



STATE DEVELOPMENT, NATURAL RESOURCES AND AGRICULTURAL INDUSTRY DEVELOPMENT COMMITTEE

Members present:

Mr CG Whiting MP (Chair)
Mr DJ Batt MP
Mr JE Madden MP
Mr BA Mickelberg MP
Ms JC Pugh MP
Mr PT Weir MP

Members in attendance:

Mr SA Knuth MP
Ms CL Lui MP

Staff present:

Dr J Dewar (Committee Secretary)

PUBLIC HEARING—INQUIRY INTO THE VEGETATION MANAGEMENT AND OTHER LEGISLATION AMENDMENT BILL 2018

TRANSCRIPT OF PROCEEDINGS

FRIDAY, 13 APRIL 2018

Cairns

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Committee met at 12.03 pm.

CHAIR: Good afternoon. I declare open this public hearing for the inquiry into the Vegetation Management and Other Legislation Amendment Bill 2018. Thank you for your attendance here today. I acknowledge the traditional owners of the land on which we are meeting today and pay my respects to elders past, present and emerging. My name is Chris Whiting, the chair and member for Bancroft. The other committee members with me today are Mr Pat Weir, deputy chair and member for Condamine; Mr David Batt, the member for Bundaberg; Mr Jim Madden, the member for Ipswich West; Mr Brent Mickelberg, the member for Buderim; and Ms Jess Pugh, the member for Mount Ommaney. Also present at the committee table at various stages will be Shane Knuth, the member for Hill, and Cynthia Lui, the member for Cook. They have been granted leave by the committee to participate in today's proceedings under standing order 209.

The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. Witnesses should be guided by schedules 3 and 8 of the standing orders and note that it is their responsibility to provide factual and technical background to government legislation and administration. Those here today should note that these proceedings are being recorded and transcribed by Hansard. Before we commence, could you switch off your mobile devices or put them on silent.

JOHNSON, Ms Cathy, Manager, Biosecurity Services, Cook Shire Council

SYDES, Mr Travis, Coordinator, Natural Assets and Sustainability, Far North Queensland Regional Organisation of Councils

IRVINE, Ms Darlene, Executive Officer, Far North Queensland Regional Organisation of Councils

CHAIR: I now welcome representatives from the Far North Queensland Regional Organisation of Councils and the Cook Shire Council. Would one of you like to make an opening statement and after that we will go to questions? Because we have so many people here today, I will be reminding people of time limits.

Ms Irvine: FNQROC essentially is 13 local governments in Far North Queensland that make up the membership. Our councils cover 18 per cent of Queensland and 1,235 kilometres of the eastern seaboard. Our gross regional product is \$14.85 billion, with our base industries being mining at just under \$1 billion, primary industries at \$2.5 billion and tourism at \$3 billion. Tourism is our biggest base industry. It is reliant on the environment and we are acutely aware of this. Everything we do has the environment in mind, but we need to do it in a sustainable way, a way to ensure our region can achieve our vision of sustainable economic growth and development.

Our 13 member councils have all spent a considerable amount of time working on our strategic economic goals and the words supporting these goals. Respect for and managing our natural assets and environment is one of those goals, but so is to develop resilient transport infrastructure and connectivity, provide reliable water and energy, develop equitable social infrastructure and provide equitable communication networks. As a region, we are cognisant of striking a balance between environmental protection and agriculture endeavour which is integral to our ongoing prosperity.

We are again disappointed that the consultation period was so short that many councils were unable to consider the impacts and make an informed submission through their councils. We are also disappointed that again there are no regulations to read in partnership with the bill, especially as the state has had two years to develop them and this was an issue last time.

Since its inception, the Vegetation Management Act has been a flip-flop policy that has hurt both economic growth and the environment. What I mean by this is that economic growth is stifled as dramatic swings in policy and practice with each successive government inhibits investment in the region due to either the restrictive nature or lack of investor confidence that there will not be another swing the other way so why invest in a planning phase? The environment suffers as clearing rates

increase significantly following legislation amendments, or as a precursor to amendments when government changes. The purpose of the act is not being achieved when there is a continual state of contest and review.

We advocate that consideration should be given to future investment in appropriately scaled and consulted regional approaches that better define nodes for agriculture and other intensive land uses and, as such, provide a clear path for investment. Within our region there is diversity in perspectives in regard to vegetation management, which highlights that a one-size-fits-all approach will only exaggerate future flip-flop policy and further damage our environment. With that, I will hand over to Travis.

Mr Sydes: The only thing I would like to add is to emphasise from our previous submission and presentation to the committee prior to this that it is more apparent than ever that a really strong policy environment that supports landholders in stewardship of those key environmental services that we expect to come from things such as the Vegetation Management Act are included in this, so that it is that social and economic framework, taking that on board and taking that into consideration and thinking about not just the biophysical nature in terms of the legislation—we can do this here, we cannot do this here—but what is the whole social fabric underlying that.

I emphasise again that the one-size-fits-all approach is one that we find now really untenable. Within our 13 shires, we have really diverse needs, really diverse views and really diverse perspectives and requirements from vegetation management and really different aspirations for the future.

We would really encourage more bioregionally scaled approaches to planning, much stronger consultation with community and landholders really about what those solutions are and, if the expectation is there within the legislation that individual landholders become, if you like, the custodians and the providers of key essential services for us all—clean air, clean water, carbon sequestration, biodiversity, vegetation retention—then that there is a commensurate incentive or stewardship incentive for them to actually do that and that is borne by us collectively as a state, and not just by the individual.

We really cannot emphasise that enough. It seems to be that if we do not put these opportunities in train to actually begin to create an alternative economic outlook, we will be back at this table again at the next change of government, having very similar conversations.

Ms Johnson: Going on from the one-size-fits-all approach, you will probably appreciate that the Cook Shire Council is the largest council on Cape York, covering about 80 per cent of the Cape York land mass. We have 106,000 square kilometres in that area. If we put in the Great Barrier Reef boundary, which also takes in our shire, we end up with something almost as big as Victoria. We have a massive area. We have 2,750 kilometres of road, a very small rate base which is part of the issue and it is very remote. As you would appreciate, the regional area runs quite differently to the city.

We also have a lot of inconsistencies that have come through in the past. I have loads of reports I can show you that I am sure you have seen. There are CYPAL reports, developing the north and information that is coming off the globe at the moment that still talks about developing agriculture and forestry in our region, yet there is no allowance to clear. We are wondering how we achieve one thing when not being able to do the other. It very much restricts what can happen in our shire. To put some figures on there, I can show you a good map that I have had produced. The red areas in this are non-rateable by our shire. We do not have the ability to even collect rates there.

CHAIR: Would you like to table that map?

Ms Johnson: Yes, I would like to table that, thank you.

CHAIR: So ordered.

Ms Johnson: Not only do we have an issue where we have the restriction on development and economic opportunity in our shire, but we also have a reducing rate base that continually goes down where we will basically become unviable as a shire. Effectively, we are wondering how we deal with that sort of issue. In our own council corporate plan, we support agriculture and commercial development because we need that to be able to have people paying rates, so that we can continue to maintain the roads and the services that we provide. We have some major issues within our council operational areas. We have a lot of roads that are off alignment. I would like to table this as well, to give you an idea of the sort of areas we are talking about.

CHAIR: Accepted.

Ms Johnson: There is a road through to Pormpuraaw that we maintain up to the border with Pormpuraaw. We have a very different alignment, which is down on the map as where the road should be. The yellow line there is the road where it is on the map; the white is where the actual road is. We have an issue with that. I cannot get an answer out of the state. I did raise this last time when we came in in 2016 that we cannot get clear information from the government about how we stand when we have to clear on those roads whether or not they are covered under the exemptions, especially when it is some other tenure that that land is sitting on. We have issues with that.

We also have issues with our gravel pits and getting gravel off both Indigenous land non-Indigenous land and who has to provide the information permits, notifications and so on. We have some very difficult operational issues that we are dealing with. If we have to get permits and notifications, how do we do that? On the Cape, it is very difficult to get information through. We do not have any government departments up there. We also do not have the ability to just get on the internet a lot of the time or do it on a smart phone. We have a very restricted ability to contact people and have that information available. I think those are the major issues that we would like to raise.

CHAIR: I appreciate that. Thank you very much. We have time for two quick questions. Ms Irvine, you talked about the certainty and stability that leads to economic stability and opportunity; is that correct?

Ms Irvine: Yes.

CHAIR: Certainly in terms of the different opportunities that you have there is a variety, including tourism, carbon sequestration and pastoral. Are there any other areas of potential opportunity?

Ms Irvine: In terms of within the region?

CHAIR: Yes, economic opportunity in the area.

Ms Irvine: The expansion of our agricultural industries, expansion of our grazing industries, expansion of our mining industries, water security, forestry.

CHAIR: Thank you, you have answered my question.

Mr WEIR: This probably follows on from that. Ms Johnson, do you believe that this legislation will be a serious impediment to the development of the north? We hear a lot about developing the north, but will the removal of high-value agriculture be an impediment?

Ms Johnson: Yes, we do believe that and also with restrictions on clearing high-value regrowth now covering different tenures and the ability of those areas—especially when we have long periods of tenure resolutions happening up there where some properties can be vacant for up to eight years. While they are going through that process before they get handed back, some of that then goes back into grazing and those sort of opportunities make it very difficult for people if some of these laws come in.

Also, I think, it is the whole riverine permit issue and also clearing within 50 metres of a watercourse. The Vegetation Management Act also takes in drainage lines. I do not know if anyone has ever done a buffer of all the drainage lines and what that would entail. We cannot see that from the government, so we do not know how much land might be tied up in that, as well. That is where a lot of the good agricultural land is, as well.

CHAIR: Thank you very much. The time for this session has expired.

Mr MICKELBERG: Mr Chair, I rise a point of order. These are very important issues that we need to explore properly. I would like to ask a question—

CHAIR: The time for questions has expired. We have a lot of people to get through today. If you like, I can make sure you have the first question the next time. Thank you very much.

FRAZER, Mr Robert, Chuulangun Aboriginal Corporation

CHAIR: Thank you, Mr Frazer. Would you like to make an opening statement of a few minutes?

Mr Frazer: Yes, I will keep it brief. The Chuulangun Aboriginal Corporation has made a comprehensive written submission covering all of their thoughts and recommendations in relation to this legislation. In brief, eight recommendations are made in that submission. The submission supports many of the provisions of the bill, but does not support the exemption of clearing for an extractive industry in key resource areas on Aboriginal freehold land.

The Chuulangun Aboriginal Corporation welcomes the opportunity to make that submission. It is made from the perspective of the families of the Kuuku I'yu homelands. That includes a lot of the area of the Mangkuma Land Trust and the Indigenous protected area that is managed by the Chuulangun Aboriginal Corporation. In all, that is about 425,000 hectares of Aboriginal freehold land on Cape York.

The key points in the submission are that there truly are a diverse range of views among Aboriginal people and communities on Cape York about the legislation. Some of that comes from a lack of understanding and clear information about what the bill means and some misinformation and talk on Cape York. That level of uncertainty around the laws is brought home more in terms of a lack of understanding of what consultation should take place with Aboriginal people on their land in relation to their land, given that Aboriginal people generally are able to have a full understanding to respond to the bill.

The submission contends that, in the past, there has not been that adequate consultation with Aboriginal people on Cape York who are directly affected by changes in this legislation. The submission gives the example of the clearing of areas of Cape York on which native title exists without consultation. That is not to say that they would oppose that clearing, but they need to be consulted and understand the implications for the biocultural values of that land and its ecosystems.

The submission contends that clearing for an extractive industry in a key resource area within freehold Indigenous land should not be exempt clearing activity and that the law needs to be extended to allow Indigenous landowners to veto mining and to refuse the granting of mining exploration permits on their land. That is not to say that they would do that, but they believe that they should be consulted and have that right to make an informed decision in relation to what is happening on their land.

The submission points out that managing the health of ecosystems underpins not only the maintenance of biocultural values but also the economic activity, including mineral, energy, agriculture, tourism and natural resources on this land that has been handed back to them. Healthy ecosystems also contribute to community health and wellbeing as well as viable and vibrant communities. As a result, the economic value of conservation and healthy ecosystems on their land needs to be acknowledged, measured and respected. That points out that there is really no measure or clear understanding of what those biocultural values are and the connection of people to that country.

In conclusion, Chuulangun Aboriginal Corporation believes that the bill should go some way to restore the balance in terms of vegetation management and submits that this action must coincide with the development of mechanisms that ensure proper consultation with stakeholders for all, not just Aboriginal people, but particularly the relevant traditional custodians who speak for country along with recognition and protection of the biocultural values of the land.

CHAIR: Thank you very much, Mr Frazer. The member for Buderim wants to ask a question.

Mr MICKELBERG: Mr Frazer, in your submission you talk about the government adopting blanket approaches to land management and planning issues and the fact that that often results in damaging and unintended consequences. Do you think that local area management plans are a better solution to enable landholders of different kinds, be they Aboriginal land corporations, graziers, or any other landholder, to manage their country as appropriate and take into account the conditions that relate to that particular type of country?

Mr Frazer: That would be an ideal approach that would give good and balanced outcomes. I am talking of a balance between the environmental values, the biocultural values and economic development.

Mr MICKELBERG: Would you see that as a positive amendment to this bill if that were to be included?

Mr Frazer: I believe that would. I am representing the Chuulangun Aboriginal Corporation. I do not know whether they have considered that. It is not included in their submission, but I would think that they would welcome the opportunity to be given that consideration.

CHAIR: Mr Frazer, you have talked about consultation. In our hearings we have heard about consultation on this bill. To clarify that, in 2012, when changes were made, you are saying that there was consultation with the agricultural sector but no appropriate consultation with Aboriginal people; is that correct?

Mr Frazer: That is correct. That is clear in the submission.

CHAIR: You also said, in terms of the submission that under the changes in 2012 there was clearing approved on land where native title continues to exist but there was no consultation with traditional custodians?

Mr Frazer: Yes. The submission makes a recommendation that there should be a mechanism to require that consultation, because the biocultural values go beyond the threatened species and threatened ecological communities. I think that needs to be acknowledged.

CHAIR: I appreciate that.

Mr BATT: Mr Frazer, this is a follow-up question to Mr Mickelberg's question. Currently, area management plans are available and we have heard that, so far, they are working. They are regional plans. It is not a statewide blanket approach that this bill proposes. Are you aware of those? Can you comment on whether you think it would be a good idea to keep those plans in this bill?

Mr Frazer: I am unable to comment on that. I know that there was a commencement of consultations for a regional land use plan for Cape York that did not proceed to its full extent. It provided protection for some areas of Cape York, but it did not define land use for the whole of Cape York.

Mr KNUTH: Does your corporation feel concerned about the removal of clearing for high-value agriculture and irrigated high-value agriculture?

Mr Frazer: The Chuulangun Aboriginal Corporation's submission is in relation to their land where they have a right to speak for it and they are concerned about that for their country. It comes back to that principle as to who has the right to speak for country. The Chuulangun submission acknowledges the right of other landholders—pastoralists, for instance—on Cape York and that they should also be consulted and listened to in any proposal for clearing and any legislation regarding clearing.

CHAIR: Thank you very much. The time for this session has expired. Thank you very much, Mr Frazer.

Mr Frazer: Thank you.

BURNS, Mr Shannon, Policy Officer, Cape York Land Council Aboriginal Corporation

LUDWICK, Mr Harold, Traditional Owner

CHAIR: Would you like to make some opening statements before we move on to questions?

Mr Burns: I will state some statistics to begin with. The total area of Cape York is around 14.5 million hectares and the total area of land that is being transferred to Aboriginal freehold is around 5.7 million hectares. Of those 5.7 hectares, about two million hectares is in Cape York Peninsula Aboriginal land national park and about 3.7 million hectares is unencumbered Aboriginal freehold. This land is owned by and it is the home of about 10,000 Aboriginal people of Cape York.

The government's intention to transfer land to unencumbered Aboriginal freehold has always been to provide the opportunity for Aboriginal people to use this land to improve their economic circumstances. The creation of Aboriginal freehold land tenures has been in the recent past—the very recent past; in fact, just last year—so people have not had the opportunity to make use of that land and work out how they are going to use it for economic development. Less than one per cent of this land has ever been cleared. It remains what the Vegetation Management Act refers to as remnant vegetation. On Cape York, it is clearly not remnant. Ninety-nine per cent of land on Cape York is considered remnant. It cannot be remnant; it is the intact, original vegetation.

The amendments to the Vegetation Management Act proposed by this bill would have significant impacts on Aboriginal land on Cape York. The proposed amendments would have the effect that virtually none of the 3.7 million hectares of unencumbered Aboriginal freehold could be cleared for high-value agriculture even though there are areas that have potential for high-value agriculture and Aboriginal people have aspirations to use it for that. These restrictions have been brought in by the amendments to category B, category C and category R under the act.

I have a few maps here that I will table. They illustrate the point that almost all of Cape York is coloured blue which, as you are probably aware, is the remnant, the category B. I have a few examples of Aboriginal shires on those maps. You will see that they are all coloured blue apart from the small footprint around town. That small footprint around town is really not big enough to be used for the extent of activity that people want to use it for and for agricultural activity that could provide jobs and income in these communities. I also note on those maps around the Weipa area that there are huge areas that have been cleared for mining. So it is okay for a multinational mining company to come in and take up an interest and clear land, but it is not okay for local Aboriginal people on their traditional land to have a go to try to improve their economic circumstances.

These proposed amendments also directly contradict the Queensland government's policy objectives for people in remote communities. The Queensland government is supposedly committed to closing the gap to improve the wellbeing of Aboriginal people. It is supposedly committed to welfare reform to get people off the dole and into jobs. The government is supposedly committed to home ownership, but you cannot have home ownership if there are no jobs and there is no economy. The Queensland government is supposedly committed to the sustainable development of Northern Australia, but none of these things will be able to be achieved on Cape York if these proposed amendments go ahead.

What is going to happen is that entire communities will remain welfare dependent with all the social disadvantage and problems that go with that. That is because the sole asset that Aboriginal people own, which is their tenure of Aboriginal freehold land, will be diminished to the point where it will be of little value.

Also, this right is being suppressed without any sort of consent from Aboriginal people. The property rights that they currently hold, which is inherent in natural freehold, are being suppressed to use that land for economic development. That is being suppressed without any consultation and without any compensation. There is no alternative being offered for how people are supposed to make a go of developing local economies and lifting themselves out of poverty. Instead, Aboriginal freehold land will be a liability, because people are still responsible for managing it to satisfy the pest and weed management and various other obligations of being a landowner, yet there is no way they can use their land to generate an income to pay those costs, let alone make a living off the land.

We have raised these issues previously with the state, but we have been brushed off with comments about, 'You can have an Indigenous community use area declared under the Cape York Peninsula Heritage Act.' Whilst in principle we support that—it is a good idea—there has never been a single ICUA, as they are called, declared on Cape York. That is because the process to have an ICUA declared is too complex—all the science and all the consultants' reports and the evidence to support that a particular piece of land could be used for high-value agriculture and, therefore, cleared.

Aboriginal landholding bodies simply are not in a position where they can afford to put together these applications. So whilst in principle the ICUA argument is a good idea, it is not practically possible at this point.

We would also like to see the vegetation management bill amended to also include amendments to the Cape York Peninsula Heritage Act to simplify the ICUA declaration process and also for the Queensland government to take a proactive role in supporting Aboriginal landholders to go through the process of identifying areas of land that are suitable to have an ICUA declared and, therefore, provide exemption from the vegetation management laws. We are not talking about huge areas. We think that it would be a small mosaic of areas across Cape York.

Therefore, we do not think that the bill should proceed in its current form because of the negative impacts that it is going to have. Aboriginal people should not have to suffer the restrictions of this law. They should have the opportunity to develop just like the rest of the people in Queensland have been able to in the south. We do not think it is reasonable that the Queensland government inflicts such a penalty on people who have already had to bear so much over recent history. The objectives of the bill to mitigate environmental impacts are supported, but not when they have significant impacts on people who are the most disadvantaged people in the state already.

CHAIR: Thank you, Mr Burns. Mr Ludwick, do you want to make a brief statement before we move on to any questions?

Mr Ludwick: I will state the obvious. You have probably already heard it already, but I am going to say it again. The proposed changes affects farmers as well as Indigenous people. As Indigenous people, the vegetation management bill progresses perpetual poverty for Indigenous Cape York. Under these proposed changes, the aspiration for an economic future for our children is being severed when we have only just received property rights from the overturning of terra nullius through the Mabo decision and through the transfer of land to Aboriginal freehold.

I am from Hope Vale. In theory, the ownership of 110,000 hectares of Aboriginal freehold to the people of Hope Vale provides us with real opportunities for social and economic development and a way out of poverty and its associated ills. But without a doubt, the vegetation management bill will suppress our property rights without our consent or compensation. The aspirations that we had to use our land for agriculture have been dashed and, as a result, the social issues that we experience will continue—no jobs, no economy; only idle hands.

Social dysfunction in regard to clan upheavals in Hope Vale were mitigated through economic development, namely, the Hope Vale banana farm. The proposed changes to the current vegetation management legislation will see a return to community dysfunction. The current provisions to allow development on Aboriginal freehold will be laden with extra regulations. We are underresourced to apply under the current legislation. The crux of the matter is that we will be hammered by extra regulations pertaining to land development under these proposed changes. This will be enough to arrest our social development.

Under the current vegetation act, we have an option to clear. These proposed changes have this option disappearing and this in its place. So there is no hope for our future. Denying our property rights to clear on Aboriginal freehold land becomes another racist act towards Queensland Indigenous people. Australia celebrates our Indigenous heritage to the world at the Commonwealth Games, but throws us under a bus in the same month it is held. We are responsible for the issues the vegetation management bill is trying to address—climate change, protecting the reef, biodiversity protection—because 99 per cent of Cape York is still intact vegetation, but we will pay the price for the sins of other people in other areas.

CHAIR: Thank you, Mr Ludwick. We are running out of time. I ask you to move to your concluding statement.

Mr Ludwick: Have you considered any compensation for the Aboriginal freehold land that is going to be annexed under the state government? That is something that has to be considered. When it comes to Indigenous community use areas, the Indigenous people of Cape York need more resources.

CHAIR: Thank you. I appreciate that. We have time for two quick questions.

Mr MADDEN: I would like to begin by thanking Mr Ludwick and Mr Burns for coming in today as well as all the other submitters who are here today and all the other people who have come here today to see parliamentary work in process. I know that many of you have travelled long distances to be here and I am very pleased that you could attend. My question is to you, Mr Burns. You mentioned the issue of clearing land for high-value agriculture on the cape. Could you outline some of the activities that you would regard as high-value agriculture that could be undertaken on the cape?

Mr Burns: Yes. There have been studies done on soil suitability. There is water available in areas of the cape that are suitable for a whole range of crops. There are bananas growing at Hope Vale, as Harold has mentioned. There is the full range of growing mangoes and other sorts of tropical fruits and products. There is also the potential for rice and sorghum. These sorts of crops are all suitable for some of the lands on Cape York.

We know that a lot of Cape York—probably the vast majority of Cape York—is not suitable for intensive agricultural activity, but we know that there are small pockets where there is the coincidence of good soil, water availability, a workforce and other infrastructure to support that. There is the issue that there has not been enough research done to identify exactly where these areas are. That is one of the things that we ask the Queensland government to help us to do. Once we have identified those areas, then have one of these Indigenous community use areas declared over that land to provide the exemptions from vegetation management legislation and allow people to establish small farms and create jobs and economies in these areas.

Mr MADDEN: Thank you.

Mr WEIR: Mr Burns, this is the second hearing that you have appeared at. We had one this morning on native tenure. Through that we heard traditional owners talking about their wish to improve their lifestyle, to have a purpose for the people in their communities. They recognise the value of their land, but know that they have to develop to provide a future and to bridge the gap, as you said. With the removal of high-value agriculture, do you see that as a major impediment to those improvements that you want to do to your land in the north for your people?

Mr Burns: There is very little economic activity on the cape at the moment. There is pastoralism, mining and there is some tourism. That is about it. We want to see the opportunities for those things to continue to occur. The vegetation management bill does not really affect those things but, despite those existing activities, there are still very high levels of unemployment, very little economic activity. Removing the option for high-value agriculture simply removes one of the options that could create an economy and could provide jobs. Because it is high-value agriculture, potentially there could be some good money in it and some good jobs in it—probably more so than pastoralism in some cases.

The current economy on the cape is not enough to employ all the people up there. The levels of unemployment in Aboriginal communities is extremely high, as I am sure you are all aware. This bill would simply eliminate the opportunity for people to ever move into high-value agriculture. People need every chance they can get. We cannot be pulling the rug out from under people before they have had a chance to work out how they want to use their land.

CHAIR: Thank you very much. The time for this session has expired.³

CREEK, Mr Alan, Chairman, Cape York Land Council

PEARSON, Mr Gerhardt, Executive Officer, Balkanu Cape York Development Corporation

PIPER, Mr Terry, Chief Operating Officer, Balkanu Cape York Development Corporation

CHAIR: Who would like to make an opening statement?

Mr Pearson: Mr Chairman, committee members, this law is poison. This law will snuff out the opportunity for future Indigenous people and the white landholders of Cape York. This law is—

An incident having occurred in the public gallery—

CHAIR: Order in the gallery.

Mr Pearson: For our side—

A further incident having occurred in the public gallery—

CHAIR: Excuse me. We will not have the witnesses interrupted. We will have quiet in the gallery. That is the second time I have said that.

Mr Pearson: The first economic opportunity that hit the soil of Cape York was in 1873—145 years ago. For most of that time, our people, the Indigenous people of Cape York, did not participate. We were removed from our country. It has been only since 1992 that we have gained back land. There is a range of titles: native title, pastoral leases, Aboriginal freehold, reserves, former reserves. We have only just started to sniff and enjoy the piece of dirt under our feet again in this short period and, essentially, this law takes that back off us.

The Beattie government and the Bligh government were influenced by the environmental movement in South-East Queensland more than 15 years ago and they put in place conservation regimes over Aboriginal lands in Cape York and the white pastoral properties of Cape York just for votes. The wild rivers legislation followed.

Our organisation under my leadership and that of Alan Creek and many other people concerned about that very invasive piece of legislation politically fought that and also fought it in the courts. We won that court action to prevent the then Labor government from gazetting wild rivers over the entirety of Cape York. We did that because we had only just started enjoying the piece of dirt under our feet in the past 20 years and our people were looking forward to a future where we can have growth and our children can use the land for the economic and social wellbeing of their communities, their people and future generations.

This pervasive green movement that is very influential, particularly on your party, Mr Chairman, provokes down south a snuffing out of the opportunity of remote communities, white and black families on remote communities, and regional Queensland. These are communities that have a long history in providing for the strength of the economy of not just this state, but of this nation. Why would any government just for votes in fact arbitrarily take away and limit and devalue the potential for our communities to grow and an economy to grow and for the nation to benefit from that, for our children to benefit from the jobs. Let me tell you, Mr Chairman, yes, this law may very well pass, it is poison law, but we will not rest, we will fight until the next government comes in and changes this law. That is our commitment here today. It is bad law.

CHAIR: Before we move on to the other speakers here, do you want to move to the conclusion of your statement.

Mr Pearson: My conclusion is this: let it be known that we will not rest until there is a change of government that will throw this poison out.

CHAIR: Mr Piper?

Mr Piper: I just want to say I have been working on Cape York now for probably getting close to 30 years. I have managed the tenure reform program with Balkanu on Cape York. It is my experience that the government does not want to see Indigenous economic development on Cape York and the experience that we have had over the years has been that government has done whatever it can to kill this. I will just use a couple of examples.

One of the programs we manage is the state land dealing program. In that program the conservation movement gets 50 per cent of the property and Aboriginal freeholders get the other half of the property for economic development. The Greens get their half, the national park, Aboriginal people get the other half for economic development. We have negotiated many properties through that path and many of those properties have good land for economic development.

I would like to draw your attention to two properties. One of them is Kalinga. When we did the Kalinga deal, the conservation movement and the Labor Party got its outcome with getting national park. TOs got land and land that had been cleared and land that the previous owners had spent \$9 million on clearing. It is good land. There is a new road going up past Kalinga at the moment. Only 34 kilometres to go and there will be a bitumen road past Kalinga.

It is very good land for high-value agriculture and has good economic development potential for traditional owners. But we find two days ago that the government now proposes to declare all the cleared land, a major percentage of it, as high-value regrowth. It is rubbish that it is high-value regrowth and this is intended to take away that cleared land that is there. The cleared land that was there available for Indigenous economic development is now going to be declared high-value regrowth.

CHAIR: Do you want to table that?

Mr Piper: Yes. It is the same on Battle Camp. We finished the Battle Camp negotiations last year. There is a good area of good land on Battle Camp. The government tried to keep quiet that there was a water allocation on Battle Camp but we found that there is good cleared land on Battle Camp and now the government is proposing to declare most of that land as high-value regrowth.

The same picture is at Archer Point with that freehold land that was transferred at Archer Point. The northern land trust north of Starcke—exactly the same. The only cleared land on the northern land trust is being changed to high-value regrowth. Silver Plains is exactly the same. The land at Silver Plains that was cleared and available for development is now becoming high-value regrowth. TOs of this land have not been told. There has been no consultation whatsoever. This is what happened with wild rivers. People get their land back, they have it there for economic development and the government comes in and takes it away again. That is all I have to say.

CHAIR: Mr Creek, did you want to add anything to what has been stated.

Mr Creek: I haven't got much to say, but I just say this vegetation law, it is no good for us. It is poison law. It must be chucked out. That is all I have to say.

CHAIR: We probably have time for two very quick questions.

Mr MICKELBERG: My question is pretty simple. Do you feel like there is a double standard between what standard is being applied to the people of the north who have not had a chance to develop their country yet and to the people who live in South-East Queensland who have had 150, 200 years to develop their country?

Mr Pearson: No doubt there is, but there is also a current issue that is outside your committee's brief. We have had in this state for quite some time a department of Aboriginal affairs, Indigenous affairs, and the former Treasurer, the local member for Mulgrave, Mr Pitt, was the Treasurer and minister in the last term, of course. That department is charged with advocating and facilitating and resourcing Indigenous opportunities in economic, social and housing outcomes.

Let me tell you, that department is a facilitator for the environmental movement, for environmental outcomes, because where is the resourcing for the assessments to understand the future economic value of places like Battle Camp that Terry mentioned? This is what we need. This is what families on the ground need. Before you lock things up, resource communities so that we can better understand that we are not locking away good opportunity. We cannot afford that. The organisation that we rely upon is DATSIP, the Indigenous affairs department. Let me tell you, if it is a green show, if it is looking after green outcomes, that is where the resources are going to be, not on the future opportunities for our people.

CHAIR: We are running out of time.

Mr Piper: I will just say one thing: one per cent of the land clearing in Queensland occurs on Cape York—only one per cent; 99 per cent of it occurs outside of Cape York.

CHAIR: We have time for one brief question and one brief answer.

Mr KNUTH: You are just getting there, you were saying. With the present legislation you reckon you can just get through but if this legislation is passed as it is you have got no hope with Indigenous development in that region.

Mr Pearson: We have no faith. We cannot sit here and endorse legislation that clearly snuffs out opportunity not just for ourselves. There is a principle here. I think government has to work with communities and it is not doing that. It is working with a vocal, very powerful sector that wants to lock things up, lock development up. We have families on that country.

CHAIR: Thank you for that. The time for this session has expired.

Mr MICKELBERG: Point of order, Mr Chair. These are important issues. We need to examine them properly. We do not have time if we cannot ask questions.

CHAIR: My answer to your point of order is that we have to allow people to have their say which we are doing quite amply enough.

Mr MICKELBERG: Let us extend the time frame.

CHAIR: Your point of order is noted and not taken.

BRODIE, Dr Jon, Professorial Fellow, ARC Centre of Excellence for Coral Reef Studies, James Cook University

CHAIR: Could you introduce yourself and the capacity in which you appear today.

Dr Brodie: I am a professor of environmental science at James Cook University in Townsville. Essentially I have been working on reef water quality for the last 35 years. I am here basically representing the Great Barrier Reef and that is what I am here to talk about essentially and the relevance of this legislation to the Great Barrier Reef. I have a statement here which, after I have read it, I can give to you.

CHAIR: Certainly. If you would like to address the main points in that, that would be great.

Dr Brodie: The Great Barrier Reef is in a very poor state at the moment, as everybody is aware, and it continues to decline. That is due to a combination of poor water quality due to land run-off, climate change and still some fishing issues. The water quality aspect of that is that sediment loads from the catchment of the Great Barrier Reef, which extends from Maryborough to Cape York, has increased up to five times over the last 150 years depending on which river basin you are looking at. In some river basins, like the Burdekin, it is much greater than that, whereas in northern Cape York there has not been such big increases at all. That erosion is due to gully formation, hillslope erosion, stream bank erosion and has been associated with the development of a catchment for agriculture, range land grazing in particular.

We know the effects of that sediment out in the Great Barrier Reef. It reduces the light that seagrass and coral needs. Sediment on corals causes coral diseases and a whole range of adverse effects. We see that, for instance, in Cleveland Bay off Townsville where the seagrass disappeared for many years after we had sequential large Burdekin River flows. It has started to come back now since the Burdekin River has not really flowed significantly for many years. At the moment we are trying to manage that through the Reef Plan.

The Commonwealth and state government are spending in the order of \$100 million a year on trying to reduce sediment loads, and nutrients and pesticides but particularly sediment loads. That has not been very successful and the report cards that came out last year, the joint government report card, said that progress essentially was poor and progress in improving management practices in both sugar and grazing are rated poor. We are not really making a great deal of progress even though we are spending a lot of money.

It is essential, given the increase in damage due to climate change, that we do everything we can to reduce water quality pressure. This legislation, which I support, will help reduce erosion by reducing vegetation clearing, which leads directly to increased erosion. If it is not passed we see this increase in tree clearing at the moment if you like undoing that large amount of money that is spent every year on trying to protect the catchment through erosion.

That is my statement. I will just add one thing though: for this legislation to work fairly and effectively, however, it needs a huge increase in the number of expert extension staff across the region where it operates.

An incident having occurred in the public gallery—

CHAIR: We will not have anyone interrupting the witness. We do have an option of clearing the gallery and holding this hearing in camera. I will just state that once. I will not have the witnesses interrupted, ridiculed, made fun of or interjected upon. Continue, please, Dr Brodie.

Dr Brodie: I will say those staff do not exist at the moment and therefore this legislation at the moment cannot be effectively and fairly implemented unless that is done. Extension staff have been run down for decades in Agriculture, in Environment and in Natural Resources over many different government types and at the moment they are in very, very scarce numbers, especially in the range lands of the Great Barrier Reef where there are very few people that you can count on with expert knowledge to advise farmers on how best to obey this legislation.

Mr MADDEN: My question relates to extending category R—that is, the 50-metre buffer along watercourses—to three watercourses, the eastern Cape York watercourse, the Fitzroy watercourse and the Burnett-Mary catchments. Can you explain the importance of extending category R to those three catchments?

Dr Brodie: The purpose of buffer areas is so that we have tree growth along riparian areas to essentially prevent bank erosion. A lack of vegetation on stream banks leads to bank slumping and bank erosion. However, there are a lot of subtleties in this. If we talk about order 1 streams—they are the tiny streams at the top of the catchment—they really do not need 50 metres. That is ridiculous.

Whereas if you are down at order 3 or 4, at the bottom of catchment, then 50 metres is quite appropriate. These things have to be implemented at the scale at which they happen. This comes back to my statement about the need for expert staff to help in judging where you need the buffer, how big it should be and so on. It cannot be a blanket imposition.

Mr MADDEN: With regard to what you mentioned about certain watercourses not requiring the 50-metre buffer, do you think that the definition of watercourse should be restricted to true watercourses—creeks and rivers—rather than man-made watercourses?

Dr Brodie: This is to do with the natural watercourses. If we are talking about irrigation drainage in sugar or something that is a quite different situation.

Mr MADDEN: Do you think they should be excluded from the definition of watercourse?

Dr Brodie: I do not know what the government's formal definition of watercourse is.

Mr BATT: You mentioned that bank erosion is mainly caused through grazing and clearing. We have heard from landowners and other experts over the last few weeks that bank erosion is also being caused by the thickening of vegetation which causes the grasses to die away. This causes erosion because there is no grass there. Can you give me any expert opinion on that?

Dr Brodie: Essentially grasses are not very good at bank protection, except on very small order 1 streams. You can imagine the tiny streams in small catchments where grass swales, for instances in sugarcane where you have wide spoon drains that are grass swaled. They are okay. If we are talking about natural streams, trees provide much better bank holding protection than grass because of their deep roots. Once you get down to order 5 streams on the main course of the Tully River near Tully then even trees do not do anything really. The banks are too high. It depends so much on the stream type. Only on very tiny streams would grass have any effect on bank erosion.

Mr KNUTH: Will he be able to table evidence of that?

CHAIR: Would you be able to table your written statement?

Dr Brodie: Yes, I can table it.

CHAIR: Thank you very much, Dr Brodie. The time for this session has expired.

CUNNINGHAM, Ms Yvonne, Member, Cassowary Coast Alliance

MATHEWS, Mr Brynn, Treasurer, Management Committee, Environmental Defender's Office, North Queensland

WALDEN, Ms Roz, Director, Cairns and Far North Environment Centre

WARD, Ms Kirstiana, Principal Solicitor, Environmental Defender's Office, North Queensland

CHAIR: Who would like to start with an opening statement before we move to questions?

Ms Cunningham: I am quite happy to start with an opening statement. I congratulate the committee. I support the amendments to the vegetation management legislation. I am very concerned about the recent extreme erosion and bank slump that has happened due to the weather events that we have experienced over the last month. I submit a number of photographs. Of particular concern is the erosion on Liverpool Creek which has removed 14 rows of sugarcane. Nothing appears to be being done to assist farmers repair this creek. It is very costly for them. They are losing large areas of land. It appears that the previous owner of the land cleared the riparian vegetation. This is a story that is repeated throughout the Wet Tropics. Riparian vegetation has been cleared historically and now the new owners are finding themselves suffering from a lot of erosion.

CHAIR: Are you happy to table that?

Ms Cunningham: I will table that. I bring to your attention the accounts on Innisfail News and Views. It shows a number of people from the community talking about erosion on other watercourses throughout the Wet Tropics and the very good support for having that remedied. I table all of that for the committee. I urge the committee to pass the legislation and to look at remedial action being taken to assist farmers who are losing their land.

Ms Walden: Thank you for the opportunity to present here today. I am not going to repeat the statistics that are in the SLATS report. I am sure you have by now heard them many times over. I am going to use an FNQ analogy because I am sure you have heard a lot of statistics on land clearing.

If you go from Edmonton down south in Cairns up to Palm Cove and take a look at the residential footprint you are looking at about 15,000 hectares. When you think about the SLATS data, what that means is that one year we have cleared the equivalent of 25 towns the size of Cairns. No matter which way you slice this data, that rate is just not sustainable. I would urge the committee to consider the cumulative and consequential impacts of this rate of land clearing. At the end of the day, this legislation is going to be tested against whether it is going to bring down this rapidly escalating rate of land clearing that we are seeing in Queensland.

We have heard lots of high-profile examples of land clearing in Far North Queensland. I would like to draw your attention to one that you most likely have not heard of. That is the Barnwell property in the Myola Valley near Kuranda. This is a Wet Tropics example. As far as we can tell, the land was last cleared in the early 1980s. That puts it beyond the 1989 time when it comes to high conservation value.

What has happened in recent years is that we have seen that property purchased by a developer to develop the KUR-World integrated ecoresort. At the moment that EIS is still underway so it is being managed for pastoral purposes. What we have seen is the clearing of the almost identical footprint of what would be the ecoresort. We are not talking about scrubby vegetation. We are talking about rainforest vegetation that had been growing back for the last 40 years. Changes were made in 2013 to change freehold to be able to clear regrowth vegetation. We believe that is what has gone on here. They have been able to clear this area.

Also on the property there is one creek that is one of 14 known habitat areas for the critically endangered Myola tree frog. That is about 10 per cent of that population on the one creek that is being impacted by this clearing. I do have pictures if you want me to table those.

CHAIR: It would be great if you table those.

Ms Walden: The other thing about this area at Kuranda is that it is in what is known as the Envirolink Corridor. It is a narrow corridor that connects the northern Wet Tropics to the southern Wet Tropics. It is critical for genetic diversity—cassowaries et cetera—to be able to move from the northern section to the southern section. We have had conservation groups trying to rehabilitate and restore vegetation in this area for decades. The laws that have been allowed have completely undermined this.

We have obviously outlined our support for the parts of the bill that we think are a great step forward, but we have also included some recommendations which I am sure you will consider. I cannot stress enough the fact that high conservation value is much more than about the age; it is also about the ecological function, the specific location et cetera that needs to be taken into consideration.

In closing, I urge you to think about the fact that this is not about individual incidents of clearing, but about the cumulative impact of clearing 25 towns the size of Cairns year after year. We need to put an end to the rate of clearing. I support the intent of this legislation.

Ms Ward: Thank you for inviting EDONQ to present to you today. I would like to acknowledge the traditional owners of the land where we are meeting today, past, present and emerging. EDONQ was established in 1996 as a community legal centre to service areas roughly from Sarina to the cape and through the Torres Strait islands. We represent public interest matters in environment and planning law.

EDONQ has built a strong connection with the North Queensland community and assisted many individuals and community groups to ensure strong environmental protections are enforced. We do strongly support the reforms that the government has proposed in this bill and the related policies to achieve the government's 2017 election promises.

We fully endorse the submissions and statements made to this committee by EDO Queensland, but we would like to take this opportunity today to further extrapolate a few matters, in the limited time frame, that are relevant for our community. I would like to firstly recommend that you discontinue the locking in of property maps and potentially allow for periodic updates. PMAVs are property specific maps which provide more detail and accuracy as to the categorisation and regulatory applications of the Vegetation Management Act to a property. Under this bill, the PMAVs will remain in effect as they are now and landholders can continue clearing their vegetation in accordance with any available exemptions.

We urge the government to consider establishing provisions that allow the PMAVs to be amended to ensure that they respond to developing environmental sciences and environmental change and impacts. This could be achieved by incorporating periodic reviews as is seen in the planning legislation for, say, lapsing preliminary approvals. This would provide landowners with certainty of tenure, but still allow for some flexibility and provide room for the legislation to be reactive to environmental issues and to science as they emerge.

We would also like to make a recommendation for the expansion of the category R regulations to incorporate the Cape York Peninsula. As you are aware, the category R regulations are proposed for regrowth vegetation within 50 metres of a watercourse and it is planned to include the Burnett-Mary, Eastern Cape York, Fitzroy and Great Barrier Reef catchments. We would ask that you consider enlarging this to include waterways, lakes and springs outside the reef catchments and to specifically include westward flowing streams and watercourses in the Cape York Peninsula and Far North Queensland to ensure their protection. We also ask that the committee consider, given that there are still category X exemptions under certain PMAVs, extending the 50-metre buffer proposed to 100 metres in those catchment areas to counteract those exemptions.

I would also like to mention the vegetation clearing applications that are available under the Cape York Peninsula Heritage Act. Many people prior to us today have referred to the cape. I am respectful of and acknowledge the social, welfare and economic issues facing the cape community. However, there are still opportunities available under vegetation clearing applications for special Indigenous purposes under that act. Perhaps that act needs to be used more to assist in potential development for special Indigenous purposes and that act is explained and properly dealt with by the government for those communities.

Mr Mathews: Thank you for the opportunity to address the committee. My background is that I have had almost two decades working for state pollution management agencies in Tasmania, Victoria and Queensland. I followed that up with five years working for the Mitchell River Watershed Management Group, so I have gone from a job where I saw an awful lot of degraded land to one where I handed out grants to graziers and farmers to improve their properties and the environmental values on their properties. That was Caring for our Country money at the time. That was very satisfying. There may even be some in the room here today that I gave grants to for fencing or planting riparian zones.

I support this legislation because I believe it addresses some really key issues that we have to deal with. Key 1 is carbon storage. The big picture is that we are transferring carbon from the lithosphere which is essentially the inert part of this planet—that is, the coal, the gas and the oil that has been laid down millions of years ago—to the biosphere where it becomes environmentally active.

This is what we are dealing with. Things we are talking about for carbon storage and capture essentially have life spans of only a couple of hundred years. We are liberating stuff that has been stored for millions of years so we have to be very active in doing what we are doing to try to resource some sort of balance.

The other thing the legislation deals with is habitat preservation and maintenance of ecological services, because native vegetation manages erosion, run-off, water storage, hydrogeology and all sorts of things on a property. There has been research everywhere else in Australia that shows a minimum of 15 per cent retained vegetation on a property improves its productivity to the point where you do not notice the fact that you have sacrificed 15 per cent—if you call it a sacrifice; I do not—for native vegetation to be retained. This could be windrows. It can be copses. It provides shelter for livestock. It creates microclimates for crop growth. It does all sorts of things which you do not get when you clear from fence line to fence line. Those things are really important—the ecological services provided by native vegetation.

Biodiversity is the other one. I support some of the previous speakers in saying that the government needs to start looking at ways of identifying areas of high-quality soils that are suitable for high-value agriculture. I know of some in this area. There is an old lake bed on Gunnawarra Road, for instance, that was laid down millions of years ago before the Herbert River cut itself a new gorge when it used to be cut off from the Burdekin. There are other areas of really rich basaltic soils as well. There is not much of them, as previous speakers have pointed out, but they are there and we need to be looking at using them.

From my experience of two decades working with environmental protection legislation, I realise that legislation is a very blunt tool a lot of the time and we need to be looking at ways of refining it to be more precise in how we are dealing with things. We need to look at how this legislation can be more precise. Equally, it has to deal with remnant vegetation in suburbs as well as broadscale agricultural land that is still under native vegetation, and it has to do both those things effectively. We really need to be thinking in those terms.

CHAIR: Mr Mathews, we will need a few minutes for questions. Could I ask you to jump to your concluding remarks?

Mr Mathews: Yes, I will finish with this. We used to have incentives with the Delbessie lease renewal assessment system that was scrapped back in 2012 where good land managers could be rewarded with lease extensions with additional 10 years for having nature conservation areas and an additional 10 years for having an Indigenous access agreement. That all got dumped and everyone got their leases extended whether they were good land managers or bad land managers. The government needs to be thinking about what incentives it can restore. Can you have a really effective payment scheme for carbon storage on properties that acknowledge farmers who keep their native vegetation to store carbon on the property rather than clear it? At the moment there is nothing. We have sticks and no carrots.

CHAIR: Thank you very much. I appreciate that.

Ms PUGH: My question is for you, Brynn. It sounds like you have worked with quite a few landholders over the years. I would be really interested to hear some of the proactive and best practice procedures you saw when you worked with the landholders.

Mr Mathews: There was really good use of smaller paddocking. Rather than having enormous paddocks, you use electric fencing to create smaller paddocks where you selectively put particular cattle at a particular stage of breeding or age so that you can control birthing cycles so they were not birthing at the wrong time of the year. The work had been done to show that for cattle that birthed at the wrong stage the calves do not prosper. They have a hard time and the mother has a hard time trying to nurse a calf if we have not hit the wet season yet and there is not the feed about.

You can manage properties to do that. You can get them in calf at a certain time so they give birth at a certain time and then you can have a more productive property, because most of the graziers will say that the work has been done now. It has been proven again and again by the department of agriculture that you have a better gross margin turning off a smaller number of higher quality animals than driving truckloads of scruffy, scrawny ones off. It is easy to do that—to run them rough and send them off rough—but the farmers that are controlling their herds and managing them a lot better—they are managing their fertility and their calving—are producing a higher quality of animal and they are getting a better gross margin off their lands than the ones who are not bothering to do that.

Mr MICKELBERG: My question is to you, Ms Walden. In your submission you talk about a number of high-profile incidents of land clearing in the far north and you cite examples like bauxite mining on the cape, which would not be captured in this legislation, and urban land clearing, which Cairns

would not be captured in this legislation. You spoke in detail about the Barnwell situation and the proposed site of KUR-World. My understanding is that that is a coordinated project so that would not be captured in this legislation. You cited the IFED project as well which did not proceed. As I understand it, there was not a single tree cut down. Why have you included those examples in your submission? It seems to me that that was included to add weight to a submission without justification.

CHAIR: I caution the member for Buderim. The question will stand but please watch how you phrase your questions.

Mr MICKELBERG: I would appreciate an answer.

Ms Walden: All I meant to imply by it is simply that this has been an issue talked about in Far North Queensland. It is an issue that our members are reading about in newspapers and concern is building around what is happening when it comes to the rate of land clearing. It is in addition to high-profile things like reef bleaching or another lesser known issue which is mangrove die-off in the Gulf of Carpentaria. These things are coming together and it has meant that land clearing is a talking point in this region. It is something that people are concerned about. I am sure there are others in this room who are concerned about the economic future, but there are also conservationists et cetera who are concerned about the future of biodiversity. We are lucky up here to have intact ecosystems, and this is how we end up with people volunteering to restore the landscapes.

One of the things that conservationists often say to me up here is that we do not want it to end up like down south where so much area has been cleared that people do not even get to see it; they do not even get to access it. When we are talking about something like—correct me if I am wrong—23 million hectares in category X which is unregulated for clearing or the clearing that has been happening through self-assessable codes, again, I am going to bring the committee back to the cumulative and consequential impacts. When you have this much land that is either unregulated or self-assessed, it is really undermining the government's ability to take on these large challenges that we have, whether it is soil, sediment erosion, run-off to the reef, climate change et cetera. We need to be able to tackle this and when so much is excluded—

Mr MICKELBERG: But surely we need—

Ms Walden: All I meant to imply is that it is a hot topic that—

CHAIR: The time has expired. I know you want to follow that up, but she has answered a question that was relevant. Thank you, member for Buderim, we appreciate your histrionics on this.

Mr MICKELBERG: Nothing like a bit of gagging.

CHAIR: You are not being gagged. We are running this effectively. If you want to raise a point of order again you can. We are going to break for five minutes. Thank you all very much indeed.

Proceedings suspended from 1.27 pm to 1.39 pm.

CHAIR: I now welcome the new witnesses.

CALCAGNO, Mr Stephen, Chair, Canegrowers Cairns Region

JACKSON, Ms Tahna, Regional Manager, AgForce North Queensland

MORO, Mr Joe, President, Mareeba District Fruit and Vegetable Growers Association

CHAIR: Can you please introduce yourselves, and state your names and the positions in which you appear before us today.

Mr Calcagno: I am Stephen Calcagno, the chairman of Canegrowers, Cairns region.

Ms Jackson: My name is Tahna Jackson. I work for AgForce Queensland. I am the regional manager. I work from a home office in Dimbulah where my husband and I are the owner/operators of a small farm in the Tinaroo Dam scheme.

Mr Moro: I am Joe Moro, the president of the Mareeba District Fruit and Vegetable Growers Association and a mango farmer.

CHAIR: Thank you very much. Would you like to make opening statements before we move to questions?

Ms Jackson: I would like to draw to your attention to the huge burden and unnecessary and unwanted stress that these regulation changes are already having on the people, families and communities at the moment. I point out to the government that there has been no effort to examine these impacts or any kind of assessment of long-term consequences, such as the harsh and arbitrary framework, which essentially punishes the people who manage the state's vegetation.

Living and working in rural and remote communities can at times be a stressful experience. People who live and work in these areas can experience additional pressures such as social isolation, financial hardship, lack of services, limited and unreliable internet and phone services, not to mention natural disasters—flood, fire, cyclones and, as we have experienced in the last few years, drought.

One of the pressures farming families face is the ever-changing legislation they need to deal with in day-to-day operations. A few years ago at AgForce, we got all the legislation that farming families have to deal with. When we stood them up together, they were as tall as me. How can any average person understand that much red tape, comprehend that and then actually comply with it? Since 2013, the government has released 50 different versions of the regulated vegetation maps. What person would have printed out 50 ever-changing maps and how would they even know about them? Were there extension staff on the ground? Did the government do an advertising campaign? Did anyone inform them? Unfortunately, the answer is, no.

To understand this statement, the amendment bill and the effect that it has had on people's wellbeing on the ground, I have two short stories to share. I can share them now or after the other opening statements.

CHAIR: Certainly, please touch on those.

Ms Jackson: The first story I want to share quickly is about a 60-year-old lady who contacted me. She had recently purchased her dream property and was looking to move from her city location to the countryside. She did not understand what a PMAV was, let alone about vegetation management. I got hold of her allotment plans and jumped on Queensland Globe to check her regulated vegetation map for her. When I explained to her what her situation was, she actually started crying on the phone to me.

Unfortunately for this particular lady, she had purchased a property in a reef catchment that now has regulated high-value regrowth and water course buffers. When I went through what this meant for her, as I said, she was beside herself. I tried to comfort her as best I could, but she had a feeling at the time that her block is now worthless and she probably would not be able to recoup the money she had spent on that particular purchase. Her plans have been ruined and the market value of that property has been seriously eroded. She is unlikely to recoup her costs. That kind of impact does not appear to have been even considered by the government.

The other quick story is this: just before the bill was tabled, I attended a local fencing field day down from the road where I live. I explained that we expected the bill to be tabled soon and for people to lock in a PMAV if they needed to. I took down a map of my own property to show practically what it meant. Basically I asked people straight up, 'Does anyone have a PMAV?' Out of the 50 people at Cairns

that field day, two people knew what a PMAV was. I had helped one of those people lock in their PMAV the year before. The other was a lady who I had had a chat to prior to the field day starting. That is just 50 average normal people, growing food on the Tablelands.

At that time, I also said to them that we would hold some Queensland Globe workshops in the local towns. One of those workshops we held in Mareeba. We had 37 people attend. I showed them all how to use Queensland Globe to check their maps and to see whether they had a registered PMAV. The majority of the people in the room had not locked in a PMAV. The stress and anxiety seen on those people's faces was just enormous. I do not think people actually understand, when you finally put together what this means for your business and individually and the financial stresses that it is going to cause, what this actually means.

I have been talking individually to people, going through their businesses and what it means to them, because they all came from different catchments and all had different scenarios. I was trying to explain to one particular family that could have used the self-assessable codes, knowing full well that potentially these amendments were coming and that all self-assessable codes may be taken off the table. Those people actually did not understand what that meant. They are a young family. Now they are actually frustrated and more confused about what that means for their futures.

These extra pressures are absolutely real. Those are two tiny snapshots from my own personal experience of what I have seen in the past few months. There are thousands more stories like this from across Queensland. I have to ask myself, have these sorts of impacts been considered? I have to conclude, no. These impacts have a genuine effect on mental health wellbeing and I have grave fears that more changes will see more depression. I feel I was seeing more and more people being pushed to their limits and they will not be able to handle it.

The Labor government seems oblivious to these effects. More and more, you seem determined not to undertake any kind of work or study that will document the personal, economic and social impacts that these proposed changes will have. How can a government, on the one hand, proudly talk about being the biggest agriculture producing state in Australia and then, on the other hand, impose these kinds of emotional, financial and health burdens on the very people who grow the food and fibre that you all eat and wear.

Yes, we must consider that the science used is factual and that we need to grow food and fibre to feed and clothe people, but we must also consider that the constant changing of the Vegetation Management Act is having a huge effect on the wellbeing of the people in the farming sector. We can improve the knowledge for producers and their communities to address and mitigate the human welfare issues that result during and after legislation changes, but we need strong rural communities not only to survive in an increasingly challenging environment but also to thrive. The answer is not to punish them; it is to work with them. Thank you for listening.

Mr Moro: The Mareeba District Fruit and Vegetable Growers Association supports strongly the Growcom submission. I would like to draw attention to part of the submission. We support outright the rejection of the bill. We also believe the government should engage in an objective, transparent and evidence-based consultation process to develop a long-term vegetation management framework that will deliver a triple bottom line and sustainable growth to the industry. If the bill goes through, we strongly believe there still needs to be strong mechanisms for the high-value agriculture aspects of it, that the regulatory requirements given under the process be made clearer to avoid adverse impacts and that compensation be given to those farmers who will not be able to clear land.

I point out that 96 per cent of all fruit and vegetables purchased in Australia are Australian grown and a lot of the changes that are being proposed, not only in regards to this bill but also many other bills that are coming through parliaments right across Australia, will have a negative impact on the long-term viability to be able to provide 96 per cent of Australian grown product. You will see over time, if we cannot adapt and change, that more and more imported product will be on your shelves.

The Tablelands is regarded as the fruit bowl of Northern Australia and this legislation puts its further expansion under threat. We strongly support the farmers who, over the last period of applications that have been done under the previous legislation, which is about half of the Tablelands, have been able to clear small portions of their land to remain viable going forward. The legislation puts at threat the clearing of some of those small parcels of land within the Tablelands to allow those farmers in the horticultural industry to expand and remain viable within the properties they currently own.

Another important thing to note is that the Tablelands, and particularly the Mareeba/Dimbulah area, went from a strong tobacco growing region. It is a great success story of how we were able to diversify into horticulture and now become one of the premier growing areas in Australia. We have

been able to successfully manage that transition. There is ample land still within the Mareeba/Dimbulah irrigation area and also outside that and across the Tablelands, which could be further developed to increase productivity, but this puts it in jeopardy. This legislation, as it is proposed, will put a stop to that success story continuing to grow and its ability to provide jobs and provide the economic backbone that it has provided, not only for the Mareeba Shire Council area but also for the Tablelands Regional Council.

We are strongly of the opinion that this legislation will be counterproductive. I think that you would hear a lot of that message from a number of people and a number of organisations across Queensland about their own particular areas. For the Tablelands, there are significant opportunities still that can be achieved. This even puts in jeopardy some of the long-term planning that we have in regards to water planning. There were a number of options being proposed. There is a business case that supposedly will be moved on, looking at the Nullinga Dam proposal and other proposals being put forward by a number of groups, not just in the Mareeba area but also in other areas of the Cape and North Queensland. All those are dependent on some form of land clearing. Basically, this bill puts that all in jeopardy. I strongly ask that this committee recommends that we do not proceed with what has been put forward in this bill.

Mr Calcagno: As I said at the start, I am the Chair of the Cairns region Canegrowers. I am also a grower, most importantly. The Cairns region Canegrowers supports the submission of the Queensland Canegrowers organisation, but specifically I would like to talk about our area and how it would impact our area.

The first major concern we have as growers is the removal of high-value agriculture land. Our members farm from the Barron River down to the North Johnstone bridge. That is who I represent. We are under urban encroachment from around Cairns. That is urban encroachment with infrastructure going in. As you would know, in the next few years highways leading into the city are going in. There is even state development area land on the south side of Cairns, which encroaches on our production.

As you would understand, the sugar industry is a complex industry. We could be here all day. We and the industry go hand in hand; we and the milling sector go hand in hand. We need each other to survive. As the area reduces due to these pressures, which is why it is important about the high-value agriculture land, we need opportunity and that is what I have heard all this morning. It is about opportunity.

We need opportunity in the future to maintain that sustainability, so that the industry is sustainable and the milling sector is sustainable. A milling factory needs at least one million ton to be sustainable. The concern for us is that under this legislation, if we do not have the opportunity to bring back into production abandoned farms that have grown some remnant vegetation, so that we can keep our production at the levels that it is, we could see the collapse of the sugar factory and the sugar mill in our northern area.

We are also worried about the high-value agriculture land part with regards to MSF Sugar, which is who we supply. We have concerns that this legislation could dampen their enthusiasm. They have committed to an \$80 million investment up at the Tablelands mill to put in a generation plant that will be supplying green energy to the grid. Like I say, it is an \$80 million investment that they have committed to. Right now, 150 workers are onsite building that clean energy factory. At full capacity, that green energy factory will power 28,000 homes across the Tablelands region. As well as that, the factory has imported at least 100,000 agave plants as another feedstock for the industry. For other Tablelands growers, be it horticultural or whatever, that could be another income from parts of their farm. That is on the board and that will go on this year.

We are concerned, because as they have done a feasibility study and they still are doing it. At the South Johnstone Mill, at the southern end of our supply, they are looking at a potential investment of \$150 million for another green energy plant. If they decide to go ahead with that green energy plant, onsite construction will employ 250 workers and that green energy plant will power 45,000 homes in the national grid. With the removal of high-value agriculture, if we cannot realise the opportunity to supply those plants—and MSF is doing the feasibility stage, they have done it and it has to go to the board in Thailand—we are worried that that investment might fall over and will not occur. That impacts the regional economy.

The other point that we are concerned about is the 50-metre buffer zone on waterways. Under the amendments, it is not clear what a waterway is. As you could imagine, we are a high-rainfall area. We have rivers, creeks, drainage, et cetera. It is very vague what a waterway is. I think it could impose on the maintenance of those waterways. Growers do a service to the community when they go in and

maintain them and keep them in the best possible shape. If there is a buffer zone within that and there is another level of red tape to go in and maintain those drains and it is not done in a timely fashion, it will have a major impact on the environment.

I could go on, but in closing I would like to say that if there needs to be amended legislation, I think it must be done with industry consultation, so that the end result meets the expectations of all parties and, most importantly, it gives our industry the opportunity and flexibility to maintain and increase our contribution to the valuable Queensland economy. Thank you.

CHAIR: Thank you. We will go to questions, now.

Ms PUGH: Thank you all for appearing before the committee today. Tahna, you gave us a real-life example. I am keen to tease out which specific provisions in the bill were going to be an issue in that specific circumstance, for that woman?

Ms Jackson: She was in the Fitzroy catchment. She was a first-time farmer. For want of a better word, she was going from the city to the country. She saw a Facebook post of mine and thought, 'What is vegetation management?' That is how she contacted me to start off with. The particular block that she had purchased before the bill had been tabled, basically, had been cleared at some stage in its life. I did not go back through QImagery, which you can use to see when it has been cleared. I was just looking at that current regulated map for her. The majority of her property was high-value regrowth, but the water buffer came through what was not. Basically, she had a block that she thought she could have potentially done something with in her retirement on a farm, but her aspirations were gone, basically. She had suffered some health issues, which is why she was moving from the city to the country.

That is just one little story. I have had so many of them. I deal with people every day. Their emotions and how they cry: it is a lot for me to bear. I do not think anyone has actually considered how badly it affects people. I work for AgForce and it is my organisation's money that has helped pay me and helped everybody. At some stage the government will have to go out on the ground and explain what this means to everyday average people who just do not understand vegetation management acts. Like I said, a few years ago, the legislation that farming families had to comply with was taller than me. No-one in their right mind could understand all of that. I do not even understand it. It is very difficult for people on the ground.

Mr WEIR: My area is grain and cotton. There has been a lot of work going into BMPs dealing with chemicals, the run-off of fertilisers and so forth. With cane growing along the coastal belt, I know that a lot of work has been going into that. Earlier, we heard a comment that practices were not good. Could you give us a run-down on where the BMPs are and your efforts to minimise those impacts?

Mr Calcagno: Everyone has their opinion and what side they want to be on. I would refute that.

CHAIR: Can you explain what a BMP is?

Mr Calcagno: BMP is an industry-led best management program. It was developed under the Newman government and the Palaszczuk government has supported it as well. It is a best management program and people get accredited in it and it is to show the work that we are doing.

As far as BMP, I will admit that it was a little bit slow off the mark. As you realise, when they are faced with change, people resist change for a while but I am happy to say that, within our region, in the past year we have had a 300 per cent increase in BMP. We are given a footprint in the area and growers are knocking on our door now to be part of the program. That is all about environmental sustainability et cetera. BMP within our area feeds into a lot of good work that we are doing. We have cutting-edge water quality programs in place that we are administering. I am happy to say that our water-quality project—it is Project 25—is funded under the federal government by Greg Hunt. It is seen now up and down the coast as a model to monitor the catchments and drive practice change.

In our space, there is a lot of stuff going on. Everyone has their view. In our northern catchment we moved to green trash blanket years ago—in the 1980s. Quite frankly, I have a lot of conversations with head scientists and a lot of environmental organisations who pass through and sediment and turbidity is not a real issue for our cane farming sector in the northern tropics because of that reason and EVTAs on the headlands et cetera. I am driving that, yes. The growers are grabbing it now and they are running with it. It is very good. Thank you for the question. I appreciate the opportunity.

CHAIR: Stephen, I have a question as well. You talked about plans for expansion on abandoned farms. They have been cleared before. Do you know what kind of regrowth is generally typical on those abandoned farms?

Mr Calcagno: This is why what you class a regrowth has to be targeted and specific. A number of farms have been abandoned in our area. Yes, there are some trees on it—not really big trees—but up in the northern tropics there is a lot of the guinea grass, which is a weed. It is just a blanket thing, that regrowth. Everyone thinks that regrowth is trees, but there are farms that have been abandoned for over 15 years. That was when there was the last downturn in the sugar price and the mining industry came along. People abandoned them and went, especially down in the South Johnstone area at Mena Creek, and there are abandoned farms in Babinda. There is an opportunity to bring those in production as we lose from the northern area here because of urban pressure. To say it is high-value regrowth, I have one next to my place and it is a feral pig and rat haven. I am sorry that is blunt, but it is.

CHAIR: I understand. Certainly, the regrowth that has been topical is high-value regrowth of a certain category, which is regional of concern endangered ecosystems or habitat. I think you have explained exactly what kind of regrowth you get on these abandoned farms.

Mr Calcagno: That is the issue. You cannot have a blanket thing—a one size fits all.

Mr BATT: Thank you, Mr Chair. We have been to Western and South-Western Queensland where there are in place quite a few area management plans. From what we have been told, they are working well. In this bill, the area management plans will be taken away in the next two years. An amendment to the bill would keep those baseline area management plans in place.

Ms Jackson: I used to live in Longreach. I went to those field days.

Mr BATT: Rather than making a one size fits all for the state, which is what this bill is going to do, do you think that we should be putting area management plans back into place across Queensland?

Ms Jackson: If the gentlemen do not mind, because they may not know what area management plans are—

Mr BATT: All three of you could answer this question.

CHAIR: Bearing in mind the time that we have, if you could that answer question, that would be great.

Ms Jackson: I used to live in Longreach. I have only recently come up to this area with my husband. I went to those field days. The natural resource management groups put on these field days. There was a lot of involvement and a lot of planning went into those days about what people had to do. In my mind, it is a good way of looking at the landscape. It is everyone working together. It is everyone working out what should be done, what cannot be done, or what could be done. Across the state it would probably be wise. One code and one rule cannot be used.

Today, we have heard different people talk about how it is different up here—and it is different up here. For instance, the Cape York Peninsula Heritage Act that someone talked about earlier has never been used. It was introduced back in 2007, I think. I know of two cases that tried to use it. They could not use the act. Unless we can look at whole management areas, basically, it is pointless. We cannot have one code. Most of you know that the SLATS report is being abused by some people, in my mind. Unless it reports on the regrowth and thickening, it is an unacceptable report. We cannot use it.

Mr Moro: I am not an expert in land clearing, because it has been done on a limited scale in our area and it is done by individuals, but I suggest that each area is a little bit different. If at the end of the day we can work out a way that, as an area, we can look at how land clearing could occur, I think that would be much more practical. I do not think it is the same in every region.

The bottom line is—and I go back to this—we need to make it a system that allows for growth to occur in a sustainable way and in a way that the community will support as well. I think that there are ways that we can do that and local communities are best placed to do that in conjunction with proper support from the government.

CHAIR: Thank you. We have one last question on this session.

Mr KNUTH: Tahna, we had a member from Balkanu who said that a lot of their members were concerned about the amendments to vegetation management and that it was more about politics than being evidence based or science based. Is that the feeling among all of your members?

Ms Jackson: Absolutely. AgForce members are white pastoralists and black pastoralists. We do up at the gulf and the cape. Over the years, the aspirations of our Indigenous landholders and what will be taken away from them is enormous. It is enormous for their ability. The PDR is finally Cairns

going to be bituminised—thank God—but you have taken away the economic development not only for the white pastoralists but also for the black pastoralists. All members agree that we need some economic development in this area.

Mr KNUTH: Thank you very much.

CHAIR: Thank you very much. The time for this session has expired. I would like to acknowledge that we have in the room Cynthia Lui, the member for Cook. It is good to have you here, Cynthia Lui. We also have Tony Perrett, the member for Gympie. Tim Mander, the member for Everton, is here as well. Tahna wants to table this. Are we happy with that?

Mr WEIR: Yes.

CHAIR: Thank you.

LINDSAY, Mr Alex, Director, Forsite Forestry

Mr Lindsay: Good afternoon. Thank you for inviting me to be here. I am a registered professional forester and a tertiary qualified soil scientist. I wear many hats, but today I make my submission as a small business owner providing forestry consulting services throughout Queensland and interstate. I would like to begin by noting some points that I did not include in my written submission.

Firstly, the vegetation management officers whom I have dealt with are absolutely first class. They have a tough job, a complex act to work with, but I have found them to be very customer focused and a credit to the department.

Secondly, I strongly support the proposed amendment to section 20AL whereby a landowner can voluntarily change an area on a PMAV from category X to category A. I have been involved in revegetation projects in the past where a landowner has planted a wildlife habitat strip to connect to areas of remnant vegetation. The landowner had to sell the block of land and the next landowner came along and cleared the wildlife corridor strip. It was a very gutting experience and I think this provision would stop that.

Thirdly, I would like to place on the record my concern about the inclusion of the near-threatened species to be included in the act. Given the polarised view around vegetation management, I believe that these provisions open the door for a lot of politicking and lots of money for lawyers.

The amended wording in section 20CA is also of concern. It was explained to me that it is meaning that an area must have been lawfully cleared to be shown as category X on a PMAV, whereas much of Queensland was cleared before there were any clearing laws. The devil in the VMA is in the detail.

My written submission speaks largely for itself. I have highlighted at least three perverse outcomes from the amendments as they seem to be proposed. I do not disagree with 15 years as a minimum age for regrowth, but it should also include some sort of definition about height, crown cover and floristic composition. Not all regrowth is high value just because it is 15. The government has made statements saying that it encourages and promotes plantation forestry and carbon farming. I ask that the committee specifically address the concerns in my submission and recommend that these areas be shown on a PMAV and removed from the other provisions.

I noticed today that in category R code, which we have heard, beside stream sides there is no provision in relation to timber harvesting silviculture. A lot of wood lots have been planted within 50 metres of stream sides in the Wet Tropics and the code does not provide any guidance on how they might be managed. My personal opinion is that the proposed change to the nature of PMAVs really does seem like a grab by the government—changing substantial areas from category X to category C overnight. I suggest that there would have been greater acceptance of the measure if the government had announced it before the election and if the changes were proposed to occur at some date in the future.

In preparing to come here today I read the much cited 2015-16 SLATS report. I was shocked to discover—as is everyone to whom I have told this is shocked to discover—that the second largest replacement land use of deforested land is forestry. There has been no clearing of native forest for forestry for over 25 years in Queensland. The area referred to is pine plantations that have been harvested and replanted. Including pine plantations in comparisons with deforestation of Amazon rainforest to make a political case to change the VMA is misleading, in my view.

I am a forester and I abhor the broadscale clearing of forests, especially remnant native forests. There are so many valuable functions that trees play in the landscape, especially in the agricultural landscape: shade for cattle, wildlife habitat, the protection of soil—we all know these things—the sequestration of carbon and the rest. But trees also cost. They compete with grass and agricultural crops. They add to management costs and make it harder for mustering animals, causing damage to fences. Some trees can be harvested to produce wood but in most of Queensland that is not an economic or realistic proposition.

I believe that the vegetation management system would be much better accepted and deliver much improved environmental and economic outcomes if the government were to engage with landowners in a property scale planning process. For instance, strategic and high-risk parts of the land could be replanted or allowed to regenerate naturally while other areas on the land could be cleared where it can be shown that this would not cause undue environmental harm. The exchange area concept in the new category C code is a good start. I suggest that this could also be extended

to include areas where native species have been planted for timber plantations because, essentially, these areas have delivered the same environmental outcomes and increased the productive capacity of land.

I believe that both sides of the Queensland parliament need to bring the public debate to where landowners' rights to manage their land is recognised as being at least equal to the community's rights and interests in halting deforestation. I feel that it is only once landowners feel that they have control over their destiny that will they embrace trees and acknowledge the value that living trees have on their land. Thank you.

CHAIR: Thank you very much. Thank you, Mr Lindsay. We will start with a question from the member for Mount Ommaney.

Ms PUGH: It is really great to hear you speak so highly of the departmental staff. My question goes to something that we have heard about from a lot of the other speakers throughout the length and breadth of Queensland and that is that they would really like to have more departmental staff on the ground. Is that a view that you share? If so, are there any specific locations that you see them of being extra benefit?

Mr Lindsay: I do not have a good answer for you, I am sorry.

Mr MICKELBERG: We have heard in previous hearings that a number of landholders have purchased freehold land over time and describe it as purchasing the trees on land which was previously leasehold. I am aware up here that some landholders have previously had operators come in and selectively harvest logs for things like power poles or cabinet timber or other things. Is it a reasonable proposition to suggest that the landholder who has freeholded his land has value associated with those trees he has paid for in the freeholding process?

Mr Lindsay: In a previous life I was the forest manager at Roma for the department of primary industries and I was involved in the freeholding process. Landowners paid substantial amounts of money for the timber rights on their properties. I cannot believe that they have now not got those rights.

Mr MICKELBERG: Do you think it is reasonable that compensation should be paid to those individuals who have paid for freeholding and now do not have the capacity to utilise that asset they paid for?

Mr Lindsay: Absolutely. It goes even further. The Vegetation Management Act penalises people who have kept their trees and does not touch the people who have cleared all their trees.

CHAIR: I want to address something you talked about in your submission. You talked about how people may be restricted in their ability to implement silvicultural management. Can you expand on that a little?

Mr Lindsay: Essentially, in plantation forestry it is very normal to plant a lot more trees than you need in the end and so you thin through time. There is actually no reference to any of this in the category C code. It is not actually clear to me how one would go through in relation to silviculture. There is a forest code for category B land and there is a plantation code, but the plantations actually need to be identified. Lots of these things are very small areas.

CHAIR: Obviously there is the native forest code which deals with selective timber harvesting. You have talked about doing category R, which is another issue. Specifically dealing with revegetation in silviculture in plantations is that something you think needs to be addressed?

Mr Lindsay: In the Wet Tropics the best forestry species are the native species. They have been planted and to the satellite they look like native forest.

CHAIR: Understood.

Mr WEIR: You made a comment about including wildlife in this legislation. What are your concerns there?

Mr Lindsay: Near threatened, as I understand it, is a species that is not threatened but is subjected to a threatening process. I found 235 plants and 21 or 31 animals. Looking at that list there are several of those animals that are not listed as threatened on the IUCN, in contradiction to what is actually said on the website. The green python is one that I noted. When you look at where these species are distributed you find they are everywhere. I fear the devil is in the detail. If restrictions are going to be implemented on the basis that a species might occur there then I think you are adding a level of difficulty.

The fundamental point of my submission is that it is not easy to grow trees in Queensland and the government is in no way assisting that process through these rules. There is the matter of trigger maps which people in this area know about. If there happens to have been an endangered species found within five kilometres of your block you need to go and look for it. A gentleman in this room and I had to go and look for a species of plant which has not been seen since 1951 before he could implement a forest practice.

These processes are really adding complexity to what should not be a complex business. It is productive. It is good for Queensland. I think the government needs to take a cold shower.

CHAIR: Thank you very much. Time for this session has expired.

CALLEJA, Mr Anthony, Private capacity

QUARTERMAINE, Mrs Ally, Private capacity

QUARTERMAINE, Mr Luke, Private capacity

SABAG, Ms Cynthia, Private capacity

SPIES, Mr Peter, Private capacity

TOBIN, Ms Nicole, Private capacity

CHAIR: Who would like to start by making a brief opening statement?

Mr Spies: I will. A lot of things I was going to cover have already been said here today. A lot of it has been based on emotion or feeling. I thought I would put a bit of flesh on the bones in terms of some facts and figures. If you have any questions I am happy to answer them. Some questions were not answered previously.

We have heard a fair bit about category C and category R vegetation. The Tablelands is a closely settled peri-urban area in a lot of instances. It is very similar to Samford and areas like that. Where you have a gully—a stream order 1 watercourse—you have to have 50 metres either side of that. If it is 100 metres long and 100 metres wide—50 metres either side—that is a hectare taken out. Across the whole Tablelands 22,000 hectares is proposed to be taken back in category C and category R. For the local economy in terms of the low commodity price for beef and dairy that is worth about \$20 million to \$25 million at the farm gate.

One of the things we have been hearing a fair bit about from other groups is the EVNT species. There is an essential habitat layer under the current rules and everywhere a species is located it is recorded under the Nature Conservation Act. Many of them are duplicated under the federal EPBC Act. Where a species has located it is buffered by at least 1.1 kilometres. What we hear about koala habitat being cleared south of Mount Garnet is absolute nonsense. We are not the Redlands shire up here and it is not being cleared for urban development. It is beyond the geographic range of the koala. There is a lot of emotion around this.

I come back to what is being captured on the Tablelands in terms of category C and category R. We have seen some farming country go for as high as \$50,000 an acre. Three years ago it used to be \$20,000 an acre. That is driven off the back of avocados and the purchase of this land. That is being driven up. In terms of southern grazing land, it is worth about 12½ thousand dollars a hectare. What we are seeing here with this legislation is it is about reducing the size of the paddock. At the end of the day, we are losing productive land. Not only is there an inability to clear land and increase agricultural potential, we are also losing this land.

As for thinning, it is going to be restricted to 10 per cent or 200 hectares or 400 hectares depending on the property size. I do not have a graph here. Put it this way, if you have grass production going that way and tree cover going that way as you get an increase in tree density at about four metres squared per hectare of basal area—that is the amount of stem anchored to the ground—you get a corresponding decrease in grass growth. That is contained in a report done by Dr Bill Burrows.

In fact, a lot of our northern Australian range lands are a carbon sink. They are actively sequestering carbon. We can actually have a level of clearing and still remain Kyoto compliant. In the SLATS report 2012-14 we had 296,000 hectares of tree clearing recorded, which did include thinning, encroachment, regrowth and mulga pulling. Those do not change the remnant extent.

Over and above that, some 437,000 hectares more trees were grown. Some people ask how that can happen. It is akin to your lawn growing and you not keeping up with the mowing. Farmers need to manage their vegetation. To give some local figures, there were 237,000 hectares more trees in the Cook shire, 229,000 hectares more trees in Carpentaria, Burke was up 85,000 hectares and Mareeba was up 40,000 hectares. The ability to clear 10 per cent on a 25,000 hectare property actually changes the net value of agricultural production—the total gross margin—on that property from \$476,000 to \$640,000. That is on a whole property farm basis. That is huge. It makes a big difference to a lot of farmers.

In terms of the trial cropping at Olive Vale—and we have all heard about Olive Vale—we had 2.5 tonnes per hectare used in the financials, which was pretty conservative. DAF funded trial cropping, government funded trial cropping, averaged yield across all varieties at 4.88 tonne per hectare. That would have amounted to above what was predicted—\$714 per hectare at \$300 a tonne for sorghum or \$3.57 million across 5,000 hectares.

On 18 August 2016 we heard the Deputy Premier label that clearing at Olive Vale ‘egregious pseudoscience and dodgy deal’, saying it was clearing for pasture. To date only 1,800 hectares has been cleared there. I feel that that statement was false and misleading. I challenge her to come outside parliament if she believes that and say that now or otherwise apologise in parliament. The work being done at the Olive Vale is in fact being done in coordination with local NRM groups and DAF. To date, unlike some other applications, it certainly has been solely for cropping purposes. It really is a model of new farming practice.

Ms Tobin: I come here today as someone’s whose mother’s family has been involved in farming and farms in Queensland since the pioneering days in Cooktown and subsequently in Cairns since the early 1900s, initially with pig and duck farming—donating a substantial part of their farm to the junior Rugby League in this town in the form of Jones Park—moving to the Tablelands in 1950s to dairy farming and since deregulation of the dairy industry beef cattle. My father’s family has been involved in storekeeping and small business in this area since the 1910s. This area has been my home my entire life. The continued viability for us and our community is what we desire.

I firmly support the continuation of the current Vegetation Management Act 1999 and reject the changes proposed in the current legislation. The laws we currently have deliver a fair balance. Policy settings can be adjusted by government without unnecessary changes to the current legislation. As someone who travels regularly around the state primarily living within the federal seat of Leichhardt and observing the degradation and erosion of land supposedly conserved within the Cape York, I have major concerns with the newest proposed changes to the current act. The future viability of regional and rural Queensland communities, especially Indigenous communities, will be impacted severely through changes to the legislation, hurting our agricultural sector and possibly subjecting the people of this region, especially the cape, to a life of poverty, not one of opportunity and incentive.

The majority of landowners manage their properties effectively to ensure the long-term value and sustainable production of crops and cattle. They respect the need to be environmentally responsible and manage their properties in accordance with the current vegetation management framework which enforces this. This is in complete contrast to some property that has been locked up in national parks, conservation reserves and in private ownership for wilderness. In some cases, existing dams have been pulled down and, as biodiversity reduces when the water is taken away, the land is left to go feral.

Pigs are increasing in numbers, causing erosion of riverbanks and swamps are being churned up. The tree cover has increased substantially, meaning grass and ground cover are decreasing. You can see when you drive past the result of recent rains causing erosion to the riverbanks and run-off on to the reef. This is in complete contrast to the picture perfect information on this privately owned conservation society’s website and what is espoused by the green groups of the south. This government and a number of the properties in private ownership do not have the money to manage these properties. Weeds like lantana and gamba grass where it is not grazed can change fire regimes. Giant rat’s tail grass, snakeweed and the like can take over, especially along watercourses. Feral animals like pigs proliferate. Trees are thickening, further reducing ground cover and causing run-off and erosion.

I request that the committee invite Ms Trad to come and see the properties on the cape that are supposedly managed by private ownership for wilderness so she can see for herself how flawed her argument is that trees, not grass, are the saviour of the reef. Taking away the rights of farmers who are vigilantly managing the land where they have certainly learned from the mistakes of the past centuries is not in the best interest of the environment or our state.

My overriding issue with the bill is that its introduction into the Queensland parliament presents yet another variation to the vegetation management framework which has been amended over 18 times since its introduction in 1999. The future viability of regional and rural Queensland communities will be impacted severely through changes to the legislation, hurting our agricultural sector, and in complete contrast to this government’s own food and fibre policy as espoused on the Department of Agriculture and Fisheries’ website.

I want to repeat that these laws will severely curtail the ability of primary producers in this state to continue the vision of this government to support the growth of a productive and prosperous food and fibre sector in Queensland. These laws will ensure that Queensland's paddock is reduced and we will no longer be able to produce the 25 per cent of Australian food that we currently produce. If this bill becomes law it will ensure that Australia is producing less food and fibre, not more.

In 2003 Dr Bill Burrows, when he was a member of the Queensland DPI, wrote a report for the then Beattie government which was never publicly released by the Beattie government showing that the banning of broadscale tree clearing combined with limitations on the control of regrowth will have a huge detrimental effect on the future carrying capacity of our grazed woodlands, along with many deleterious hydrological and biodiversity impacts.

This study showed that these woodlands, contrary to current government opinion, were a carbon sink, not carbon neutral. This report was taken to cabinet in confidence and is apparently not to be released for 25 years. 2028 is too late. Given the far-reaching changes that this government now proposes with this new bill, it is now in the public interest for this report to be released and for Dr Burrows' evidence to be acknowledged and acted upon.

CHAIR: Ms Tobin, can you skip forward to your conclusion?

Ms Tobin: Science shows that thickened tree cover can increase run-off, adversely affecting regional ecosystem functioning and reducing biodiversity. The work conducted by Bill Burrows, with over 40 years in DPI, showed that our eucalypt woodlands are actively thickening. Queensland's tree shrub cover increased its above-ground biomass and carbon content over the 20-year period from 1993 to 2012. This is despite the fact that this time frame coincided with a period of active broadscale tree clearing.

This conclusion is based on satellite sensor measurements with findings strongly supported by a large number of complementary studies employing many different monitoring techniques. The data presented here shows that this state is a net sink for carbon dioxide overall. Queensland is more than pulling its weight today, both nationally and internationally, in ameliorating carbon dioxide build-up in the atmosphere. Restricting tree shrub clearing to further increase carbon sequestration on land assigned for agricultural purposes is an unnecessary impost to the landowner.

As someone who has been involved in both the farming and business communities of Far North Queensland for over 100 years and being childhood friends with people like Harold Ludwick, a traditional owner who has also spoke with you today, I cannot idly sit by and watch this government destroy what my family has worked so hard for.

I challenge this committee to insist that the Burrows report of 2003 be released so that Ms Trad and co are aware that the ideology they espouse is fundamentally flawed and that they have been hoodwinked into thinking that the only way to protect our environment is to lock it up. They should come and see themselves the properties that I have alluded to in my statement which, by being left and not managed, are the ones causing the reef more harm than what farmers would ever do.

Ms Sabag: I am a very visual person. I do not think you can see this very well.

CHAIR: Are you able to table that? Anything that you put before the committee we have to reproduce.

Ms Sabag: No, I cannot.

CHAIR: You might want to hold on to that unless you want us to take it away.

Mr MICKELBERG: Can we take a photo of it, Mr Chair?

CHAIR: Yes, we can take a photo of it and you can lodge it that way.

Ms Sabag: It was just to show our place within the valley.

CHAIR: That is fine. We will do that.

Ms Sabag: In 1981 my husband and I bought two blocks of an old abandoned cattle property which had been subdivided into family farms. We moved there in 1984 and over time we commenced growing tropical exotic fruit such as rambutan, mangosteen, lychees and many others. That is our situation. It has been a very personal journey.

If politicians who represent the people of Queensland are to change a law as significant as vegetation management, it seems there are two important aspects which must first be addressed. Firstly, what, if anything, is wrong with the existing law and what changes are justified? Secondly, what impact will these changes have? It is of critical importance that decision-making is evidence based, supported by facts rather than emotive judgements.

I do not have the time or expertise to comment on the whole bill so will focus on the part that we dealt with, the HVIA permits. I will refer to our situation as it applies under the existing legislation. For us, the HVIA process was extremely rigorous and balanced environmental and production assets thoroughly. Our property consists of two titles, together being a little under 70 hectares. In 2009 the VM law locked up 75 per cent of our land, leaving just 25 per cent available for farming and this is top farming land. A change in government enabled us to apply to develop a further 24 per cent or 16.4 hectares. To do this, we had to offer an offset. Initially a cash offset was the only one that was available. If we had proceeded, the state's windfall would have been \$3,632,649.20. We would have had to win Lotto to make that possible.

Despite the apparent value, there was no interest from the state to purchase the land for a fraction of that amount. When the policy for land offsets was developed, we secured a development permit for not 16.4 hectares but 11.88 hectares, or 17 per cent, but only by locking up under a PMAV—and I assumed forever—37.45 hectares. That is 55 per cent of our land area. Our net gain by going through this process was 3.4 hectares which was less than five per cent of our land. This is in a bioregion of roughly 2 million hectares where about 80 per cent is conserved in some way.

The regulations that apply for a HVIA development permit under the current legislation are in no way a licence for environmental vandalism but a very measured and conservative approach to provide balance between conservation and use of the land for its zoned purpose, farming. I suggest the high level of restriction and environmental control is not unique to our case. Thus the perceived need to eliminate this type of permit could not be based on sound information.

Allow me for a moment to digress. The koala is listed as a threatened species largely through habitat loss from urban expansion. What if property owners in the urban south-east were required to sacrifice their backyard pools and children's play areas and unit developers had to use half their land for planting koala habitat trees? It just would not happen, yet this simply limits urban landowners' leisure space. VM restrictions deprive rural landowners of opportunities to conduct and expand their businesses. I suggest if this type of legislation was introduced many politicians would be looking for a new job.

CHAIR: Ms Sabag, can you jump to your concluding remarks as we still have a few people to get through.

Ms Sabag: I have a second point. I am past halfway. My second point refers to the impact of changes to the current law. No modelling of the effect of the proposed legislation has been done or will be done on agricultural production, nor can I find evidence of a regulatory impact assessment being conducted. For us, with such a large percentage of our land locked up, there was an obvious impact on our farm business.

In relation to environmental issues, the existing law allows controlled expansion for the continuation of responsible environmental stewardship of the land but central to this bill are people, some of whom for generations have brought up their families and made their living on their land so that future generations could continue to do so. These are not people who would deliberately vandalise it.

For us on our farm the saga of dealing with VM since 2004 virtually killed our spirit and totally consumed our lives, especially mine while my husband attempted to keep the farm going and recover from two severe cyclones. I spent hours, days and weeks researching on the phone and on the computer, drafting letters and submissions, and meeting numerous people including politicians and bureaucrats. The need for an effective and sustainable environmental arrangement for the very survival of our business became highly complex and difficult, so much so that I became alienated from friends and family in pursuit of a degree of justice for us.

That is not the entire story. We were anticipating building up the property by expanding the orchards before considering selling to retire. As our home is on the property we could not abandon it. After 2004 we could not get a buyer because as soon as they realised how much land was locked up they walked away. To retire we needed to sell and until 2016 the property was unsalable.

CHAIR: Ms Sabag, I am sorry but I have to ask you to wrap it up there.

Ms Sabag: I have one very critical point.

CHAIR: That would be fine.

Ms Sabag: The human impact was immense. There is considerable anecdotal evidence of the connection between a range of health conditions and farmers dealing with vegetation management issues on their land. This should be tested empirically using accepted methodology. Data needs to

be collected and analysed on a range of health conditions such as stress, anxiety, depression, family dysfunction, social isolation, marriage breakdown and suicide for farmers who are impacted by the laws and the results compared with the general population and farmers who are not impacted.

Some might say we were lucky as we were successful in getting a development permit. However, in what other industry or profession is a big stick wielded at innocent people for trying to do their job—in this case to produce food for our nation and in our case I can say in a very green way. It had been going on for us since 2004—a very long time. Politicians applaud people on the land for their resilience after natural disasters, but resilience has limits especially when the cause of stress is ongoing and a result of human intervention. This bill is an assault on people of the land and should be thrown out. To be blunt, if it is passed politicians may have blood on their hands.

CHAIR: We are very quickly running out of time. Mr and Mrs Quartermaine, you have sent us a submission so can you speak briefly to that?

Mr Quartermaine: What I have to say is not that big; it is the same old thing. I would like to thank everyone for being here. It is hard. My wife and I and a five-month-old baby had to swim two rivers and boat across one to get here today. When I asked my oldies, Cameron and Doreen Quartermaine, if they were going to make it to this meeting here today, they told me that ever since they bought Watson River 35 years ago, all they have been doing is fighting an ongoing battle every year with the government, trying to stop Cape York from being locked up. They are sick and tired of the constant changes in the legislation and the inconsistencies and uncertainty of new policies and protocols being brought out. It is safe to say that I speak on behalf of every grazier and primary producer in Queensland when I say that these policies are like viruses: they keep coming back to infect our family businesses.

I am not here to say I understand everything about the legislation, because I do not and, frankly, I probably never will because I do not have time to sit down and go through it all. I read the new act and it does not make any sense to me whatsoever. It talks in circles. I chase cows, I manage country for a living and I am scared to death of doing the wrong thing because I do not understand all this mumble jumble.

The reason I wanted to speak here today about this new legislation is that it affects my family. Personally, I have 220,000 acres on the Watson River lease. We have cleared approximately 1,000 acres. On half of that cleared development we have a hay paddock and improved pasture for weaners. The legislation restricts us from developing more of our own land, which in turn stops us from becoming more self-sufficient. This is very important for us, due to our isolated location. My wife and I had big plans for developing more country, which could potentially lead to another avenue of business in the future, not just beef production. To be able to grow our own food and fodder would save us a fortune, because the cost of freight is twice the price of the purchased product.

From what I can understand, in the past the federal government has wanted to get behind primary producers and start more development and opportunities in Queensland. Now the state government is trying to restrict, control and tie up in red tape all the land clearing and development. Why? We have some of the best country in Queensland and definitely the best rainfall. At home, approximately 60 inches of rain is guaranteed every year. There are reports to support this.

In 1995, the state and federal governments spent a lot of money on a program called CYPLUS, the Cape York Peninsula Land Use Strategy. This was a three-stage program, with a hell of a lot of information and research involved. In 2016, another program was introduced in the white paper, *Our north/our future*. It was backed and signed by the prime minister of Australia at the time, the deputy prime minister, the minister for infrastructure and regional development and the minister for trade and investment. That paper also has a ton of information in it about developing the north and the potential up this way.

Dr Bill Burrows, former principal scientist of the department of agriculture and fisheries, has dedicated 40 years to researching Queensland vegetation. There is probably a lot more research out there that I do not know about, but despite all that information not a single piece was used by the Labor government before introducing this vegetation act. Everyone who has looked at those reports will see the huge potential of farming in the Cape York Peninsula and other areas.

I would like to consider myself a good cattleman, thanks to my mother and father and generations before them. I want to be able to teach my ways and the ways of the land to my children, knowing that they will have a chance to make improvements of their own for themselves. I do not want a free handout or a free feed. I just do not want to be criticised or victimised for doing my job.

CHAIR: Mrs Quartermaine, do you want to add to that?

Mrs Quartermaine: Yes, although I will not be long. Good afternoon everybody and thank you for coming. My name is Ally Quartermaine. I want to share a few words with everyone here today, which I am hoping will make some sort of difference. I would like to start off by saying that I am extremely proud to be a Quartermaine. I have married into a family of strong, hardworking and motivated individuals who never back down from a challenge. My father- and mother-in-law, Cameron and Doreen Quartermaine, started off with nothing. I do not know two people who have started off with less, to be honest with you. They took over the lease on Watson River Station and started off on a bare block in the Cape with nothing but a tarp over their heads and a camp oven to cook in. My husband, Luke, used to sleep in a wash basket on the front seat of an old Toyota and his sister, Brook, needed no toys for entertainment, as she simply sat in front of the campfire for hours on end.

There were times when Doreen and Cameron had to swim flooded rivers to get from the homestead to the main road and back. There were even harder times when Cameron would have to work away on a dozer for months on end and Doreen would be left alone with the two kids on the property. Why live like that, you are probably wondering. Doreen and Cameron had a goal—a goal to have quality cattle that they enjoyed breeding and that they were proud to talk about. Not only that, a goal to prove people wrong about Cape York Peninsula. I tell you what: they have proven people wrong. I see people's faces when we show them pictures of our cattle and they are surprised, as everyone deems the Cape to be full of feral red rubbish cattle. The quality is there. The quality will remain, so long as Luke and I are able to manage Watson River as we see fit.

With blood, sweat and tears, my in-laws built an empire. They developed and managed Watson River to be the successful cattle property that it is today. They did not stop there. They decided to diversify into other avenues, such as an earth-moving business and a caravan tourism park. Luke and I also have a goal to develop Watson River even further. We want to clear another hay paddock. We already have one, as Luke mentioned. We also want to clear another paddock for sorghum. The land that we want to clear is non-coastal. It is not wetlands. It is not wet tropics. It is not rainforest. There are no koalas living in the area up there. We are not on some sort of rampage to clear everything. Basically, we want to clear enough room for another hay paddock and to grow sorghum. The regrowth that we want to clear is just tea-tree scrub. There are actually no native animals living in there, as it is too thick. The vegetation is impractical. It is too thick to have around.

CHAIR: Could you please move to your concluding statement?

Mrs Quartermaine: No worries. Growing crops and adding another hay paddock will enable us to be self-sufficient, as Luke mentioned. We have the rainfall to enable us to grow crops all year round. Watson River has the potential and Cape York has the potential to do great things to contribute to Australian agriculture. The proof and the research is right there in paper form in the CYPLUS and white paper documents mentioned by Luke.

To conclude, all we ask is fair vegetation laws that we can all comprehend. My family and I have big plans for our future up in the Cape and we need to know that we are backed by government to make this happen. Please allow us to do our job and give us farmers a fair go, because I can guarantee you that we will give back to the people of our nation.

CHAIR: Mr Calleja, you have ended up with just a couple of minutes. We have your submission, so please speak directly to that.

Mr Calleja: I will try to be brief, Mr Chair. Thank you for the opportunity to speak today. I am here today because I am angry and I am concerned. I am angry that this legislation has been proposed and I am even angrier about the way that it has been implemented. My concern is the direction that this government wants to take us as a nation and as a state, when this government places a higher value on crocodiles, flying foxes and, obviously, trees than it does on human lives. The green lobbyists who work against us have the privilege of carrying out their actions daily on a full belly and after a good night's rest in a dry bed. They have clearly chosen to ignore what it takes to provide those items to them.

The behaviour of this current government is immoral. It is immoral because it is a blatant theft of private property. The government will argue that is not theft as we still retain ownership. However, they have removed all of our rights—all of our rights to manage the land and to use the land—yet we still have the privilege of having to pay the mortgage on the country and the annual land rates to the council.

This has already had a direct effect on myself and my family. In December last year, we were shown property in Innisfail, close to where we operate, that fitted in with our current operation. We looked into it and we decided it would be worth taking it on to expand our operation. In December 2017, I inquired with DNRM as to the classification of the property, because there was some timbered

country on it, as well as some grass country. It is an abandoned grazing block. The email I received stated the property was all category X—I take that back. The portion that I was looking at was category X and one-third of the property was already classed as essential habitat. However, the category X area was tabled to be freely managed, so we did our budgeting and forecasts on country that was available to us.

On 5 March, we signed the contract to purchase that property. On 8 March, I can thank the minister for changing the laws and 50 per cent of that property has now been resumed as category C. Needless to say, that has shot to shit our budgets on that property. It is now no longer viable. As a result, my wife and I now find ourselves in the compromising position of having a signed legal contract on a property that is no longer viable and that we have not even yet had the opportunity to buy. Where that leaves us I am not sure yet. Time will tell as the contract closing date comes to pass.

The new property we were looking at had the ability to produce 132,000 kilos of beef annually. That is \$1.3 million retail value, conservatively. That is \$1.3 million that this government has erased from the Queensland economy in the stroke of a pen, in one instance on one property. That property would also have meant the creation of two permanent jobs for the state or, more importantly, for our regional town.

As I said, the land that I was looking at was a former grazing property. All of the country that I was looking at has been previously cleared. The term 'regrowth' describes something that has regrown or regenerated from nature. The very nature of agriculture means that we do not change any natural environment permanently. That is why farming requires the ability to continually manage the environment that we operate in, because regrowth keeps coming back by itself. In comparison, urban development changes environments permanently. There is not a plant known that can regrow through concrete or bitumen. Despite this, the urban sprawl goes on, yet agricultural regions are targeted to pay the price of environmental balance. I feel this is grossly wrong.

Landholders not only are footing the bill with the loss of land, but also they can be penalised to the point of bankruptcy for noncompliance with legislation. Why then are we not notified of the changes to the legislation when it is made—for instance, changes to the vegetation management law—when the penalties for noncompliance are so high and can actually send us broke? I do believe it is just common decency that, when the vegetation management laws are changed and when the mapping is changed, every landholder affected should receive a letter from the government explaining what has happened and including a new copy of the map. As we have heard many times, lots of people are not even aware of the Vegetation Management Act and they are unaware of the implications that it has for their property. A lot of people are even unaware that it has affected their property. I really feel that is something that the government needs to address.

CHAIR: Mr Calleja, if you could skip to your closing statement that would be great.

Mr Calleja: My closing statement is simply asking the question: are we operating in the state of Queensland or in communist China?

CHAIR: We are running out of time, so we will take one question from each side.

Mr MICKELBERG: We have heard that there has been nothing conducted in relation to the effect on agricultural production and on communities. You have had a brief opportunity to articulate the effect on yourselves, but probably not long enough. My question is this: there is a mechanism that exists to assess the impact of legislation on all stakeholders, called a regulatory impact statement. Do you think that such a process should be entered into as it relates to the vegetation management legislation?

Mr Quartermaine: Absolutely.

Mrs Quartermaine: Yes.

Mr Calleja: Yes.

Ms Sabag: Yes.

Ms Tobin: Yes.

Mr Spies: Yes.

CHAIR: Ms Tobin, you have said that the act will severely curtail operations. Which particular bits of the act or the proposed bill would severely curtail those operations?

Ms Tobin: Do you want me to say a section number?

CHAIR: If you know which area specifically you are talking about.

Ms Tobin: It is in relation to category C. Can I defer that to Peter?

CHAIR: Yes, that would be fine.

Mr Spies: Certainly, in taking out the IHVA and HVA provisions, I worked out that, where a property is going from 475,000 to 640 and multiplying that across 74 million hectares of eucalypt woodland across the state, there is \$300 million a year in lost opportunity there with 10 per cent of those properties. That would equate to \$3 billion over 10 years. That is one aspect. There is 22,000 hectares on the Atherton Tablelands alone that would go from category X to category C and category R. Even on a low-value commodity like beef or dairy—

CHAIR: They are not locked up with a PMAV.

Mr Spies: Sorry?

CHAIR: They are not locked up with a PMAV, that particular one?

Mr Spies: No, this is new—proposed. You would have to break that down but, looking from what is now category X to what is proposed under category C and category R—and a lot of people have not done PMAVs—with a property that we purchased two years ago, 60 per cent of this property that was category X was proposed under category C and category R. I made sure that I took up the opportunity to do a PMAV in the interim. That is worth about \$20 million to \$25 million there alone. That is another aspect. In terms of lost production and the inability to control thickening timber, they worked out in the Burrows report in 2002-2003 dollars that that would cost the beef industry \$900 million. When you get that increase of four metres square to a hectare of tree basal cover, you get a corresponding, an exponential decrease, in grass growth.

CHAIR: Thank you very much. The time for this section has expired. Thank you all very much.

VAN BALLEGOOYEN, Mr Steven, Private capacity

CAMPBELL, Ms Karin, Private capacity

MACDONNELL, Mr Justin, Private capacity

ROSSI, Mr Paul Jon, Private capacity

ROSSI, Mr Louis Peter, Private capacity

CHAIR: We are obviously over time. We are looking to finish at 3.15 pm. We will have 10 minutes of opening statements and five minutes of questions.

Mr MacDonnell: Mr Chairman, I appreciate that we are over time, but I am going to completely reject your suggestion that we have only 10 minutes. I have driven 1,400 kilometres, I have spent six hours on a plane and I am going to spend two nights sleeping in a swag beside my car before I get home. I have not come this far—because it is so important to my family—to be rushed in a few minutes.

CHAIR: I appreciate that. Mr MacDonnell, a lot of people have come very far to all of the hearings. We had one lady who came to Charleville. She drove many hours and did not even get a chance to have a say.

Mr WEIR: Ten.

CHAIR: Ten hours there.

Mr WEIR: You will have your say.

CHAIR: You will have your say.

Mr MacDonnell: I will be still here talking. You might be gone, but I will be here.

CHAIR: I will be pulling you up in that case. We will extend this to 3.25 pm. Who would like to make an opening statement?

Mr van Ballegooyen: I am a private landholder from Mirriwinni.

Ms Campbell: I am a contractor to the industry as well as being a small beef farmer.

Mr P. Rossi: I am a mixed cropper from Aloomba, just south of Cairns.

Mr L. Rossi: I am Paul's father and also a landowner for decades.

Mr MacDonnell: I am a beef producer, an ecotourism operator, a full-time conservationist and self-funded environmentalist from Central Queensland.

CHAIR: Mr van Ballegooyen, could you start off?

Mr van Ballegooyen: Yes. I will make it as brief as possible. My family own a property at the foothills of Mount Bartle Frere in Mirriwinni. Our property is approximately 91 hectares in total. The majority of the land cannot be cleared as it consists of remnant rainforest—around 61 hectares of category B land and one hectare of category R. The remaining area is approximately 28 hectares. It is currently classed as category X and makes up 31 per cent of our land. This is the only land on our property that we have available for farming purposes. We purchased our land knowing this. The proposed bill sees a further six hectares of our category X land reclassified as category C, high-value regrowth, reducing our usable farmland by approximately one quarter from 28 hectares to 22 hectares.

Prior to the introduction of this bill, we had taken steps to reclear sections of our category X land, including the land proposed as high-value regrowth. After obtaining a regulated vegetation map, we notified the Department of Natural Resources, Mines and Energy of our intent to clear, even though there was no legal requirement to do so. As expected, the department had no objection to the clearing activities as clearing category X land is exempt under the Vegetation Management Act 1999.

It was during these inquiries that we learned that a section of our property was encumbered by a protected plant trigger map. We were encouraged to contact the Department of Environment and Heritage Protection to determine the impacts on our proposed clearing activities. Without going into too much detail, the end result was that we were required to engage a suitably qualified person to conduct a plant trigger survey for endangered, vulnerable and near-threatened species on and around the proposed category X land as defined under the Nature Conservation Act 1992. The quoted cost of this survey was over \$4,000. Even after this expense, there was no guarantee that we would be able to clear the land, particularly if an EVNT species was perceived.

The most concerning aspect of this process is that the protected plant trigger map was never meant to be applied to category X land but, due to an error in the Nature Conservation Act, there is no exemption for category X land. I was advised of this error by the Department of Environment and Heritage Protection and encouraged to contact my state member of parliament, Shane Knuth, who is up there now, to have the act amended and I was promised by a department representative that the issue would be flagged internally, as had been done on a number of occasions prior. This process was underway when the amendment bill was tabled in parliament in March. If not for an error in the conservation act resulting in the requirement to conduct the plant trigger survey upon the proposed high-value regrowth land, our property would have been cleared prior to the introduction of this bill to parliament and I would not be sitting here now.

As time is limited, I will quickly highlight some other points relative to our situation in relation to the proposed bill. We received no consultation of any kind from any government representative prior to the introduction of this bill. We will lose approximately one-quarter of our usable farmland, which will greatly impact our future farming plans, retirement plans and property value, with no offer of compensation. The proposed high-value regrowth land on our property consists mainly of weeds, including the highly invasive Harungana species. No field verification took place on our property at any stage prior to the proposed mapping, meaning that such weeds may now be classed as high-value regrowth. There is no information or scientific evidence offered on how the success of this bill will be measured, particularly in relation to our land.

The Queensland government has stated that a crackdown on widespread land clearing was an election promise that they intend to honour and that the new amendment bill should not be a surprise to farmers, yet the proposed mapping was kept secret until the introduction of the bill to parliament on 8 March 2018. It is impossible for anyone not to be surprised by this proposed mapping when no consultation or publication of the mapping took place prior to this date.

After meeting our state member of parliament, we learned of the PMAV process that would allow us to lock in our category X land. We were in the process of submitting a PMAV when the government introduced the amendment bill and, as a result, lost the opportunity to protect our land as any PMAV application received after 8 March 2018 will reflect the proposed mapping. Even though we can produce evidence that we were actively undertaking this process, the government has allowed no transitional period. Thank you.

Ms Campbell: I have come here to give you feedback more than anything. Being a contractor to the industry for 25 years, my husband and I have spent a considerable amount of time working for larger corporations, not family businesses, in the field of beef cattle throughout Cape York and Western Queensland. Since we have purchased a small grazing property on the Atherton Tablelands, we find ourselves at the crossroads of being able to support some of what the amendment is due to achieve and also finding ourselves in a very difficult situation of dispelling myths.

I believe that the government has a lot more work to do with being able to communicate what is due to be imposed. There has been a failure of the Department of Agriculture and Fisheries. I want to make sure that where people are finding anguish—and there are a lot of emotions that you have heard today from families who are going to be impacted—that some of this could have been diverted into talking to the property owners being impacted.

With the property that I have, I have been finding it very difficult—and I am sure a lot people of would agree—where fine agricultural land has started to become overtaken by weeds and feral animals that are coming into some of those places that are then left to deteriorate. There has not been enough done in the field in being able to help councils or farmers being able to keep their properties in a superb state where they are contributing to their local economies.

We can have viable property that is producing becoming wastelands through not being able to manage it and not getting any assistance. It has not been for want of trying to find every avenue possible. Sometimes it has not been about putting out your hand for money; it has been putting out a hand to find the right people to help you do it. It is mainly feedback that I wanted to give to the government on where you should be going to be able to bring us as the industry with you for the economy of Queensland. As ambitious as we would like to be for this region and in particular, being a contributor to the economy, we need some assistance.

CHAIR: Thank you very much. Ms Campbell.

Mr P. Rossi: I am a third generation farmer on the same land that my grandfather first worked in 1924. It is freehold land. On checking the PMAVs back in March, I realised that 58 per cent is now category X. If you draw a line, basically, it is what is already cleared for cropping and grazing. The rest is category B, which is about 29 per cent, and about 11 per cent is category R, which I was unaware of at the time.

In respect to category R, we consider delineating areas of freehold land that previously had no government restrictions is an unjust act. There was no consultation with affected landowners, no compensation, no recourse available; just a straight-out erosion of people's property rights. A lot of statements have been offered up as facts rather than science. The vegetation act 1999 made provisions for these types of restrictions if there was a material change of use. I might add that I think there was ample scope for environmental safeguards and measures in evaluating proposed developments. It must be based on facts, not beliefs. It is also commonplace for family timber plantations in this category R area for future generations to benefit from. Quite a lot of that goes on. These forward-thinking people tried to do the right thing and they are now being punished for doing so. So I ask the question: where from here for category R?

In relation to category B, it seems that we lose any effective control of the land yet we remain responsible for it and retain the duty of paying rates, government charges et cetera. In the category B zoning, we maintain about six kilometres of firebreaks that border national parks at considerable cost to us with labour and machinery. This maintains biodiversity and reduces fuel loads through burning in the cooler months to avoid the devastating summer fire months. This would not be possible without our cooperation. Also, the majestic stand of rose gums at 1,200 metres to the west of the property would be a thing of the past. Where has the goodwill gone?

I have also found the mapping to be not accurate. Cropped land is classed in category B and also the vegetation classification of soil types is questionable. We farm in a 120-year-old mill district, so sustainability is not a new buzzword for us.

We have always strived for yield increases through focusing on soil health coupled with innovation and early adoption of best management practice. I was blindsided by the comment from the learned speaker earlier that there had been no progress on nutrient sediment programs. That is completely false. You can just strike that off. That is not true.

We compete in the open world market with little protections offered, unlike our competitors, and punch well above our weight. The increased regulatory approach does nothing to instil confidence in the future for myself and my children, viability of the mill and businesses, potential investment/investors and for what perceived environmental outcome you might rightly ask?

Climate change has been widely mooted by many as the reason behind these restrictive zonings on private land so how will these regulations achieve this? Crops outperform forest in CO₂ consumption regularly and then you talk about carbon sinks. What about the fibre in the crops? Does that not count? What about growing food? Does that not matter anymore to people? I think it does. We are probably chasing the wrong path in the carbon cycle if you ask me. The proposed regulations should have a strong factual basis, which I consider is lacking at best. Primary industry has been the cornerstone of the Queensland economy. Treat it with respect instead of scapegoating farmers to impress others and you might be surprised with what can be achieved.

CHAIR: Thank you, Mr Louis Rossi?

Mr L Rossi: Thank you for appearing. I endorse what my son has said. I will probably only talk about a few examples which impact on category R. Category R is very important to us, it is 11 per cent or \$100,000 down the drain because that is what it is. Our watercourses on our property, and this is what we are talking about, are not permanent running water. There are huge trees—we have an example right next to us. One tree fell over and 100 tonnes of soil went down the river.

I would like to talk to Dr Brodie but there probably would be no reason to, he wouldn't be very interested in me talking to him, because on the first account big trees grow big roots and big roots move soil. We get wind and rain inundation and before you know it, one tree, one milky pine nearly the height of this, falls over. The river improvement trust fund has no money, which has come from state and perhaps federal government, so it cannot do restoration work.

In my younger years we owned bulldozing and earthmoving equipment. We cleaned up the Mulgrave River for the river improvement trust. We removed all the logs and trees that had fallen over and created obstacles like big islands. We had two D8s working there in case they got bogged. It was not an easy job, but it was a worthwhile one. We were paid for it, of course. However, the more trees you put there someone has to manage them. Trees do not live forever. Unless they are harvested and put into 4 x 2s and 6 x 6s and used in buildings the carbon returns back to the atmosphere as they rot. We cannot grow huon pine that might live 1,000 years. Most of the pioneer trees are rotten and wattle are rotten within 10 to 20 years and all that carbon is back into the atmosphere.

This is only my personal observation over decades, but it is worthwhile. I grew up on the land. I had an agricultural secondary college education with engineering and I can show you kilometres and kilometres of waterways on our property where all you see is exposed roots and in four or five years time with the next lot of inundation those trees are gone, causing blockages or, if they do flow, you will find them on the beaches. That is where they are. Thank you.

Mr MacDonnell: Together with my wife Pauline and my three children we run Brigalow Beef Company. Our operation spreads across two properties in Central Queensland: 31,500 hectares of land is under management, 65 per cent of which is considered remnant—my own private national park. That is freehold land that I paid for with my own money. Both properties are covered with PMAVs in place. Despite the significant inaccuracies that exist within the PMAVs they do offer some protection from the current legislation. However, the proposed changes to the way we can manage timber thickening across our undeveloped country significantly threatens our viability and is the most concerning aspect of this legislation.

Under the proposed legislation we will only be able to manage timber thickening on 400 hectares, even though I have 11,500 hectares of freehold land that suffers from timber thickening. That is a 96.5 per cent reduction in the area that I can manage for production. Astoundingly, according to members of the government who are proponents and very positive about this legislation, they will happily tell the media and everyone that such a reduction will not have any impact on Justin's business and I will be able to continue to thrive under a Labor government. Not only is that laughable, it is bloody insincere and very ignorant.

The perverse outcome of this legislation is that it rewards people who have over cleared in the past and punishes people like myself who own properties with much more conservative levels of clearing. If you have cleared wall to wall in the past you have got it locked in as a category X on a PMAV. Thanks to your legislation that property value has just gone up. People will pay more for that property because it has a certainty going forward of its productive capacity. A property like mine, where we have 65 per cent standing remnant, where practices have been employed on our property in more ways than one that would be consistent with the type of practices you want to encourage, the valuation of my property has now decreased. You are penalising the very people who you should be really encouraging.

All we want in the bush is really a fair go. Citing my own case, a 96.5 reduction is not a fair go. Most of all we need certainty. Our businesses are multigenerational and decisions are normally made for the long-term. Certainty enables confidence in decision-making. It enables decisions to be made in the absence of fear. The presence of fear in decision-making does not lead to good outcomes. We have seen that in the past. When legislation gets kicked around like this and we see changes in government, straight away what happens is you see people clearing more country than they otherwise would have out of fear.

I can be perfectly honest with you, Mr Chairman, and say to you now that you have shown your hand to me and my wife. If the legislation was to change under a future government the reality is, you having played your hand and knowing where you want to go, it would be silly of me not to go ahead and clear more country, even though I have no desire to do so. In the end the legislation that you are proposing, the way you are going about it, actually encourages people to clear more. That is the impact of fear.

We need to see vegetation management resolved and removed as a political football. It is not acceptable for you to trade my family's future and the future of people in this room and our viability just so you can attract some political gain and achieve favourable preference deals by chasing inner city green votes.

I am pleased that during your intro today, Mr Chairman, you expressed how important this consultation process is. We in the region are isolated—socially, spacially and politically. We do not influence a great number of the 93 electorates that make up the Queensland parliament. The Labor Party has a parliamentary majority. There is no upper house. Without consultation, an essentially urban focused government could pass legislation without understanding the true consequences. That is essentially why I went to such an effort to be here today, because I want to look you, Jim and Jess firmly in the eye.

After this legislation goes through some of your colleagues will be able to hide behind ignorance, they will say they did not know the full implications on regional Australia—and how could they, they are from urban electorates—but yourselves, you have travelled to all the regions, you have heard the heartfelt evidence given by people. You will have seen people sit in front of you and cry, you will have seen such emotions.

If this process is a sham, like many of us are meant to believe, and that when you leave here you go back, issue a divided report down party lines and the Labor Party goes ahead and moves the legislation, the only hope for the people who have presented before you and the people sitting in this room today and sitting beside me, our only hope is in Chris, Jim and Jess. Our hope is that you show some intestinal fortitude and that you stand up to the powers that be in your party and your Deputy Premier and let her know, given what you have heard, you could not in all conscience vote for this legislation. I know that means you have to cross the floor.

CHAIR: I caution you on your language, Mr MacDonnell. Careful you do not go close to reflecting on the chair.

Mr MacDonnell: I will be very cautious, Mr Chairman.

CHAIR: I will ask you to come to your concluding remarks.

Mr MacDonnell: I am not being insincere to the members of the LNP, but I am really focusing my attention here now on the members of the ALP because it is your government that is looking to persecute my family. Do not seek to hide behind ignorance if you go ahead with this legislation. The three of you here, this legislation will hang around your necks like a millstone forever and a day.

CHAIR: I would caution you on that language as well. I understand what you are saying, but can I just direct you to come to your concluding remarks. And if you could talk through the chair.

Mr MacDonnell: Our only hope is that you have the courage to tell your colleagues that this legislation is flawed. You can have the outcomes that you are seeking to achieve if you seek to work with industry and work with landholders. In landholders and farmers you have the most passionate group of environmentalists and conservationists that there is. We derive our living and our family's future from the land. We invest our own money in the land. You do not have a more powerful army to achieve environmental outcomes in this state than the agricultural sector.

If only we could get the Labor Party and the LNP and the Katter party to all come together, take this out of the political field, work with industry and come up with some long-term solutions to vegetation management so all of us in this room and all the people who have presented to you for the last three weeks can have some certainty going forward so every three or four years we don't get trolled out doing this same thing again.

CHAIR: Thank you very much.

Mr WEIR: Justin, you said you do not want to see it become a political football. How do you stop that? What framework would you see where we can get a solution where it does not have to go through this process every few years?

Mr MacDonnell: In the end you are all politicians. Yes, you are members of your political parties, but ultimately when you took office and when you got elected you took an oath to the people of Queensland to do what is in the interests of the people of Queensland. It is that oath you should honour first and foremost before you honour your own party or before you are concerned with your own preselection or re-election chances. If the parties could come together and sit down with industry.

My own organisation that I am a member of, AgForce, worked on proposals years ago under the encouragement of the Labor Party and it has completely disappeared, it has not seen the light of day. I do not understand. You will have heard it from everyone: we are sick of being bashed, we are sick of rolling out every time. We are happy to have some certainty. We are sick also of being portrayed as vandals. Every time vegetation management comes out we see the same footage of the same two dozers and the chain and not a tree standing between them. That is not the reality. That is not the reality on my property, it is not the reality on 99 per cent of people's property and, to be honest, I think all of us here, most of us, do not endorse those practices anyway. Like I said, 65 per cent of my property is my own pristine private national park. For that your government punishes me. I find that very insincere.

CHAIR: This is a general comment: obviously as the chair I will be taking back a message to the minister. What we have heard constantly is that plea for certainty, to lock in some certainty and some continuity. I understand what you said about all groups getting together, whether it be all parties, but all sectors of Queensland society. One of the things that I have got from this is that it is the responsibility of the state, and governments of all ilk, to deliver that bedrock certainty and stability in the years to come. Is that something I can take back as a message to the minister?

Mr MacDonnell: We want certainty, but it must come with consultation first.

CHAIR: Thank you very much indeed. The time for this session has expired. There are no questions on notice. Thank you to all our witnesses for their appearance today on this bill. Thank you to our Hansard reporter and secretariat as well. A transcript of these proceedings will be available on the committee's parliamentary web page in due course. I declare the hearing closed.

The committee adjourned at 3.30 pm.