

**Submission by Tamborine Mountain Landcare Inc. to the Australian
Government Productivity Commission on the Draft Report on Impacts of Native
Vegetation & Biodiversity Regulations.**

In making this submission we are mindful of the two purposes of this inquiry:
To document and assess the impacts of existing native vegetation and biodiversity regulatory regimes on landholders and local communities, and the effectiveness of the regimes in reducing the costs of resource degradation.
To explore whether there are more efficient and effective ways of achieving desired environmental objectives.

It appears to us that assessing the impacts of regulatory regimes and their effectiveness and even of exploring different ways of achieving environmental objectives must vary between Queensland and the rest of Australia. Reference to Table 2, p. XXVI shows that since 1980 (or 1983) 1764 000 ha of native vegetation was cleared in Queensland whilst 274 000 ha was cleared in the rest of Australia. It also shows that since introduction of regulatory regimes in the various states clearing reduced except in Queensland where it increased. This suggests that regulatory regimes have had differential effects on landholders and local communities in Queensland and in the rest of Australia. In Queensland land clearing has increased massively since the imposition of regulatory regimes. The announcement that NSW and Qld intend to stop all broadscale clearing of native vegetation from 2004 & 2006 respectively suggests again two different outcomes: In NSW this may well save the 67% (Table 1) that remains there. In Queensland by 2006 we might expect from Table 2 another 2 million ha of native vegetation destroyed.

This submission will respond to the Commission's draft recommendations and draft findings, then suggest measures that governments might consider to minimise the adverse aspects of the regimes as requested in 3(g) of the Scope of Inquiry, and finally make some broad comments on the whole problem of regulation of land clearing and maintenance of biodiversity.

Draft Recommendations of the Report.

1. *Before implementing native vegetation and biodiversity policy, a regulation impact statement should be prepared that includes an assessment of the problem being targeted, expected costs and benefits of the proposed policy, and an assessment of alternative instruments. This assessment should be made public. We are in agreement.*
2. *All policies should be subject to ongoing monitoring and regular reviews of all costs and benefits in the light of articulated objectives. Reviews of performance should be published. We are in agreement.*
3. *We agree that data might be improved but 'science' involves aerial and satellite imagery validated and refined by ground truthing (on-the-ground assessments). The quantity and reliability of data by ground truthing depends, almost totally, on the resources available. How the science can be improved is hard to imagine. We consider that money would be better spent on data acquisition rather than on efforts to improve the science.*
4. *Current regulatory approaches should be amended to comply with good regulatory practice, including: - - - - We agree but see later comments on sustainability.*

5. Some rules on native vegetation regrowth should be relaxed in certain areas e.g. the brigalow. We grant that knowledge of landholders and local communities is detailed at the regional level but this, per se, is not likely to make any difference to decisions to clear or not.
6. *Governments should seek to remove impediments to, and facilitate, increased private provision of environmental services. Actions could include:*
 - (a) *removal of tax distortions or lease conditions that discourage conservation activity relative to other activities; We agree.*
 - (b) *Removal of impediments to efficient farm rationalisation;*
Efficient farm rationalisation and/or operation often, under stress situations (drought, low prices, fire) involves farm amalgamation or further clearing of native vegetation.
 - (c) *Research into and facilitation of sustainable commercial uses of native vegetation and biodiversity;*
Sustainable commercial uses of native vegetation (other than ecotourism & grazing native pastures) are:
 - (i) usually minor e.g. honey, sandalwood, caustis.
 - (ii) never-the-less involve ecosystem interference and often degradation. We find it hard to imagine how sustainable commercial use of biodiversity is achieved.
 - (d) *Provision of education and extension services to demonstrate to landholders the private benefits of sustainable practices;*
Provision of education and extension services should be the prerogative and obligation of governments. (See later comments).
7. The recommendation talks about 'regional environmental issues' to be tackled by landholders and local communities and suggests some of the solutions they could use e.g. market mechanisms, local codes of practice. These solutions apply to local land care issues such as erosion control, contouring and small farm dams, riparian care, weed outbreak control. We suggest that the success of landcare groups has been partly due to local people attending to local problems. However the Productivity Commission's terms of reference are to examine the inputs of regulations about changes to native vegetation and biodiversity. In essence this is the clearing of native vegetation. We do not think that the regional environmental issues mentioned which follow land clearing are the subject of land-clearing regulations. The point is made later in this submission that a first priority is to conserve what we still have; with restorative conservation as a secondary, future activity.
8. We consider that the Nation's main concern is about the degree of land clearing i.e. of native vegetation and consequent loss of biodiversity and other associated values. It is agreed that landholders must be compensated for retaining native vegetation (but with reservations – see below). We consider retention is always 'necessary' but rarely 'cost-effective'. However there are many values to the landholder in retaining native vegetation e.g. control of salinity and erosion, meso-climate modification, encouragement of pest insect predators, etcetera. This involves education and extension services which must be paid for from the public purse. Whilst this might seem to be, in terms of regional differences, a responsibility of state governments, the enormous imbalance of clearing illustrated in Table 2 of the report, in which clearing in Queensland is orders of magnitude greater than the rest of Australia together

and continues to be so, clearly requires federal assistance because it is a national problem.

Draft Findings of the Report.

- 3.2 We consider that there has been limited assessment of the likely costs and benefits of native vegetation and biodiversity regimes because these are difficult or impossible to assess. One cannot measure environmental criteria in economic terms.
- 3.3 “The level of consultation -----has varied across jurisdictions”. Consultation usually involves for or against clearing and this allows little room for negotiation. It is easier to negotiate on biodiversity legislation since less is apparently at stake.
- 3.7 The “difficulties in weighing economic and social factors against environmental considerations” has been and is clearly one of the most intractable problems of the whole exercise.
- 5.2 Conclusions on clearing rates must differentiate between Queensland and the rest of the Commonwealth. Only in Queensland have clearing rates increased following regulation and there is clear evidence of pre-emptive clearing (see Table 2).
- 6.1 ‘Regulations impose a range of restrictions on farm practices which often reduce returns to landholders’. The main reason for clearing is to increase returns but such clearing often gives only short term benefit. In the long term productivity declines as a result of clearing because of salination, erosion, pasture run-down, etc.. There are further comments on this aspect later in our submission.
- 6.2 As for 6.1 farm values may fall as a result of lack of permission to clear but, in the long run the value of a property must be enhanced by a sound balance of cleared and non-cleared land.
- 6.3 The fact that ‘landholders restricted from clearing areas of native vegetation on their properties being less able to obtain finance or facing higher interest rates’ clearly indicates that there is a public responsibility to compensate these situations otherwise most of these areas will continue to deteriorate, a point brought out in several more places in this submission.
- 6.4 If the property has become marginal without clearing, subsequent clearing even of a substantial proportion of the property, can only delay the process by, perhaps, a few decades. Again we have short term gain being nullified by long term loss.
- 6.7 We agree that government measures to mitigate negative impacts of the regulations have been insufficient. Governments have not committed to (they must surely have realised) the long term impact of such massive clearing as has been occurring. Supporting farm productivity is a cheaper but short term response to a massive problem the answer to which, finally, is to assist landholders out of the industry in order to reduce, and in many areas, remove the grazing/agricultural pressure.
- 7.1 We find it hard to understand how the objectives of regimes to protect native vegetation and conserve biodiversity can not be clearly specified.
- 7.2 “Permit systems to regulate clearing of native vegetation”:
 - a) “Do not provide incentives for voluntary management of native vegetation”.
 - b) “May encourage fragmentation of native vegetation”.

c) "Affect only those who apply to clear".

The alternatives to permits e.g. blanket regulations, may suffer from the same deficiencies.

7.3 Regrowth stops being regrowth when the community is mature. This varies of course with the type of community. Flexibility in the definition of regrowth allows, in our opinion, clearing of all but genuine 'old growth' forests and woodlands.

7.5 We entirely agree (see on).

7.13 This seems hardly surprising when the intended outcomes are usually diametrically opposed.

7.14 Landholders are likely to be biased groundtruthers. They require professional, non-involved assistance.

7.15 We agree that monitoring and reviewing are the best instruments and this requires resources.

8.2 We entirely agree. In our opinion governments rely far too heavily on altruistic support from the community.

8.3 'Market-based policy approaches' may be satisfactory economically but do not or cannot cost environmental outcomes using the same criteria.

8.6 We agree – very important.

8.9 We agree that, in general, regulations are a blunt instrument. The following recommendations (which respond to 3(g) on p. VI of the Scope of Inquiry) suggest some important alternatives.

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3(g) Recommendations of a regulatory or non-regulatory nature that governments could consider to minimise the adverse impacts of the above regimes, while achieving the desired environmental outcomes - including measures to clarify the responsibilities and rights of resource users.

Community model.

The huge success of the Landcare movement in bringing together diverse stakeholders has shown how human resources can combine with government and private funding in minimising costs and achieving desirable environmental outcomes. This principle should be expanded, probably using the Landcare model and organisation as a vehicle to enhance planning, education, community cooperation, and financial and human resource inputs. This 'grassroots' model maximises understanding between conflicting viewpoints and is, in itself, sustainable.

Planning.

Long term regional vegetation planning, the reasons for it, and readily available maps would remove confusion. The adverse effects of farmers' inability to plan in the longer term, and doubts over the development potential and capital value of any block of land would be resolved. (Note the flood of 'defensive clearing activity' whenever farmers feel threatened by insecurity on vegetation clearing policy. Such clearing, of

what might be inappropriate land, possibly at a financially inappropriate time, is also an adverse impact of the current situation).

Farmers might permanently set aside specified and approved areas or corridors of land for conservation in much the same way as urban developers allocated a percentage of parkland. This could attract government compensation.

A basic principle here - to demonstrate fairness to the farming community - is that other landholders should be subject to similar legislation - national parks, government land, urban environments and others.

A first priority should be to conserve what we still have; with restorative conservation as a secondary, future activity.

Financial compensation.

Today's farmers are rarely the same individuals who caused the problem - previous vegetation clearing and land degradation were caused by the expectations and ignorance of not only earlier farmers, but by the governments and communities of those times. Governments and the wider community have benefitted in the past and should all therefore be prepared to contribute to environmental sustainability and biodiversity conservation.

Farmers should be compensated for any genuine conservation measures that can be quantified as being of benefit - but not for spurious claims aimed at commercial advantage, or for normal responsible sustainable farming practice. (Note that conservation measures have a recurrent cost, but an enhanced capital value).

Compensation should have a time limit - to be negotiated at the planning stage. Once a vegetation plan is established, then farmers would not be compensated for not clearing protected vegetation. History shows that a partial moratorium is necessary during the planning phase. This would be an adverse effect on production, but could be subject to regional planning committee consideration.

Other measures to remove constraints on farmers genuinely wishing to institute sustainable farming and conservation measures could include additional tax relief, debt deferment, and special subsidies that will ease the financial burden on conservation works, but without unduly benefitting commercial profit or capital value.

Education.

Continuing education for both the conservation and farming sectors would ease pressures all round. The conflict, lobbying and insecurity caused by ignorance and indeterminate policies is an expensive adverse effect. Farmers have little option in rating priorities - first pay the bills and meet the mortgage (immediate); then sustainable production (medium term); then environmental sustainability (long term). Conservationists need to understand this, and also to understand that the community lives off farm production and its economic flow-ons.

For their part, farmers need to really understand and accept the principles and long term benefits of biodiversity conservation and steps should be taken to build it into the culture of farming. Also that future generations are stakeholders in the land, and that maintenance of the health of the land and supporting environment are not solely the prerogative of the current occupier.

For farmers, and the community, we need an assessment of real costs and benefits. Farming has always been of doubtful sustainability - we have really been using up 'land capital': clearing vegetation, running down fertility, damaging water resources,

using subsidised irrigation resources, damaging the supporting environment, losing productive capacity to salinity, causing erosion and soil loss, creating downstream costs and future community expenses. An overall, if approximate audit of the real costs and benefits of the vegetation and conservation regime would put the emphasis, and the dollar, where it should be.

Conservation volunteers.

Conservation volunteers are being used successfully in a range of national park and Landcare projects and could provide a resource to effectively tackle conservation issues on private land. Basically, unemployed people on social security payments contribute, in exchange, work for conservation. While farmers would not want to have to supervise young people of doubtful ability and incentive, there is no reason why the conservation volunteer project could not extend to conservation on farms. Properly trained and supervised groups of young people could tackle such things as weed control, streambank revegetation and fencing off sensitive areas.

Regional committees.

The key is self-regulation rather than regulation. Adverse effects could be minimised through the planning and administration of vegetation and biodiversity conservation being handled by regional committees. Landholders would need to be strongly represented but with members drawn from other stakeholder groups. There would need to be procedures for appeal and audit.

Trade-offs.

Farmers value their independence, but what is that today? Seasonal change, global markets, competition, international currency exchange rates, marketing contracts and loan conditions really give them little room to manoeuvre independently. To put it bluntly, if they are going to accept drought relief, flood relief, deisel rebates, conservation assistance, and other subsidies or financial assistance measures, they have to accept the trade-off. This trade-off would be compliance with approved biodiversity conservation measures.

Possibly, another incentive with beneficial effects could be for government to set aside a nominated percentage of direct or indirect taxes levied on farmers for a 'conservation pool' - not a new tax - rather like a proportion of petrol tax going for roadworks.

Another offset to correct the adverse effects of current legislation would be for government at all levels to ensure that all land (its own, national parks,) is properly managed and that it should not become a haven for pests, diseases and a fire hazard to neighbouring farmers.

Right to Farm legislation.

This has been dear to the hearts of farmers, as it would give them, within approved guidelines, the right to plan, work and take the profits of their enterprises without undue interference in management. It could be legislated, but should be tied to the principles of land stewardship, including vegetation and biodiversity conservation. This whole situation could be debated, agreed, planned and implemented. Once the

overall principles are established, then the right to farm would take place, without interference, within established parameters.

GENERAL COMMENTS

1. Excessive clearing will cause salinity. This is an undesirable fact borne out through countless examples and by science.
2. Short term financial reward and greed cannot be allowed to prevail over long term sound farming practices and environmental sustainability. One hundred years is a minute period of financial gain for the penalties the world, the nation and its people will suffer through land degradation. We will be damned by history and future generations. The consequences cannot be ignored nor compromised.
3. Agricultural practices are not suited to low rainfall areas prone to extended drought. These practices require extensive clearing to be viable, and access to reliable water. Inland flowing streams cannot sustain intense agricultural or pastoral practices as rainfall in the catchments is proven not to be reliable.
4. Water harvesting during high flow periods may overcome local needs but denies the necessary health and economic flow to lower reaches of a stream and simply transfers the problem. Inland flowing streams have provided the lifeblood to drier regions of our country for centuries through periodic flooding. To interfere would be most unwise.
5. Water held in the aquifer within the Artesian Basin has been wasted for years and is known to be seriously depleted. The quantity and quality of the water cannot sustain agricultural practices over time. It is not being replaced at the actual rate of extraction and is difficult to regulate.
6. Cotton appears to be a 'culprit crop' and seems to have been pursued in our drier regions for the wrong reasons. It requires flat lands which can be economically prepared however the yields are high given intensive management and reliable water. In addition the land was available and cheap. It was a good example of short term gain and poor regulation at the expense of future (and present) land degradation. The yields drop and the ventures fail as happened with cropping on marginal land in Western Australia and sheep farming above the ten inch line in South Australia.
7. The farming of cereal crops, and sugar to a lesser extent, on marginal lands and coastal fringes also has a responsibility for proper accountable land management on behalf of the people for whom they hold the land in trust.
8. It is well to remember that history shows none of us own any land in perpetuity. We are responsible for its integrity during our tenure. This is a concept that must be understood and accepted by all involved in land management.
9. Complex regulations, sometimes poorly understood and of questionable value, have created a lack of good will between farmers and non-resident conservationists. Historically there has always been conflict due to different agendas and ambitions. There is an urgent need to address this lack of trust through consultation, education and a genuine interest in each other's points of view. Without an improved level of trust the process cannot go forward. All must be prepared to listen not just wait for their turn to talk.
10. Farmers must be rewarded for good land management and farming practices through financial gain, perhaps taxation benefits or grants, and national recognition for excellence. There must be incentives and the wider community must bear the cost.

11. Don't permit intensive farming in those areas where financial viability is doubtful due to environmental constraints, development and running costs, climatic conditions and future market returns. Abandoned or poorly maintained ventures simply add to land degradation. The cost of repair is too excessive.

12. Don't ignore science. The Green House forecast warns, among other things, of the influence of tree clearing on future weather patterns.

13. Education. Landcare is a well accepted organisation at national level with a high farming interest and membership. We should further promote membership and use its corporate knowledge, influence and resources to educate all those involved in land management. We should encourage interest in Land for Wildlife and other regional environmental schemes and interest groups. We should try to be seen as 'all of one'.

14. The community, through tax perhaps, must accept a share of the cost of sustaining environmental values. User pays: the benefits of a healthy environment are for all to enjoy, all must be prepared to share the cost.

15. Farm Planning. Farmers should be encouraged to seek out education and the advice of others in how to best manage their properties to achieve higher yields through property planning. The corner stone of property planning is sustainability which accommodates environmental care.

16. Commonwealth schemes such as Envirofund, etc. and other state and government initiatives aimed at improving our natural environment must assess and fund programs on a longer term time frame. Funding a well intentioned application as 'one off' often does little for the long term improvement of the local environment. Continued lesser funding is essential for maintenance. Too much money is in fact wasted through poor or no follow up action. Closer scrutiny is necessary. On-farm ventures may provide a better environmental return for such funds if carefully selected and monitored.

17. Research should be continued into the use of waste water and off-stream water harvesting. Too much water is wasted.

Summary

The problem of good land management practices in balance with the Nation's responsibility to sustain our natural environment for future generations requires positive action now. There will be losers but the health of our environment must not deteriorate.

It seems that we are trying to accommodate everyone with short term policies and bureaucratic regulation of questionable value and equity based on political expediency. This matter must be above personal gain and politics. There has been little leadership and even less national direction which addresses long term environmental sustainability, the welfare of those trying to make a living from that same environment and the economic need to maintain a good national living standard. Politics simply get in the way and responses to problems are reactionary. There may be goodwill but no direction.

Farming, like any other limited resource livelihood, must be profit based but not at any expense. Farming must maintain a reasonable level of profitability to attract investment and opportunity as a career without the degradation of the source of that livelihood.

Clearly, many parts of our nation should not and cannot be intensively farmed. To deny this is to fly in the face of history and credible science.

All questionable land should be assessed on its capacity to sustain long term farming practices whilst providing a reasonable return to the farmer without unacceptable damage to agreed environmental values. Lands which cannot meet these criteria

should not be farmed but set aside, with proper compensation, as environmental reserves or National Parks. This may seem to be a simplistic, perhaps unpalatable, solution to what is seen to be a complex problem. Perhaps the assumption that it is a complex problem has in fact prevented positive action for too long. We can wait no longer.

Resumes of Some Contributors

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Has been Land Manager for Kokoda Barracks (formerly Land Warfare Centre), Canungra for the past 14 years. This involves maintaining sustainability of a 6000 ha live fire Army training area, in particular management of vegetation and biodiversity. Is a consultant in vegetation management. Is president of the local Landcare group and member of other regional forums and interest groups.

1969 Army. Mentioned in Despatches (MID). Distinguished service, South Vietnam.

1984 Army. Member of the Order of Australia (AM). Leadership training and personnel management.

1988 Army. Chief of the General Staff (CES) commendation. Training and conduct of a major international exercise.

1990 Lions International. Melvin Jones Fellow. Community service.

2001 Australia Day medallion. Land Management.

Michael John Russell born 1932
Spent 7 years with CSIRO Div. Tropical Pastures, 7 years lecturing at Queensland Agricultural College, 18 years lecturing at University of Southern Queensland, now retired.

Qualifications: NDA (UK); BSc(Ag) Reading; DTA Uni W. Indies; MAgSc Uni. of Queensland

Published a number of scientific papers on pasture agronomy and coal mine spoil heap revegetation, and reports including:

Russell, M.J. et al (1992) Planning and Monitoring of Habitat Retention in Queensland. Final report of Endangered Species Project 39 submitted to The Director, Australian National Parks and Wildlife Service, Canberra.

Russell, M.J. (2001) Grasses and Humans; the story of human dependence on grasses and the science of grass use. Publ. Russell & Daughters, Nth. Tamborine, Qld. pp169. ISBN 0 646 411403.

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