

Senate Finance & Public Administration Committee

Native Vegetation Laws, Greenhouse Gas Abatement & Climate Change

PREAMBLE

My submission relates to our farming property

Old

This property was selected in 1952 by our father Mr John D B Cook (Senior) following his return from active service in World War 2. Following his death in 1978 it passed to my sister Patricia Cook & myself John D B Cook (Junior) and our mother Mrs Margaret M Cook. Following her death it passed to my sister and myself to the present day.

This property has operated as a commercial farm during this time as a dairy beef and grain producing business.

Under the terms of the original Perpetual Lease Selection granted to Mr John Cook (Senior) when he took occupation of ' ' he was required to clear 700 acres of the total 1270 acres within 7 years and was required to operate as a dairy. This he did.

Approximately 200 of the remaining 570 acres were retained in its original state and the remainder developed for improved pastures. This retained timber was intended as a source for replacement fencing materials if needed. New water facilities were constructed to provide independence for the farm's livestock

As I have outlined in the following brief submission the effect of the Native Vegetation Laws is not only their direct effect but the way they interact with other severe State Government legislation.

DIMINUTION OF LAND ASSET

In 1999 Queensland State Government passed the Vegetation Management Act and quarantined from the farm a section of the remaining uncleared scrub as a pink area. (Classed Endangered, Dominant). This area covers approximately 80 acres.

This restriction prevented us from collecting posts, rails and other fencing materials from this area which was one reason for its retention. These now have to be obtained from commercial suppliers many miles distant at high costs.

In 2009 the Queensland State Government placed a moratorium on any treatment of regrowth on freehold land in Queensland. Approximately a further 250 acres of brigalow regrowth was quarantined on "Gledswood".

After the moratorium was lifted in October 2009, 210 acres were released with about 40 acres remaining quarantined from use. This was despite the retained area being pulled and blade ploughed since 1989.

In total about 120 acres out of 1270 acres of "Gledswood" is still under quarantine for Vegetation Management Act purposes and remains unproductive.

Real estate value of this farm is now diminished due to having these 2 areas of unusable land representing 10% of the overall property.

COMPENSATION OF LOSS OF LAND ASSET

As yet no indication has been given as to any compensation for loss of production from these areas, gains from carbon sequestration, loss of fence building materials, loss of genuine freehold title rights and public liability responsibilities for those who now have access to the quarantined areas which were previously private property. The freehold title for "Gledswood" was purchased from the Queensland Government over two decades ago, in good faith, by us in order to preserve our inalienable rights of possession. This has now been overridden.

Those in possession of freehold title should have the full rights of the freehold returned, by the Native Vegetation Laws being rescinded. Any financial compensation liabilities, by the authorities, should be attached to the land parcel deeds in perpetuity.

We find it painful to see the hard manual laboring work carried out by our father to develop this property into one which can produce prize winning wheat for food, being wasted for spiteful political reasons.

OTHER RELATED MATTERS

The Native Vegetation Laws place a landholder in a position where they can be in breach of other legislation. Queensland Government in 2001 introduced the Animal Care and Protection Act to “promote the responsible care and use of animals and to protect animals from cruelty and other purposes”

Under “Chapter 3; Part 1. Breach of duty of care.

Section 17,

Subsection (3): A person breaches the duty of care only if the person does not take responsible steps to

(a). Provide the animals needs for the following in a way that is appropriate

(i) Food and water.

(iv) The treatment of diseases or injury.”

Penalty for each of these offences is 300 penalty units and 1 years’ imprisonment.

“a person is taken to be cruel to an animal if the person does any of the following to the animal,

(g) Kills it in a way that

(i) Causes it to not die quickly.”

Penalty for each of these offences is 1000 penalty units and 2 years’ imprisonment.

This legislation is relevant when an animal e.g. cow secrets herself in dense brigalow suckers to calve and suffers difficulty giving birth. As the owner doesn’t know the animal is in its location and predicament and if the cow does not survive, the owner has committed an offence against the Animal Care and Protection ACT 2001.

Brigalow regrowth is a very dense thicket of rigid stemmed shrubs. At least 40 acres of the quarantined area is not able to be penetrated on horse back and it would be extremely difficult on foot to look for a missing animal.

The only way a person responsible for the husbandry of stock could comply with the Animal Care and Protection Act 2001 is to exclude animals from these areas by fencing them off from stock. This then is a disadvantage caused by no fault of the farmer but resulting in extra costs, loss of production and use of land on which rates and taxes etc are being paid. The quarantine of about 10% of our farm for the purposes of vegetation management removes at least 10% of the productive capacity of the farm. This increases the risk exposure when dealing with adverse seasonal conditions and vagaries of the produce market prices.