

Submission to the Senate Veg-Man Inquiry  
From  
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Background;

The Mc Nicholl Family Trust operates the following properties on behalf of me, my wife Megan and our three adult children namely Kate, Rebecca and Doug . Of note is the fact that all three children are graduate Environmental Engineers which is the ultimate testament to their parent's concern for and interest in the environment.

consists of 5500 Ha under freehold title { 13900 acres } of highly fertile farming and grazing country in the Brigalow scrub soils south of in Southern Inland Qld.

The property is located approx 420Klm NW of Brisbane , 64 klm west of Miles.

consists of 3310Ha { 8400ac } under freehold title of Belah-Box country 100 klm to the west of and 35 klm south of Wallumbilla. The property contains 6400 acres of good quality grazing country plus 2000 acres of good quality farming.

After graduating in Vet Sc. from the Uni. of Qld in 1968 and also completing a M.Sc. in Range Management in 1969-70 at the Uni. of California Berkeley, I have spent the last 40 years involved in the northern Australian cattle industry as a veterinarian and cattle producer and "land carer".

History of the loss of freehold rights and capital value on our properties.

- The introduction of the Vegetation Management Act 1999 {Qld}
- The 2003 amendments, which launched a retrospective moratorium on land clearing applications
- The 2004, which heralded the end of broad scale clearing and provided a financial package for rural landholders
- Further retrospective amendments in 2008
- April 2009 Regrowth Clearing Moratorium Bill in exchange for Green's preferences.
- Much political and legal comment has been made about the process that has devalued Queensland property freehold rights and capital value. One of many critical commentators has made the following observations which I fully endorse.

“ The Veg. Man. Act 1999 {Qld} was enacted and subsequently amended within a heightened political context frequently characterised by a restricted parliamentary process. The Queensland Labor Govt. persistently promised that the VMA would bring certainty to rural landholders and protect the unique biodiversity of the State.

The entire process reveals a dominant Labor parliamentary party motivated by political expediency, occasionally lax in its legislative role and unrestrained in Queensland by an Upper House and an effective opposition”

The cumulative effect and loss from the above series of unjust laws is as follows.

The enactment of the Veg. Man. Act in 1999 immediately locked up and prevented any further development on 500 acres on \_\_\_\_\_ and 500 acres on \_\_\_\_\_

In exchange for securing preferences from Green party candidates in the March 2009 election, the re-elected Bligh Labor Govt. introduced the regrowth Clearing Moratorium Bill 2009 in April of that year. This clearly broke earlier promises by the Labor Govt. not to include “Regrowth” in its unjust legislation. However political expediency was preferred once again to sound environmental policy.

The result of the Labor Govt.’s sell out to “Green” environmental extremists saw a further 1 million Ha locked up at landholder’s expense because once again their capacity to develop their land to its maximum productive potential had been callously stolen without any consideration of just terms compensation.

In respect of our properties a further 250 acres on \_\_\_\_\_ and 500 acres on \_\_\_\_\_ were “stolen”

### **Value of Assets Stolen By the Qld. Govt.**

Recent “conservative” bank valuations of local properties show that;

Developed pasture improved country on \_\_\_\_\_ is worth \$400/acre  
Undeveloped timbered country is worth \$100/acre .  
Development Costs = \$150/acre

Therefore Potential Asset value stolen = 1000 acres x \$150 = \$ 150,000

Re \_\_\_\_\_ ;

Developed pasture improved country is worth \$550/acre  
Undeveloped timbered country is worth \$100/acre  
Development costs = \$150/acre.

Therefore Potential Asset Value Stolen = 1000 acres x \$ 300 = \$300,000

Therefore I believe that the various Qld. Govt. Vegetation Management Acts have “stolen” \$450,000 of potential value from our freehold property rights without any consideration of just terms compensation.

Further, I estimate the potential loss in increased cattle production foregone at \$40,000 per year.

### **Reasons advanced by the Qld Govt. to “justify” their theft.**

Their justification was based on the concept of improved environmental outcomes delivering “public good” caused by the cessation of “broad scale” tree clearing. The supposed beneficial outcomes are as follows.

- Decreased erosion
- Increased Environmental Flows and Water Supply
- Increased Carbon Sequestration to counter anthropogenic global warming
- Prevention of Salinity in susceptible catchments
- Maintenance of Biodiversity

All of the above supposed “benefits” have been dealt with in detail in Ashley and Doris McKay’s submission to your inquiry and I fully endorse their comprehensive arguments which seriously question the philosophical and or scientific basis on which a whole raft of claims have been made by the Qld. Govt. in respect of these key issues.

In fact it can be argued compellingly that uncontrolled tree thickening can produce outcomes that actually increase erosion, decrease environmental flows and available water supplies, decrease biodiversity, Healthy pastures can also sequester vast amounts of carbon in the soil. This carbon can not be liberated as occurs when Australia’s all too frequent bush fires destroy vast forested areas.

### **Specifically Re Increased Erosion from Increased Tree Cover**

Old Timers have a saying that “you can’t grow trees and grass” in our 600 ml per annum rainfall environment. My observations support this. Tree covered savannah landscapes where fire has been excluded by human design only serves to thicken the timber, decrease grass and over all ground cover.

In the case of regrowth where seedlings and suckers can virtually choke all the grass cover sheet and gully erosion can become quite pronounced .

I have attached some photos of eroded bare ground under trees locked up under the Govt,'s 2009 Regrowth Moratorium Bill. The country adjacent to the regrowth has been blade ploughed and sown to pasture. This has captured a maximum amount of recent rainfall and facilitated spectacular pasture growth.

Under the regrowth virtually no ground cover is evident. However significant erosion is widespread, resulting in land degradation and river pollution .

Unjust Levying of Rates.

Local Govt. Authorities continue to levy rates on our "stolen " land even though our capacity to earn income from these areas has been substantially reduced.

Conclusion;

They have taken freehold land rights away from property owners without just terms compensation. The beneficial environmental outcomes advanced to justify this State sanctioned theft have not been achieved and in some case contradictory and perverse outcomes have occurred.

I ask the Senators involved in this inquiry to use whatever offices they have at their disposal to return justice and just terms compensation, sound environmental science and fully transparent and accountable legislative processes by the Queensland Govt.

Thanking you for your interest and concern,

Lee G Mc Nicholl 5/3/2010