

## 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 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."

\*NB: 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).

I believe the current protection of high value regrowth allows for farmers and graziers to maintain and improve their land. There are many areas which have not been touched since 1989 and many standing areas of native scrub and vegetation. There are grasslands that are managed in brigalow country that are cleared every 5 to 10 years. The brigalow trees grow back thick in this time period and prevent the growth of grasses and other vegetation. When this management practice is carried out, vegetation and scrub areas are left for shelter for animals and stock. The vegetation left includes the scrub areas untouched since 1989 and any other trees for more cover throughout different paddocks. No farmer supports broadscale clearing and only wish to look after the land so it is productive and supports native and domestic animals for generations to come. This is only one example of one type of regrowth.

The current protection levels allow for growth and development in the state. There are areas in the gulf and in the far north that are worthless could have potential as farming land and create jobs. If the government built dams in the north to capture some of the northern flood water would allow for the potential development and water security of the north. No only would this water allow for growth and jobs, water security for cities like townsville could be achieved as well.

I believe instead of penalizing the farmers and graziers for mistakes or bad practices there should be a reward system to promote good management. A benchmark for everyone to work towards and better education on vegetation types for politicians so they understand the types of land and vegetation in our country. Everyone needs an education on how to manage and look after this country.

The impact of applying high value regrowth to vegetation not cleared in the past 15 year instead of since december 1989 will destroy a large amount of land and make it unusable. For example if there are areas of brigalow country untouched in the last 15 years, the Australian public need to understand how quickly these trees grow back and overpopulate the area left unmanaged. When this dense area of trees grow no only does it inhibit the growth of all natural grasses it stops growth of other native vegetation as well.

If high value agriculture or irrigated high value agriculture aren't a relevant purpose for managing land, mining and urban encroachment must be in the eyes of the Queensland government. Queensland and Australian farmers look to improve their land and make it sustainable for generations and yet have regulations set upon them. Farmers and graziers in Australia are promoted as vandals and

It has been seen in queensland with the adani mining project, the governement wish to let a foreign country come in and dig up our state, take the coal and destroy the land and for narely any cost to them.

#### **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 2013. 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."*

If the new bill passes through there will be many areas on this property which will become worthless. The tree will become that dense, paddocks will no longer be able to support the life they have in the past whether it be native animals or domestic stock. This property has many scrub areas and trees throughout each paddock. There are practices in place to restore grasses in gullies to prevent erosion and as a company and as a family we rotate stock to promote grass growth and to build grasses in each paddock.

I do not believe it is fair when there is barely any notice of the changes and it is not promoted enough so we can all have our say. Why are these changes a secret? Why do the labor politicians seek to destroy the very people who grow food in the country? Why do you all believe we are environmental vandals when this is not the case? Why do you all believe we as farmers do not care about our land?

The pride and love we have for this country is something that drives us to improve every day. We want the best for the land and for it to be better and better for generations and generations to come.

#### **REGROWTH VEGETATION IN WATERCOURSE AREAS**

**Clause 37 of the Bill (new Part 6, Division 13 – s133 '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.

The fact that grassland is so underrated as a preventer for erosion and a way of protecting the great barrier reef. The further regulation on water courses will not further save the Great Barrier Reef but further promote erosion.

On our property we have vegetation that surrounds all water courses but 50 metres of dense trees does not stop erosion. When rivers and creeks run and flood, the water hits the trees and erodes the dirt from the other side of the tree. The water digs a hole and eventually the tree will fall over. The same things happens to any solid object in the way of running water. Grasses hold the dirt together with their roots and as there isn't any hard object causing the water to flow around above the ground erosion does not occur over thick grassed areas. Please see the video - <https://www.facebook.com/agforceseq/videos/1805545369754697/>

#### **LOW-RISK ACTIVITIES**

**Clause 17 of the Bill (new s22B '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 remaking 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."*

<p>On this property the inability to thin thick scrub where appropriate will inhibit our ability to keep grass growing among the tree to prevent erosion.</p>
<p><b>FODDER CODE</b></p> <p><b>Clause 37 (new Part 6, Division 13 – s139 ‘Revocation of particular area management plan’)</b></p> <ul style="list-style-type: none"> <li>● <b>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’.</b></li> <li>● <b>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.</b></li> <li>● <b>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.</b></li> <li>● <b>Landholders need to lodge a new notification under the new Code.</b></li> </ul> <p><u>Introductory Speech - Dr LYNHAM:</u> <i>“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.”</i></p> <p><u>Explanatory Notes:</u> 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.</p> <p>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.</p>
<p>We do not have any mulgar on this property but in the South west qld people pull these tree to feed stock in the dry. Without the ability to feed their cattle the capacity to look after their stock in taken away from them. Mulgar grows thick like brigalow and even if its pulled it grows back quick.</p>
<p><b>PENALTY UNIT INCREASES</b></p> <p><b>Clauses 19, 22-23 and 25-33</b></p> <ul style="list-style-type: none"> <li>● <b>Various amendments to Penalty Units for Maximum Penalty. Eg. s54B(5) ‘Non-compliance with Restoration notice’ - penalty increasing from 1665 to 4500 penalty units and s58(1) (false or misleading statement) – increasing from 50 to 500 penalty points.</b></li> </ul>

The fact there are such harsh penalties for even an honest mistake is not fair or even reasonable. Some of the GPS maps have errors and humans make mistakes, so they wish to rip our hearts out as well as destroy our rights to look after our land.

#### 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 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."*

When the minister says they are aiming for 'restoration of a sustainable vegetation management framework', what was wrong with what was in place before? All the bill will create is Qld agriculture that can not run effectively and can not manage and look after the land. The bill is set to destroy agriculture because they hate us.

Drought is a natural phenomenon and will occur till the end of time in the cycles of the worlds weather. When the government blames farmers for the destruction a drought creates this is misguided and unfair. Australia is a dry country and do they forget about the past and when the first fleet came to Australia this country wasn't a place someone could live and prosper. Over the years people of the land have looked after it and grew an understanding on how to grow food in the Australian environment.

No business can run effectively when the finish line keeps getting further away and the red tape lines get thicker and thicker. We want to be able to look after the country and how can we do this when people who don't even leave Brisbane set the rules. Why aren't there join meetings in the regional towns to sort out a fair outcome for everyone?

I believe a better system to achieve a shared goal of looking after the country but also being able to grow food and earn a living doing so would be better education for all Australians on the different types of land and vegetation and a reward based system for the best practices.

There is no need for these changes to occur as farmers are in their own right conservationists and we love the land more than any politician who would rather sell the dirt off to a mining company. We strive to look after the country by continually improving practices and

Why are these changes such a secret? Why aren't the agricultural people consulted about these changes? Why don't politicians want to learn from farmers who know how to look after the different types of land we have here in Australia? We needed more time.

<b>Signed:</b>	Kimberly Jane Lund
<b>Date:</b>	22-03-2018