legislation fair, balanced and focused on outcomes rather than prescriptions
- o Work with landholders to produce a landscape approach to vegetation management. We have been doing this work for a long time. We understand the issues and can work with the government developing solutions.

Key messages:

- o The VMA 99 will not be repealed – its original objectives are workable
- o The policy and administration had become tops down and in many cases would not achieve the objectives in the VMA 99 "to conserve remnant vegetation"
- o The definition of "remnant vegetation" as it applies to the VMA 99 is not appropriate as a surrogate for biodiversity and sustainability. Other sources of information are required to provide an accurate and relevant mapping resource. That includes an assessment of condition.
- o The VMA has become synonymous with negativity. We want to change that emphasis to positive outcomes where landholders are actively engaged in managing all the values on their properties.