

***SUBMISSION TO:***  
***THE VEGETATION MANAGEMENT AND OTHER LEGISLATION***  
***AMENDMENT BILL 2018***  
**SUBMISSION COVER SHEET**

**Organisation Name:** One Nation Party (PHON)

**Principal Contact:** Stephen Andrew – PHON Member for Mirani

**INTRODUCTION:**

As the State Member for Mirani for One Nation in the electorate of Mirani, I write this submission on behalf of the party, my concerned constituency and landowners in Central Queensland.

I write this submission to reject **ALL** of the changes proposed in the Vegetation Management and Other Legislation Amendment Bill 2018.

The Mirani electorate is a diverse electorate made up of many industries that support the economic growth of the region with a huge portion of the Mirani electorate predominately agricultural and growing industries, graziers and food producers that produce and deliver substantial economic benefits to the regions and the Queensland State.

It is my understanding that these Amendments to the Vegetation Management and Other Legislation Bill 2018 will be to the detriment of already struggling agricultural industry and the impact will be felt all the way back to the consumer.

The current laws are already having devastating effects on farming families and those on the land, this Bill will restrict farmers even more.

As farmers are pushed with their backs against the wall, it is the harsh reality that they will walk off the land carrying huge burdens which will have implications on their mental health and wellbeing and could quite possibly push farmers to the brink of suicide. It has happened. It will happen again.

The current laws and political climate of the Agricultural Industry in Australia has already contributed to depression and suicide rate rises in these regional areas.

The complications farmers and landowners have faced since the introduction of the Vegetation Management Act 1999 and now together with the introduction of this unnecessary and unfathomable Amendment Bill, will make situations for farmers and Land owners far worse.

As detailed in the Vegetation management explanatory notes:

“Arguably these amendments offend section 4(3)(a) of the Legislature Standards Act 1992 which provides that legislation have sufficient regard to the rights and liberties of individuals and consequently should not adversely affect rights and liberties or impose obligations retrospectively.”

That further states as an insult to all growers, producers and farmers that

“Impacts on individual rights are outweighed by the public interest in protecting long-term health of our biologically diverse State and our World Heritage Listed Great Barrier Reef and reducing carbon emissions from vegetation clearing.”

Our farmer’s rights and liberties should come first and foremost for the future sustainability and growth of our agricultural industries.

This Bill adversely affects the rights and liberties of our farmers.

- Provides no fair and just compensation
- Confers power to enter property and search for or seize documents or other property without a warrant or authorisation which is in direct conflict with the requirements of the Legislative Standards Act 1992.
- Causes stress to families both financially and emotionally because of the uncertainty of the future due to constant and ambiguous changes to legislation.
- Expansion of agri- business is severely affected

These changes have numerous socio-economical disadvantages as this Bill is the product of rushed workings on the back of an election commitment giving little to no time for and Social Impact Statements (SIS) to be properly formulated.

In 2015 the DNRM held discussions with key stakeholders.

Stakeholders were divided on the treatment of high value agriculture (HVA) and irrigated high value agriculture (IHVA), with Ag Force and Queensland Farmers Federation concerned how the Queensland Government will support the development of the industry - and rightly so.

These concerns and that of the public and the Agricultural Industry inclusive of stakeholders and landowners need to be properly heard, addressed and taken into consideration with proper SIS in place (not one model fits all).

The Agricultural Industry has been constantly restricted, neglected, forgotten about and driven to the brink of collapse, this possibility is almost a reality.

This Bill operates under the guise of protecting our Great Barrier Reef, lands and waterways to appeal to the Green voters. City folk who have very limited knowledge of exactly where their smashed 'avo's' actually come from, who think regional dwellers, farmers, are some other breed of human and most likely believe that people from the bush come from another planet.

Food and agriculture should be the cornerstone to our State's prosperity, health and wellbeing, for our people and our country.

Amendment of s190 (accepted development vegetation clearing code) removes mandatory requirement on the Minister to make certain accepted development vegetation clearing codes by adding more references which cover broad clearing purposes and activities with reference to fodder harvesting.

Amending to the Minister's discretion at the click of a finger.

**"Science based self-assessment codes help farmers manage and maintain and carry out routine management practices necessary to sustainability produce food and fibre.**

**These self-assessable codes help farmers ensure trees and grass stay in balance, avoid soil erosion and feed animals in drought – with their removal to lodging applications this process will now be time consuming, unnecessary and imposition on primary producers."**

The changes to area management plans is particularly concerning for landholders which once allowed landholders the ability to manage activities under self-assessable framework through a notification process.

- Changes to maximum penalty units
- Power to enter place on reasonable belief of unlawful clearing

There used to be a time where landowners throughout had signs stating ‘trespassers will be prosecuted’; now we are asking “let us trespass or be prosecuted”.

Amendment of s51 (power to require information) with maximum penalty units for failing to give information to an authorised officer (AO) about vegetation clearing bolstered from 50 to 200 penalty units - is telling farmers loud and clear ‘we will trespass on your land on a whim and if you fail to give information you will be prosecuted’, treating farmers like criminals under the guise to deter non-compliance.

Amendment s54A (stop work notice) may be issued if evidence of clearing will be destroyed - if a stop work notice is not issued amending the maximum penalty from 1665 to 4500 penalty units.

These amendments in plain English tell farmers ‘we have no faith in you self-managing your lands if we so believe you are non-compliant. There will be no such thing as innocent until proven guilty.

The State has the power to enter your lands without permission, if you fail to let officials trespass the fine will be maximum penalty units. If it is believed that evidence has been destroyed in your management practices you will be ordered to stop work on a whim. If you do not supply the requested info you will be faced with prosecution”

That is a plain and simple kick in the teeth to farmers that have undeniably always done what they could for the protection of environments around them and the management of their lands and waterways.

## **2.7 Quality Control – State-wide Landover and Trees Study (SLATS) – Report**

## LANDCOVER CHANGE IN QLD 2015-16

Quality control states that:

Procedural consistency throughout the SLATS mapping methodology is maximised through a number of measures. Excepting the manual editing phase, many of the steps involved have been automated with purpose built programs.

Throughout the image processing chain and mapping process, file and program histories are recorded – in which states that this not only maximises procedural consistency across mapping satellite scenes, multiple mapping periods, and remote sensing scientists, but enables **PROBLEMS** to be **RELIABLY** traced and rectified.

During the manual editing phase, DSITI remote sensing scientists consults regularly with each other and this combined checking process is intended to maximise the **CONSISTENCY**.

The problem that seems to be presented with procedural practice with SLATS Satellite Imagery Mapping is that those landholders we have been speaking to on the ground are coming forward and expressing discrepancies in the checking and the Satellite Imagery processes.

Which then adds doubt to the to the summary of results in the 2015-16 Report

**In 2015-16 the total Statewide Woody Vegetation clearing rate was 395,000 hectares per year ha/year this represented a 33% increase from 2014/15 Woody Vegetation Clearing rate of 298,000 ha/year and the highest since 2003/04 (490,000 ha/year).**

**With comments from landowners**

“The maps are inaccurate, some incorrectly categorises noxious weeds as endangered tree species – their computers can’t tell a scotch thistle from a bottle tree”

“The DRNM Vegetation Maps are riddled with errors”

Lengthy conversations with concerned landowners speak of the anomalies and impracticalities of the Vegetation Maps and associated rules.

Property Owners with wall to wall trees, tall wood, bloodwood, stringy bark, iron bark, hundreds if not thousands with thick kangaroo grass and grass tree with lush understorey – on the Vegetation Maps it is categorised as open grassland.

Dark green patches of scrub country – yet the maps show open grassland, a cow paddock where the maps show endangered brigalow – regrowth to be preserved, only has a couple of silky oaks, a patch of lantana with no Brigalow in sight.

Other areas are marked endangered Bunya Pine – yet there are no Bunya trees.

The Satellite Imagery maps that determine vegetation and tree species’ seems to be flawed and are showing huge discrepancies – and this appears to only one of the problems – without proper identification and mapping what future problems will landowners face with their lands being improperly mapped – with the passing of the Legislation Amendments it could very well pose a threat to landowners to be demonised for illegal tree clearing into the future – this is a serious fear for landowners.

The Vegetation Management and other Legislation Amendment Bill 2018 expose almost an impossibility for land owners to manage their lands and to clean them up of noxious weeds – the rules allow suggested controlled burns as a thinning tool, however the same rules severely limit how landowners can maintain existing fire breaks or cut new ones.

The Rules dictate “no removal of Native Vegetation” with no form of eradication as All Australian Native Species are protected including those certain species that are highly invasive weeds.

**Recommendations:**

It is highly recommended by the State Member for Mirani MP Stephen Andrew for One Nation that the Queensland Government take into consideration the below recommendation's in this submission, and that any Amendments to the Vegetation Management and Other Legislation Bill 2018 are made consistent with long term direction for the future of our State's Agricultural Industries and that protections are in place for landholders.

It is our recommendation:

- That the Queensland Government take serious consideration into the huge implications presented in the Vegetation Management and Other Legislation Amendment Bill 2018 that will be an imposition upon Landowners, primary producers, food and fibre producers as a result of passing the Amendments to the Bill.
- That serious consideration be given into implementing Social Impact Statement (SIS) on a case by case basis with emphasis on the Socio – Economic implications of Landowners, Primary Producers, Graziers, Growers and food and fibre producers.
- That provisions in regulations be considered on a case by case basis and not a “one Model fits all” policy.
- The Queensland Government allow provisions for an extended time for consultations with all stakeholders and those in the Agricultural Industry.



- That the Queensland Government take into consideration the Rights and Liberties of landholders, primary producers, food and fibre growers and all relevant bodies and consideration be given for fair and just compensation to those at risk of loss of lands, and the possible loss of economic returns, the health implications that these changes can bring due to possible losses upon families that these changes will affect. The consideration of landowners rights to their lands, and to protect their land and property from trespassers.
- That the passing Vegetation Management and Other Legislation be passed based on full consultation, Impacts Statements and proven by scientific and environmental evidence determined on a case by case basis – in particular regions grouped by differential land uses.
- That the Queensland Government take into consideration that the economic benefits of supporting growth in agribusiness and that protection of the environments and species can co-exist, and that the potential for sustainable agricultural practices can be sustained through proper management, and working collectively with stakeholders of the industry and landowners-not by placing more restrictions rules and regulations. That the potential for future job creation through more Field Officers in different departments be considered to work with landowners to manage and protect lands in a way that supports both environmental and agricultural sustainability with opportunities for landowners to manage and protect their lands for the future, which will ultimately bring large economic benefits to Queensland and keep agriculture and our farmers alive – to shore up and recognise the states own regional food security which in turn could create new markets for regional food supply.
- Existing laws, amendments, and policies need to be reshaped around the long term sustainable production for our state with forward thinking into food security.

- That the Queensland Government take into consideration the already innovative practices that land owners, graziers, producers are currently implementing on their lands.
- That the Queensland Government improve Quality Control in the current satellite Imaging Procedures that determines vegetation and tree species – the need for the process to be streamlined and highly monitored, if not in real time than more frequently with consistent accurate evaluations and data input.

**Conclusion:**

It is our understanding that the passing of the Vegetation Management and Other Legislation and Amendment Bill 2018 will further erode the rights and liberties of landowners and those in the agricultural industry and that the amendments will be detrimental to the possible future growth within the industry and food security in Queensland.

That the social and economic impacts need to be fully addressed, and an extended period of consultation should be taken into consideration before any Amendments to the Bill is passed.

Political leadership on both sides of parliament is crucial on this issue and an understanding of the implications on our States Agricultural Industry and the socioeconomic ramifications of imposing such Amendments need to be considered.

For our Growers the key problem is the Legislation will stifle the projects targeted at creating additional opportunities within our region. We need a sensible approach to allowing environmentally sustainable horizontal and vertical growth within our region.

The way the current Government has committed itself and thus will impose on all of us, to re-establish laws that will not allow these opportunities for Agriculture to be taken up and maximised for our region's growth, jobs and economy, will greatly impede environmentally sustainable agriculture.

Growers are meeting Environmental compliance demands, particularly the Great Barrier Reef regulation obligations, under Smartcane BMP, the industry Best Management Program.

Uncertainty surrounding Vegetation Management laws inhibits growers from planning to expand their business.

We need to stabilise Queensland's Vegetation management framework including provisions for High Value Agriculture (HVA) and Irrigated High Value Agricultural Land (IHVA), self-assessable clearing codes, and provide incentives for proactive management.