

SUBMISSION

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

In providing this submission I refer directly to the Vegetation Management and Other Legislation Amendment Bill 2018, the Introductory Speech of the Hon Dr Anthony Lynham MP, Minister for Natural Resources, Mines and Energy, of 8 March 2018, and the Explanatory Notes that encompass the proposed changes to the above Acts and a range of commentary and issues.

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 hold after decades of sustainable land management.

I do not in any way support broad scale land clearing or land degradation however I do not support and cannot operate with our industry being heavily regulated and debilitated by new oppressive vegetation management laws.

My opinion is set out below:-

HIGH-VALUE REGROWTH

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.

Introductory Speech - Dr LYNHAM: "I would like to draw the attention of the House specifically to the removal of provisions that allowed for clearing for high-value agriculture and irrigated high-value agriculture.....The bill will reinstate the protection of high-value regrowth vegetation on freehold and indigenous land. The bill will change the definition of 'high-value regrowth' to ensure that additional vegetation that has significant environmental value is protected.....It is proposed to change the 'high-value regrowth' definition that currently exists from woody vegetation that has not been cleared since 31 December 1989 and forms an endangered, of concern or least concern regional ecosystem vegetation to high-value regrowth vegetation that has not been cleared for 15 years.....Under the new definition, high-value regrowth will continue to be mapped as category C on freehold and indigenous land, as well as on leasehold land, that is, agriculture and grazing leases. Restoring the pre-2013 mapping of high-value regrowth on freehold and indigenous land protects approximately 630,000 hectares on freehold and indigenous land.....With the changes I am proposing to the definition of 'high-value regrowth', our government will protect an additional 232,275 hectares. These two measures will protect an additional 862,506 hectares of high-value regrowth. Importantly

for the environment, approximately 405,000 hectares or 47 per cent of this is within the Great Barrier Reef catchments."

"All: A landholder could previously apply for a development approval to broadscale 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).

Farmers are a high value species too. And we feed the world and use some of the best practices to do it. So, if we haven't cleared a patch of timber, brigalow suckers in our case, for some years it was with good reason. Too wet, too dry, money needed to be spent elsewhere and we thought that we could rest easy and not stress about that particular patch of suckers because we were still within the government guidelines. You can't just go and back date rules and not expect significant detrimental outcomes to the land, to the farmers, their families and communities. You want to restrict high value agriculture and irrigated high value agriculture and it will be to your own detriment because you need our food production. The world needs our food production because it is safe and it is bloody good! No offence to China, but I don't want to eat their food or use their fibre because it is not as good as Australia's! The current vegetation management rules are strict enough. We have just had 25 exploration holes drilled by Glenore (Coal) on our property this year! You can't tell me that if they want to start an open cut mine here that they won't be doing any broad scale clearing. You will happily let them go ahead and destroy our land because you will want the money and the FIFO workers will have a job while they rip the heart out of the land!

NEAR-THREATENED SPECIES

Clause 37 of the Bill (new Part 6, Division 13 – s141 'Proposed map showing essential habitat' and s142 'Provision about essential habitat').

- A map showing areas of proposed essential habitat for protected wildlife and near threatened wildlife will be published and land will be covered by an area management plan.

Introductory Speech – Dr LYNHAM: "Importantly, our government will be providing better protections under the vegetation management framework for near-threatened species. These are species that are listed under the Nature Conservation Act 1994, where our scientists have evidence that the population size or distribution of the wildlife is small, may become smaller or has declined and there is concern for their survival. Our near-threatened plants and animals were dismissed by the LNP government as not worthy of protection. On the other hand, the Labor party is of the firm belief that these species need our protection, otherwise we face the regretful prospect of their decline. Near-threatened species were removed from the essential habitat mapping layer in 2023. When we compared the high conservation values' methodology to the existing statutory framework, it showed that near-threatened species have limited regulatory protection. The essential habitat mapping layer used in the Vegetation Management Act will be updated, protecting endangered, vulnerable and near-threatened species. The essential habitat of our valued animals and plants will be protected in both remnant and high-value regrowth vegetation. Offsets will apply to approvals for any significant residual impact on near-threatened species where the clearing of remnant vegetation cannot be reasonably avoided and minimised."

Our mapping report from the DMR is inaccurate so how will the govt be able to accurately do this? You have a good way to go to get your data up to scratch! We love and embrace the biodiversity on our property and we encourage it and protect it. We know more about what is here than you do currently. You will need to work with the landowners to ascertain the species rather than just putting out a blanket rule on what you think should be there.

REGROWTH VEGETATION IN WATERCOURSE AREAS

Clause 37 of the Bill (new Part 6, Division 13 – s135 'How definition regrowth watercourse and drainage feature area applies during and after the interim period') and addition to regrowth watercourse and drainage feature area definition in the Schedule (Dictionary) of the Vegetation Management Act 1999

- Extension of Category R areas (from the Burdekin, Mackay Whitsunday and Wet Tropics Great Barrier Reef catchments) to include new catchments to encompass all Great Barrier Reef catchments
- Addition of three catchments – the Burnett-Mary, eastern Cape York and Fitzroy catchments – affecting regrowth vegetation in areas located within 50m of a watercourse or drainage feature located in these additional catchments.
- This regulation applies across freehold, indigenous and leasehold land.

Introductory Speech - Dr LYNHAM: "This bill will also extend protection to regrowth vegetation in watercourse areas for the Burnett-Mary, eastern Cape York and Fitzroy catchments, providing consistent protection to regrowth vegetation in all Great Barrier Reef catchments. This builds on the measures introduced in 2009 which regulate the clearing of vegetation within 50 meters of a watercourse in the Burdekin, Mackay-Whitsunday and Wet Tropics. The bill will also amend the Water Act to re-regulate the removal of vegetation in a watercourse under a riverine protection permit."

Explanatory Notes: Expanding the regulation of riverine regrowth to include these catchments will increase the protection for the Great Barrier Reef from sediment run-off and other impacts of clearing.

You need good grass cover along with the trees to prevent sediment runoff. We don't clear immediately near water courses. Have a look at the Dawson Highway section just to the west of Rolleston. That country along the river and creek systems used to be much more open with large trees and plenty of grass. Left untouched now, it has become a thick mass of shrubs and small trees that prevent floodwaters getting away quickly and do lots of damage to the road structures and cause erosion. The traditional owners had this country set up as a big park that encouraged grazing by kangaroos and other food sources and ease of travel for the humans. How will the Indigenous communities be able to ever grow their own communities and prosper when you are taking away their rights? Do you want to keep them all on welfare forever?

LOW-RISK ACTIVITIES

Clause 17 of the Bill (new s228 'Requirements for vegetation clearing application for managing thickened vegetation' of the Vegetation Management Act 1999) and Clause 37 (new Part 6, Division 13 – s136 'Area management plans that are to remain in force for 2 years').

- Thinning redefined as 'managing thickened vegetation' – s22A(2)(g).
- Withdrawal of Code for clearing of vegetation for thinning. Managing thickened vegetation now requires notification under the new interim Code until the Bill has passed when a development application will be required.

- Requirements to be demonstrated in a development application for managing thickened vegetation – location and extent of clearing, clearing methods, evidence restricted to prescribed regional ecosystems and restrictions and evidence that the regional ecosystem has thickened in comparison to the same regional ecosystem in the bioregion.
- New s136 phases out landholder-driven area management plans as a mechanism for managing low-risk clearing that is or may be managed by the accepted development vegetation clearing codes. This new section provides that an area management plan relating to the clearing for encroachment or thinning continues but only remains in force until 8 March 2020.
- Notification of an intention to clear vegetation made under the plan before 8 March 2018 may continue while the plan remains in force however an entity may not give notification under the plan after 8 March 2018.

Introductory Speech - Dr LYNHAM: "The government is committed to retaining accepted development codes for low-risk activities, while ensuring they deliver appropriate protections..... Following a review by the Queensland Herbarium, and subsequent review by the CSIRO, a decision was reached that thinning is not a low-risk activity. Therefore I intend to withdraw this accepted development code from the regulation once this bill commences. In the interim, I am removing the code to include the best scientific advice on how to minimise the risks until the code can be withdrawn. I will retain an assessment pathway in the legislation for those landholders who need to manage thickened vegetation. It will remain a relevant purpose in the Vegetation Management Act for which development applications can be made."

We recently accepted the governments offer to freehold our land with our PMAV locked in place. Are we going to be compensated for the effects of the new vegetation management laws? Or was the freeholding just a moneymaking venture for the government? We put an application in to thin one paddock last year. We want to thin out the sandalwood to allow grass to grow under the trees to protect our soil, limit sediment runoff, manage cattle musters more safely and easily and stay viable. If we can't thin it, we can't protect it and we can't use it. We have only had an email saying that they have received the application from the Dept since we lodged it and it appears that we will have to lodge yet another application for the interim process that possibly won't be looked at until who knows when! How can you expect to run a business when the rules keep changing and the elected government hinders rural and regional sustainability and development. The science proves that grass cover makes for good erosion control. If you let a paddock of trees take over, then you have no grass. You have no protection for the soil during heavy rain events and you end up with erosion. Thinning rules are already quite particular and exacting. The landowners are the lands custodians. They need to look after their land to be able to stay on their land. The Government needs to stop changing the rules to appease the uneducated voters who have lost touch with the land as the city-country divide widens even further.

FODDER CODE

Clause 37 (new Part 6, Division 13 – s139 'Revocation of particular area management plan')

- s139(1) – the 'Managing Fodder Harvesting Mulga Lands Fodder Area Management Plan' is revoked. A new revised Code is in place – 'Managing fodder harvesting accepted development clearing code'.
- s139(2) – A notice of intended clearing under the Plan ceases to have effect on 8 March 2018, and no further clearing can be carried out under the Plan from 8 March 2018. Landholders need to lodge a new notification under the new Code and follow the requirements of the new Code.

- New s136 phases out landholder-driven area management plans as a mechanism for managing low-risk clearing that is or may be managed by the accepted development vegetation clearing codes. This new section provides that an area management plan relating to the clearing for fodder harvesting continues but only remains in force until 8 March 2020.
- Landholders need to lodge a new notification under the new Code.

Introductory Speech - Dr LYNHAM: "In conjunction with this bill, I asked my department to progress the review of the revised fodder code on which we consulted in 2016 and commence a rolling program to revise and implement the other acceptable development codes throughout 2018. The revised managing fodder harvesting code has been developed by my department based on scientific input from the Queensland Herbarium and the CSIRO. The immediate remake of the managing fodder harvesting and the managing thickened vegetation codes will invalidate all previous clearing notifications and introduce for the first time size and time limits on the areas able to be notified for clearing under an accepted development code. My department will be consulting throughout 2018 with stakeholders to finalise the remaining codes."

Explanatory Notes: Revoking the Mulga Lands Fodder Area Management Plan reinforces the role and function of the accepted development vegetation clearing code for fodder harvesting being the supported mechanism in which low-risk clearing activities are undertaken. Landholders can continue to undertake self-assessable clearing under the accepted development vegetation clearing code for fodder harvesting, or alternatively, apply for a development permit under the Planning Act 2016.

The two year period recognises that, in some instances, the clearing requirements for encroachment, thinning and fodder harvesting under current area management plans may not be consistent with the best available science.

Well I hope that you have plenty of money in the kitty to support these farmers in drought times and in good seasons because they are going to need it if you lock up the mulga country. And if you haven't already travelled to the outback, best get your skates on while there are still people living out there in those communities running the local schools, councils, petrol stations, hospitals and small businesses. If the mulga cannot be harvested then a lot of people will have to walk away, that's if they haven't already shot themselves! Mulga regrows very efficiently and is a great asset to farmers during drought times. Stock prefer to eat mulga over bought hay and fodder and they do very well on it. Mulga will become a huge problem if it is allowed to take over totally as nothing else will grow with it and the biodiversity will decrease. How can property valuations keep improving and government agencies charge us more in rates if the land is forced to deteriorate and lose ability to earn an income? March 2020 isn't that far away and it doesn't allow time for farmers to revise their management plans and put them in place.

PENALTY UNIT INCREASES

Clauses 15, 22-23 and 25-33

- Various amendments to Penalty Units for Maximum Penalty. Eg. s48(5) 'Non-compliance with Restoration notice' - penalty increasing from 1665 to 4500 penalty units and s48(1) [False or misleading statement] - increasing from 50 to 500 penalty points.

Everyone makes mistakes! Is the Government going to be penalised for our inaccurate mapping? Because what is good for the goose is good for the gander and our map is obviously wrong! Why does the govt want to hit farmers with a big stick? Who are you going to get money from when the farmers are all gone? We already are involved with Best Management Practices for Grain and Beef. Farmers doing the right thing

should be acknowledged and rewarded. You get more flies with honey! And there are already plenty of farmers out there doing the right thing and getting flogged and demoralised for it. No wonder suicide rates in the bush are appalling. Bullying is never ok!

OTHER RELEVANT MATTERS

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 53,800 hectares in 2012-13 to 138,000 in 2015-16. This amendment bill seeks to end the levels of broodscale clearing that the LNP legislation created."

We have been living and loving our land on Bottle Tree Downs here in Central Queensland since 1991. It was originally a ballooned block, having been taken off two neighbouring properties. The rules and regulations of the day (late 1960's) involved a certain amount of development to retain the lease of the land. The ability of brigalow to suckler magnificently is an ongoing issue for us and one that we try and manage without ruining our land and costing us too much money. ~~My~~ ^{My} family has owned land in the district for over 125 years and they have learnt a lot about this land and the vegetation in that time. We continue to learn about our land every day. We seek professional development to manage our land. We are involved with Best Management Practices for Grain and Beef. We support our local community and we volunteer and sponsor at local events. We work in well with our neighbouring National Park staff and share an interest and a concern for the natural environment. We take an active interest in the biodiversity of our land and we revel in it! We want to leave it in the best possible state for future generations of Australians.

The current PMAV process is riddled with inaccuracies. Mapping and data is not up to scratch. The landowner has to jump through hoops to correct the inaccuracies on the mapping. Government staff need to actually visit some properties and correct the mapping. Farmers who have been conservative and environmentally conscious are the ones who will be carrying the burden under the new laws. The current laws should stay in place and allow the landowners to sustainably manage their land. The new laws will not be sustainable and will make it difficult to hand the land on to any future generations. Landowners doing the right thing should be rewarded for their efforts and not punished for it. Vegetation management is only part of good land and property management and the government seems to think that the new laws are going to solve all of the issues. These new laws are all about appealing to certain voters and the election commitment that Labor made and will not be supportive of all of Queensland and it's people and ensure fair and best outcomes for all.

Signed:

John Rotherham

Date:

22-3-2018