SUBMISSION

I provide my submission in respect of the proposed Vegetation Management and Other Legislation Amendment Bill 2018 to be included in the SDNRAIDC's detailed consideration.

In providing this submission I refer directly to the key provisions of the legislation which may be amended. In my opinion, the Vegetation Management and Other Legislation Amendment Bill 2018 proposed changes are oppressive, restrictive and onerous and do not reflect the expert knowledge and understanding that landholders have obtained through decades of sustainable land management, often over several generations.

I do not in any way support broad scale land clearing or land degradation. However, I do not support the proposed changes to the Vegetation Management Laws as I believe they will not achieve the outcomes that they intend to, rather they will be debilitating to the agricultural industry and have a significantly negative impact on Queensland farmers' ability to sustainably produce food and fibre for the nation.

My opinion is set out below:

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

Clause 38 of the Bill (proposed new definition of 'high-value regrowth' (a) and (b) in Schedule (Dictionary) of the Vegetation Management Act 1999) and Clause 16 (omission of s22A(2)(k) and (l) to delete high-value agriculture clearing and irrigated high-value agriculture clearing as relevant purposes).

- *Changing the definition of high-value regrowth vegetation - this term will now apply to vegetation not cleared in the last 15 years – rather than since 31 December 1989 (28 year old trees).*
- *Regulating regrowth on freehold land, Indigenous land and occupational licences in addition to leasehold land for agriculture and grazing.*
- *Removal of high value agriculture and irrigated high value agriculture as a relevant purpose under the Vegetation Management Act 1999. This will remove the ability to apply for a development approval for clearing for high–value and irrigated high value agriculture.*

The removal of High Value Agriculture (HVA) and irrigated HVA (IHVA) affects farmers in regions differently, with those in the north particularly hard hit. Throughout northern Queensland energy and protein become limiting in cattle diets during the dry season and this can cause farmers issues with stock survival and welfare through years of drought. HVA and IHVA permits have provided farmers in northern Queensland with the opportunity to grow fodder and grain for supplementing in the dry season and finishing off stock for market.

Approximately two-thirds of all Vegetation Management carried out on Queensland properties is for routine farm maintenance. Vegetation Management is not a once-off process, like maintenance of a building or a vehicle is done on an ongoing basis as when the necessary resources are available. Changing the definition of "high value regrowth vegetation" to apply to vegetation not cleared within the last 15 years will place increased and unnecessary pressures on farmers both in terms of production and finances as the ability to maintain and manage land

under this definition will be greatly restricted. It would be ridiculous to suggest that if a homeowner had not repainted a room in their house for 15 years, that this room would now be heritage listed and so unable to be ever re-painted or renovated. If we continue the analogy, the proposed changes to the definition of "high value regrowth vegetation" go even one step further – under such a law a homeowner would no longer be able to use that room at all! 15 years is simply not long enough to consider regrowth as high value vegetation. Nor is it a long enough period to expect a farmer to necessarily have had the financial resources or time to re-clear country in order to be able to continue doing so in order to maintain it as a sustainable grassland for grazing purposes.

A landholder could previously apply for a development approval to broad scale clear remnant vegetation for high value agriculture (clearing carried out to establish, cultivate and harvest crops) or irrigated high value agriculture (clearing carried out to establish, cultivate and harvest crops, or pasture, that will be supplied with water by artificial means). Removing this provision will have a detrimental effect on a farmer's ability to further develop land for sustainable food and fibre production. This in turn will have a negative impact on the potential financial growth for that business and so on the value of the land itself.

2. Retaining Self-Assessable Codes

Science-based self-assessable codes help farmers carry out the routine vegetation management practices necessary to sustainably produce food and fibre.

The self-assessable codes help farmers ensure trees and grass stay in balance, avoid soil erosion and feed animals in drought. Farmers are not required to obtain permits for work done under the self-assessable codes, but they are required to notify the Queensland Government.

It is important to retain self-assessable as these codes reduce the need for long and costly application processes to carry out basic tasks of land maintenance, while still allowing for necessary accountability in the process as well. Removing self -assessable codes removes this balance leaving only oppressive regulations which will increase the cost of land management in both time and money and reduce production.

3. 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 Paris Protocol. 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. It would seem that 9 years on, the accuracy of the current 2018 HVR mapping is also questionable.

The Government is essentially adding an extra regulation over FREEHOLD/indigenous land, do we tell people who live in the city they cannot remove a tree to put in a pool, a new pavement or shed in their backyard? Of course not. Why then should that apply to agricultural or indigenous land? Reducing the amount of usable land available for sustainable production will make properties less financially productive, but also less drought resistant and so more likely to require government assistance in times of drought. Not only will is make businesses less viable, which reduces government income from taxes, but it also increases the cost to the government in providing

assistance when needed. This only proves further that the changes to this legislation have not been properly thought out by the current QLD government – and suggests perhaps that the government is more interested in chasing votes than encouraging sustainability, whatever they may claim.

4. Increasing Category R regrowth watercourse vegetation to include additional catchments in the Burnett Mary, Eastern Cape York and Fitzroy Great Barrier Reef Catchments.

In addition to the high value regrowth layer being added back onto freehold and indigenous land, landholders will also be impacted by overnight changes to the regrowth watercourse mapping and the extent of essential habitat mapping. Yet another layer of red tape for little actual result.

There is currently a strong focus on developing Northern Australia. The Queensland State Government Vegetation Management Framework is preventing these farmers from developing agriculture projects. Increasing Category R regrowth watercourse vegetation in particular in the Fitzroy and Eastern Cape York Great Barrier Reef Catchments would appear to be directly at odds with the development imperatives contained in the White Paper on Developing Northern Australia. How will any of the 'developing' the North get off the ground if it is not even a possibility in the first place?

While the Explanatory Notes provided by the committee suggest that the aim is to "increase protection for the Great Barrier Reef by reducing sediment run-off and other [unspecified] impacts of clearing" there is also scientific evidence to suggest that in fact grasslands are more valuable in protecting areas from erosion (leading to sediment run-off). In the control of erosion, surface cover is essential and bare areas beneath trees are vulnerable. While trees most definitely play a vital role in grazing lands both environmentally and from an animal welfare point of view, leaving areas of share elsewhere in the paddock away from water courses is often more effective on both counts. Leaving considerable shade along a watercourse may encourage cattle to camp there and so increase damage to creek and river banks, therefore actually increasing erosion and resultant sediment run-off, which could be prevented by encouraging cattle to camp in less vulnerable areas.

5. That no compensation will be payable to landholders subject to added layers of regulation – high value regrowth, regrowth watercourses and essential habitat during transitional arrangements

Again, the issue of compensation arises with the addition of these layers where is the recompense for Queensland farmers and what is the estimated dollar value of these layers?

This is a question which is hard to quantify. However, there is no doubt that the costs will be extreme. In any other area of business, it would be considered grossly unethical to restrict production and earning capacity with no compensation. Yet again, the agricultural sector appears to be the exception to the rule. Landholders invest significant capital in the purchase of agricultural land in good faith that in can be developed and managed; funds are borrowed from financial institutions on this basis. To then remove or restrict this capacity for even sustainable development and increased production places serious financial pressures on the agricultural sector.

6. Increasing compliance measures and penalties under vegetation management laws.

The Bill potentially breaches fundamental legislative principles (FLPs) as outlined in section 4 of the Legislative Standards Act 1992.

Legislation should have sufficient regard to the rights and liberties of individuals and consequently should not adversely affect rights and liberties, or impose obligations, retrospectively.

In addition, penalties have effectively been tripled indicating there is a sense the Government does not think farmers who mistakenly clear vegetation are being penalised enough.

7. Other matters relevant to the Vegetation Management and Other Legislation Amendment Bill 2018 that the review committee should consider appropriate and worth some consideration

Introductory Speech - Dr LYNHAM: *"I believe this bill and the complementary measures that I have outlined will deliver on the election commitment to deliver a more sustainable vegetation management framework for Queensland. This government will continue to work with our vital agricultural sector so that together we can care for the environment and ensure that their farms can pass, in good condition and in safe hands, from generation to generation."*

"The amendments that I bring into the parliament are necessary to protect Queensland's remnant and high-value regrowth vegetation. It is all about restoring a sustainable vegetation management framework for managing a valuable resource on behalf of the people of Queensland."

"Within three years in Queensland clearing rates of remnant native vegetation increased from 59,800 hectares in 2012-13 to 138,000 in 2015-16. This amendment bill seeks to end the levels of broadscale clearing that the LNP legislation created."

The Minister's comment on the increase in the levels of clearing between 2012-13 and 2015-16 sounds somewhat alarmist. In reality; when these statistics are viewed in a broader context, vegetation was cleared on just 0.23 per cent of Queensland's land area in 2015-16 (SLATS 20/15/16 report, page 21). Less than one quarter of one per cent. Added to that, both the committee and the Minister have failed to factor in the rates of regrowth of vegetation in the same period.

In summary, it is my opinion that the proposed changes to the legislation are unnecessary given that sustainable regulations are already in place. I believe that, if passed, aspects these changes will put increased financial pressures on farmers and agricultural businesses, that they will lead to decreased production of food and fibre in Queensland – something which is most certainly going to impact each and everyone of us in the long run. Furthermore, I don't believe that the proposed changes with achieve their stated aims of sustainability in the "vital agricultural sector". In order to assist in the caring for the environment and ensuring "farms can pass, in good condition and in safe hands, from generation to generation" the minister would be far better to liaise with farmers themselves or at the very least with representative bodies such as AgForce in order to create straightforward, appropriate legislation. Legislation that then hopefully would not need to be treated as a political bargaining tool. If farmers could rely on transparent and consistent Vegetation Management Laws, it would greatly improve the ability to sustainably manage their land and in turn run a sustainable and profitable business to contribute positively to the Queensland and national economy.

Signed:	C/H CLAYTON IKER
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Date:	22/3/18