INLAND BURNETT

REGIONAL VEGETATION MANAGEMENT COMMITTEE (RVMC -PLANNING)

C/- PO Box 511 Kingaroy Qld 4610

Productivity Commission
LB2 Collins Street
East Melbourne
VICTORIA 8003
31 July 2003

Re: Impacts of Native Vegetation and Biodiversity Regulations (Inquiry)

INTRODUCTION

This submission is made by the nominated spokespersons for the Inland Burnett Regional Vegetation Management Committee with the consent and endorsement of all committee members and is strongly supported by the two representative spokespersons for the Coastal Wide Bay Vegetation Management Committee (many issues are similarly shared). These members and their representative status are as follows:

Inland Burnett

Spokespersons

Tom Bancroft	Agforce
Caroline Haskard	Community
Robert Creagh	Agforce

Committee Members

Chris Benham	Qld Fruit & Vegetable Growers
Denise Bettany	Wildlife Preservation Society of Qld
Bruce Burnham	Australian Forest Growers
Joy Jensen	Community
David McLeod	Landcare/Catchment Management
Graham Pollock	Local Government
Col Seiler	Community
Kevin Slack	Local Government
Brian Tessman	Qld Dairyfarmers Organisation
Owen Woodford	Qld Timber Board

Coastal Wide Bay

Spokespersons

Owen Thompson	Agforce
Esma Armstrong (proxy/fulltime)	Landcare/Catchment Management

BACKGROUND

The State of Queensland is divided into 14 bioregions with a series of subsequent regional ecosystems within each bioregion based on landform, geology and common plant associations (Qld Govt). The Inland Burnett (IB) Regional Vegetation Management Planning area incorporates a portion of the Southern Brigalow Belt bioregion but lies mainly within the South-east Queensland bioregion. The Coastal Wide Bay (CWB) Planning area lies solely within the south-east Queensland bioregion.

Recognised as a region of high biodiversity with high levels of endemism, the South-east Queensland bioregion has a very large number of regional ecosystems (RE's). The Department of Natural Resources and Mines have classified these RE's with an individual conservation status being either; Not of concern, Of concern or Endangered.

For simplification when preparing the draft regional plans the IB and CWB planning committees took the approach of dealing with the three different conservation statuses in preference with direct identification of individual ecosystems. Supporting plans such as the World Wide Fund for Nature's Draft Rainforest Recovery Plan were used as complimentary documents to support our processes and recommendations and to provide specific levels of regional ecosystem detail and relevant preferred management actions.

Historically properties in the IB (and the majority of the state of Queensland) were either freely selected, large leasehold runs or allocations through the land ballot system (Qld Govt). Original Government requirements for these tenures were to' improve' the property through practices such as fencing and clearing. In some circumstances this has resulted in what is generally accepted today as *over-clearing*. Because of the lack of knowledge associated with landscape processes, vast and at times, excessive amounts of remnant vegetation were cleared. Beyond the National Estate and Reserve System the bulk of native vegetation mapped as remnant polygons on non-state lands today is actually either advanced regrowth (recovering from clearing) or ecosystems recovering from previous smaller mosaic disturbances.

The unfortunate legacy of these past practices, specifically in landscapes and land systems in the order of land classes 7 and 8 – highly sensitive and fragile soils susceptible to rapid degradation if unwisely disturbed; is that what is currently classified as remnant vegetation is not always in the preferred landscape location for long-term sustainability and protection of those landscapes and the environmental services they provide. Since the 1930's approximately 65% of these properties in the Inland Burnett have been converted to freehold title while the Coastal Wide Bay area has approximately 80% freehold tenure (Qld Govt).

ISSUES

The resulting increases in soil salinisation, water-logging, erosion, sodicity, soil and water-borne pathogens, heavy metal concentrations, chemical residues and weed and pest infestations are clearly felt today as we are faced with declining water quality and quantity, declining production outputs, threats to national treasures such as the Great Barrier Reef Marine Park, infrastructure debilitation and massive associated restoration and management costs.

Considering the billions spent on environmental programs, water-use efficiency, codes of practice for producers, natural resource management planning, and population growth frameworks to name a few, and the billions in lost productivity to land degradation and pest invasion it is time serious consideration was given to the real costs for our non-government funded land managers. These individuals and companies are expected to bear the onus of management costs whilst experiencing social and political backlash.

All of this while struggling to survive depressed markets, economic rationalism and adverse trade agreements is a burden no-one should be expected to unfairly bear. To effectively manage our native vegetation for

biodiversity conservation and landscape health (to maintain our standards of living) it must be recognised that all Australians have a fundamental obligation to pay for these services.

Property rights and all that is inferred through the base structure of the Torrens Title system is another issue continually under question. We have heard promises from Governments in recent years to investigate certainty of property rights for landholders. We are still waiting. Freehold title encompasses a volume of space and its contents vertically above and below the land surface and within the surveyed cadastral boundaries of each parcel of land.

Obvious conclusions that could be drawn are that this includes water that falls on each parcel, vegetative cover therein and the capability of that soil to produce a product. Along with a landholder's purchase of freehold title comes a duty of care (often not understood or acknowledged) for that land and ultimate responsibility for subsequent uses and appropriate management so as not to harm others by their actions. The important feature of the Torrens system is that it is not a system of merely registering documents to enable them to be searched (as the Registration of Deeds Act, 1897) but it is a system of title by registration. Normally, the person who is recorded as the owner of a parcel of land cannot have his title challenged or overturned. This concept is known as 'indefeasibility' of title.

This is an issue that must be resolved given past policies and levels of individual freedom and knowledge that came with freehold title. Generally it is not possible to reclaim degraded productive land (or non-productive land) in the short-term and often it is not the current landholder who is responsible for degradation on his/her property.

However landholder's should attempt to mitigate degradation and seek assistance or compensation if it is beyond their capital capabilities and individual capacities to do so, particularly if, and when off-site impacts are proven to affect neighbouring landholders or downstream properties and enterprises. If such was proved this would be an exception to the indefeasibility of title. Other legislative requirements can be used to force regulatory actions on freehold title holders. Such was a recent case in Murgon, Queensland, where a business was legally found to be responsible and required to institute restoration works on a neighbouring property affected by management actions of that business under the Environmental Protection Act 1994. Other cases are on record where landholders and individuals have been penalised under the VMA 1999.

Until a fair and acceptable solution is reached regarding property rights it can only be viewed that native vegetation and biodiversity regulations infringe upon inherent title rights and therefore legislative impacts must be compensated, and compensated fairly. Secure property rights is the foundation of most successful economies. So we return full cycle to the duty of all Australians to bear the costs, whether for reparation or productive retirement of lands just as all Australians have benefited from the wealth generated from those same lands through history.

In terms of current planning processes, their associated investment programs (e.g. NAPSWQ & NHT 2) and the general trend of natural resource management policy, the regulations to maintain native vegetation and biodiversity conservation through maintenance of the status quo is not likely to deliver the long-term outcomes required to achieve long-term sustainability nor meet our National and International obligations.

Any forthcoming native vegetation regulations must include provisions for negotiation so that trade-offs can occur between 'not of concern' regional ecosystems and regrowth that will be beneficial in specific landscape areas, eg. recharge zones, areas providing habitat for rare and threatened flora and fauna species, protection of areas at high risk of salinisation, areas important to water quality, and most importantly to provide carbon sequestration - which is best provided by actively growing vegetation. Our old growth forests provide low levels of carbon sequestration but are invaluable in terms of biodiversity, scientific research, landscape amenity features, genetic warehouses, centres of endemism, and other world heritage values.

Currently the Inland Burnett (IB) regional vegetation management planning area is maintaining a 37% remnant vegetation cover with an additional 14% coverage of non-remnant woody vegetation while the Coastal Wide Bay has 56% native vegetation mapped as remnant (Qld Govt). The remnant vegetation coverage in the IB equates to approximately 1 million hectares of land and exceeds the arbitrary figure of 30% vegetative cover for healthy landscapes and catchments.

The current carrying capacity of remnant vegetation for the grazing industry in this region is approximately 88,500 adult equivalents (AE) of cattle. If woodland thickening is left unchecked the carrying capacity by 2023 will be down to 73,000 AE's. In forty years carrying capacity would be down to 61,000 AE's. If woodland thickening is allowed to continue unchecked, the value of beef production from remnant vegetation in the IB will reduce from $13.28M to $9.15M per annum in 40 years at $150/AE/annum net margin (carrying capacities calculated from data presented in Burrows, 2002).

If the remnant vegetation of the IB could be cleared (which no one would want to do), but considering this theoretically, the IB could carry 164,000 AE's per annum on that cleared area. These figures are based on a conservative estimate of pasture production of 2000 kg/ha (Inland Burnett Land Type Sheets) post clearing, with a safe utilisation rate of 30% of the forage (The Grazing Land Management Package; EdgeNetwork). On the basis of $150/AE this increased production extrapolates to $24.67M per annum - significantly more than the $13.28 M at current carrying capacities whilst remnant vegetation is maintained.

This exercise based on the major primary productive industry in the IB is an endeavour to apply an economic value to existing remnant vegetation and therefore give an indication of the true extent of compensation costs for landholder's affected by native vegetation and biodiversity regulations (Inland Burnett only). Woodland thickening has been occurring since European arrival and the advent of grazing and vegetation clearing. If we are unable to manage the density of woodlands we will forego production of primarily beef through reduced grass productivity. The exercise also indicates the income foregone by maintaining remnant vegetation.

If we are unable to clear *any* remnant vegetation we are foregoing potential productivity gains that would occur through increased grass growth after the clearing event – at least in the short to medium term before pasture decline from over-clearing. Uncontrolled woodland thickening also threatens biodiversity – at least in the short term for full ecosystem recovery may take centuries depending upon the level of disturbance (to climax status and full system function). Recovery of disturbed eucalypt forest systems occurs through successions of different plant associations (as do other vegetation systems) over a period of time.

Early recovery successions are generally dominated by a limited number of primary species adapted to surviving in the altered environment eg. acacia and eucalypt species. This dominance precludes substantial light levels and reduces grasses and forbs to an extent that leaves the soil surface bare and prone to water-borne erosion.

Biodiversity of flora and fauna is consequently reduced until the pioneer life cycles are completed. The natural cycle of recovery is acknowledged and usually of a limited and mosaic affect within the landscape, however since the advent of European style land management disturbance has been on a greater scale. Allowing recovery of cleared ecosystems through natural processes does not always ensure the recovery of the original species.

Early dominance by several tree species and other primary species could extend for sufficient time to exclude the recovery of some of the original and short -lived species by exhausting seed banks, thereby precluding their regeneration. Thinning these regenerating trees will therefore maintain higher levels of biodiversity and hasten system recovery whilst also maintaining productivity.

Long-term declines in soil fertility may be measurable as acacia species are nitrogen fixers and if allowed to complete their cycles will build up the over-all soil health. The IB RVMC acknowledged human imposed

production systems operate on different time-scales to natural ecosystem recovery and believe that thinning is the best vegetation management option (at this time) for sustainability of production, biodiversity and natural system health. The committee members welcome further scientific research on this issue to guide and substantiate any recommended changes to land management practices of the future.

The RVMC's in South-east Queensland investigated carbon credits and the issue of carbon sequestration during the preparation of the draft regional vegetation management plans (RVMP's) as an incentives option for the maintenance of remnant vegetation for landholders. At the time there were no policies, guidelines or credit unit system in operation and therefore nothing upon which to base recommendations within the draft plans.

Carbon credits or some similar identifiable credit system is an important issue for the nation and the landholder's who are expected to manage, maintain and where possible increase the extent of remnant native vegetation to reach the targets set for Australia under the Kyoto Protocol. The potential implications and ramifications for our international trade status if those requirements are not met by 2006 may make the compensation package currently offered to Queensland landholders ($150 million) look like petty cash.

The benefits of retaining vegetation in this equation are large and go mainly to the carbon emitting secondary industries. However, the industries paying for vegetation retention are mostly rural based and commodity producing. These industries are much less able to pass on increased costs to the rest of society by demanding higher product prices. Their only hope of fair and equitable recompense, at least in the short term, is from the remaining community and industries through Government organised compensation.

The Governments of Australia cannot afford the enormous costs of maintaining and managing the native vegetation of the country, as is oft commented upon through observations of the current management practices implemented on the reserve and National Estate systems. Therefore there is no choice but to place the disproportional onus of management on landholders – but the cost should be fair and equitably distributed to those whose future options and investments are severely restricted. As has been shown $150 million is highly unlikely to be fair recompense for those affected.

The costs of vegetation management, while not on the same scale as that of Governments, are still considerable and until such time as an acceptable economic value is accorded to remnant vegetation, management thereof and the conferred environmental services provided to all Australians are seen to be fair and equitable, the debate will continue to rage and disaffection will increase. The foundation principle of the RVMC's in South-east Queensland when considering incentives and stewardship payments was such that **"all Australians have a responsibility to support the conservation of vegetation. The burden of costs should be shared equally."**

Local Government's main 'bone of contention' is that under the indefinite moratorium, local governments now have the legal onus placed on them to not accept any applications for development on lots with remnant vegetation - no matter if that vegetation is in the far corner and unaffected by the proposed development. Previous to the change, the applicant was the responsible party but now local governments are implicated.

The social and economic ramifications of compliance with existing vegetation and biodiversity regulations are also adversely impacting on some resource rich Local Government areas, for example Perry Shire still has 55.3% of pre-clearing remnant vegetation remaining (Qld Herbarium). The Shire's main industries are Beef, Timber and Mining and representatives feel very strongly that the Vegetation Management Act (1999) prohibits undeveloped shires such as this from **ever** developing – at a cost that is not attributable to those shires who are almost fully developed and whose remnant vegetation is below 30%.

Because the VMA requires bioregional thresholds of 30% remnant vegetation, undeveloped shires are clearly adversely impacted upon by those shires with individual thresholds below the preferred 30% minimum. This

same limitation is imposed on landholders – particularly those who have acted with propriety and maintained their native vegetative cover at high levels. There are great anomalies between districts and regions at different stages of development and it is strongly felt that vegetation and biodiversity maintenance appears to be carried by a few whilst benefiting the majority - who it would appear do not bear any associated cost or resulting economic impact. Local Government's in the IB believe this Act is a threat to **their** sustainability and long-term economic and social viability.

The usual practice of tree clearing in for example Perry Shire, is to allow trees to mature to greater than the 'regrowth stage' and then thin, stimulating soil through deep root penetration, providing better quality timber and maintaining a consistent vegetative cover for native fauna. Under the VMA 1999 (current guise) thinning is not allowed within remnant areas unless the landowner has historically conducted timber harvesting using forestry practices. This dis-incentive actually encourages landholders to clear non-remnant areas and perform no maintenance work in remnant regional ecosystems (RE's). The thinning policy developed by planning committees in south-east Queensland has been designed to provide management options and is perhaps singularly the most important recommendation developed by the respective committees.

It is a primary concern of Local Government in these rural areas that long-term, land values will be reduced - even now Real Estate Agents are stating there is a reluctance from potential buyers to even inspect properties with 'colour' on the vegetation maps. The uncertainty created by the flawed processes of this Act have raised the value of 'white' areas as purchasers are reluctant to acquire land with remnant vegetation - it is an unknown if they will be allowed to utilise that area in any way.

The Act does not specify devolution of fair and equitable cost sharing, nor spatial representation of remnant vegetation within the bioregion- that has been the task of the RVMC's who have prepared a package of recommended policy adjustments and incentives to address all issues relevant to native vegetation management and biodiversity conservation within their planning areas.

Forestry Industry issues:

- The industry is developing a private code of practice
- Standardised training is required for all foresters because currently there are different levels of understanding that cause significant problems eg. what are: feeder trees, habitat trees and stream orders (the requirements are not considered problematic by the industry but lack of basic knowledge leads some private individuals to think they are),
- Industry tree markers need to understand the guidelines (VMA and codes of practice)
- It should become a requirement for timber mills to retool (with recoverable funding from Govt) eg. Wondai Mill used the incentive offered (short-term loan) of $1.3 million to retool, resulting in turnover increasing 100%, increased employment, minimal waste of prime product due to new processing capabilities, 80% value-adding now compared to the 35% previously documented

Considerable waste still occurs in the industry due to lack of capacity of processing mills, for example a property near Eidsvold pulled remnant forest that Wondai mill could have processed returning $40,000 to the landholder but transport costs to Wondai would have negated the return. As Eidsvold mill was only able to process some of this timber it has basically been wasted.

Examples such as this identify unnecessary pressures brought to bear on the timber industry (plantations and managed native forests) and non-remnant and remnant vegetation on productive lands. We believe it should be considered a priority that this type of waste be reduced (and preferably eliminated) with existing inefficiencies addressed in the interests of native vegetation management and biodiversity conservation measures equitably applied to all sectors.

CONCLUSION

The Inland Burnett Regional Vegetation Management Committee (RVMC) believes strongly that our Regional Vegetation Management Plans can and will deliver equitable and progressive gains over time through regionally appropriate policies we have developed in association with our Coastal Wide Bay and South-east Queensland RVMC counterparts. Items such as the Thinning Policy and recommendations for adjustment to the State policy such as removal of the existing urban exemption and by alteration to the exemptions for routine management associated with clearing for built infrastructure from 5 hectares to 1 hectare on properties less than 15 hectares in size are options designed for fairness of obligation.

The current status of "negotiations", (which are quantitatively unknown to RVMC's and most affected sectors of the community) even with the $150M Government package considered, means that rural landholders and industries will be unfairly afflicted with the majority of the costs of retaining and maintaining remnant vegetation.

Other recommendations the RVMC's have made at the regional level in their draft plans are for:

- Dealing with invasive native plants and weeds
- Measures to address salinity/groundwater and tradeoffs
- Clearing to address threatening processes
- Clearing for weed management
- Thinning for ecologically sustainable development and to allow economic production
- Fire management
- Length of tree clearing permits
- Property Vegetation Management Plans
- Clearing in urban areas
- Alterations to exemptions
- Priority areas for investment
- Strategies for implementation
- Targets, monitoring and evaluation

An additional objective in preparing these recommendations was to reduce adverse impacts on landholders and where this was not achievable, to offer alternative trade-offs. It does appear that the focus of regulations to reduce green house emissions are squarely centred on individuals who do not have the financial power nor can they exert sufficient political influence to prevent or subvert their equitable share of the burdens, costs and solutions desired by Government in this instance.

Should these regional planning instruments not be endorsed in full - as may occur as a result of the current moratorium and negotiations between the State and the Commonwealth Governments the entire community must be prepared to bear and apportion cost of compensation and/or incentive schemes to address the current inequities associated with vegetation management. The RVMC's therefore believe the Productivity Commission should fully consider the recommendations within the draft RVMP's for preparation of the report on the findings of this inquiry.

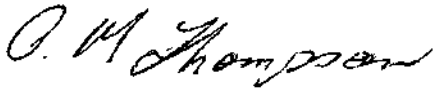
Yours sincerely

Esma Armstrong OAM
(Coastal Wide Bay)

Tom Bancroft
(Inland Burnett)

Bob Creagh
(Inland Burnett)

Caroline Haskard
(Inland Burnett)



Owen Thompson
(Coastal Wide Bay)

REFERENCES

Accad, A., Nelder, V. J., Wilson, B. A., and Niehus, R. E., 2001, *Remnant Vegetation in Queensland: Analysis of Pre–clearing, Remnant 1997-1999 Regional Ecosystem Information*, Environmental Protection Agency, Queensland Herbarium, Brisbane.

Burrows, W.H., 1991, *Tree clearing in Australia - a question of balance*, *Search* **22**, pp. 46-48.

http://www.epa.qld.gov.au/environment/legislation/

http://femail.com.au/torrenstitle

http://members.ozemail.com.au/~danok/LawNotes

http://www.nrm.qld.gov.au/resourcenet/

http://www.aph.gov.au/house/committee/environ/pubgood/report/contents.htm

Inland Burnett Land Type Sheets, Department of Primary Industries, Brisbane.

Inland Burnett Regional Vegetation Management Committee, 2003, *Draft Inland Burnett Regional Vegetation Management Plan*, Department of Natural Resources and Mines, Nambour.

Meat and Livestock Australia, 2003, EDGEnetwork Grazing Land Management workshops notes/ Technical Manual.

Property Rights Australia, 2003, *1st Annual Conference & Annual General Meetings: Proceedings Paper.*

Sattler, P. S., and Williams, R. D., (eds) 1999, *The Conservation Status of Queensland's Bioregional Ecosystems*, Environmental Protection Agency, Brisbane.

South-east Queensland Rainforest Recovery Team, 2003, *Draft South-east Queensland Rainforest Recovery Plan 2003-2008*, World Wide Fund for Nature Australia, Brisbane.

South-east Region Vegetation Management Planning Team, 2003, *Information to support the MAC VM evaluation of the Draft Coastal Wide Bay RVMP*, Department of Natural Resources and Mines, Nambour.

South-east Region Vegetation Management Planning Team, 2003, *Information to support the MAC VM evaluation of the Draft Inland Burnett RVMP*, Department of Natural Resources and Mines, Nambour.