



**TRANSCRIPT
OF PROCEEDINGS**

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PRODUCTIVITY COMMISSION

**DRAFT REPORT ON IMPACTS OF NATIVE VEGETATION AND
BIODIVERSITY REGULATIONS**

DR N. BYRON, Presiding Commissioner
DR B. FISHER, Associate Commissioner
PROF W. MUSGRAVE, Associate Commissioner

TRANSCRIPT OF PROCEEDINGS

AT MACKAY ON MONDAY, 2 FEBRUARY 2004, AT 9.30 AM

Continued from 20/8/03 in Moree

DR BYRON: Good morning, ladies and gentlemen. Thank you very much for coming to these public hearings on the draft report of the Productivity Commission's inquiry into the impacts of vegetation and biodiversity regulations. My name is Neil Byron, and I've been appointed as the Presiding Commissioner for this inquiry. My fellow Commissioners are Prof Warren Musgrave on my left and Dr Brian Fisher on my right.

The purpose of this round of hearings is to get some public feedback and scrutiny of the Commission's work, to get comments on our draft report and further suggestions on ways forward with this issue. Following today's hearings, we'll be having similar public hearings in Toowoomba tomorrow, then Sydney, then Dubbo and then all the way over to WA, Tasmania and so on over the rest of this month. We're getting input from people like yourselves in all these locations. We are working towards completing a final report to go to the government by no later than 14 April, having considered all the evidence that's been presented in hearings like this and in written submissions, as well as some other informal discussions that we have and some field trips we've been on and so on.

Participants to this inquiry, like yourselves, do receive a copy of the final report once it's released by the Commonwealth government. They control the release of the final report, not us. Normally, they will release a Commission report within 25 sitting days of the day we give it to them. As soon as the Commonwealth government says it's okay to publicly release it, copies will be mailed out to all participants.

We always like to conduct hearings like this in a pretty informal manner, but we do take a transcript for the record, so we do have a formal copy of the evidence that we receive. Because of that, it's not really helpful if we get comments from the floor, but if anybody in the audience wants to speak we always give the opportunity for anybody to come forward. If people who have already spoken think of something they forgot to say and want to come back again - everybody gets an opportunity to say whatever it is they want to say on the record during the day.

Nobody is required to take an oath, but the Productivity Commission Act says that people are supposed to be truthful in giving their remarks. Everybody is free to comment on any issues that we've raised in the draft report or issues that have been raised in submissions that have been received from other people, whether you want to agree with them or disagree with them.

We'll send the sections of the transcript that concern today's evidence to the people who've given that evidence, so that they can check that we haven't misinterpreted or left out a little word like "not" that, your know, changes the meaning quite considerably. There will be a little bit of follow-up activity to make

sure that we've got an accurate record of the evidence you've given us here today. I think that covers most of the preliminaries.

I'd now like to welcome the first speakers - the first evidence we're getting this morning - the gentlemen from Canegrowers. If you could each introduce yourselves in your own voice for the transcript, so that the transcribers will recognise the two voices, and just summarise whatever it is you want to say on the record and then we'll have a question and answer session after that, if that's okay. Thanks very much, gentlemen.

MR ASHBURNER: Bern Ashburner from Canegrowers.

MR REEDMAN: Rod Reedman, canefarmer, from Pindi Pindi.

MR ASHBURNER: Do you want us to go ahead and summarise?

DR BYRON: Yes.

MR ASHBURNER: I think what we've got really is - they were put forward as case studies in a study done in Mackay on the effects of the Vegetation Management Act in Queensland. The issue is how it affects the individual as opposed to the industry or the community, particularly as far as cane is concerned, which is obviously quite a mature industry here. I think that's really what we've got - some case studies - and Mr Reedman has definitely got his circumstances, which I think he would like to have the opportunity to say some things about. Then, if it's all right, I'll go through - unfortunately, the other two case studies - they're very happy and I've got the names who - I think they were anonymous in the study.

DR BYRON: Yes.

MR ASHBURNER: They are no longer anonymous, and I'm happy to go through a summary of that afterwards.

DR BYRON: We have, of course, read the written submission that you put in, so that's already on the public record. We can save ourselves some time and effort. You don't need to read it all into the transcript again, because we've already got that. If you can just sort of summarise it, then we can discuss it, as well as getting a good feel for how it's affected Mr Reedman and the other people. Any ideas that you two gentlemen might have on how we go forward from here - we're getting a pretty good idea of what the problems are, but fixing them is what the challenge is going to be. Sorry, I didn't mean to put you off your stride there.

MR ASHBURNER: No, that's fine. I'm happy to summarise just briefly what

they're about, and I think the bottom line is that it's the marginal land in all cases. It's on existing farms that have a portion that can now no longer be cleared, and it's the marginal value of that to the individual concerned. It might be subtly different in different circumstances. That's the big issue: they've lost the marginal value of that, albeit because they would have developed it or will develop it into the future or the sale value is unknown, and the value to them is not necessarily the market value; it's the marginal value in their hands as to what they could have done with it. I think that's the point we've tried to make there. I don't think that's unique. I think that's come through in your draft report, quite strongly in places.

In Mr Randall's case, there are other affected areas. It happens to be that his endangered vegetation is right in the middle of where he would have developed, so that prevents development of the other area into logical field sizes and to make it an economic unit. The other major issue or concern of the growers certainly - I think all three of them - is the cost of managing it. They see that not as an asset to them as individual landowners but as a liability. It's going to have a cost of managing. Whether that comes under duty of care is always debateable and the definition of "duty of care" is subtly different in different legislation, I understand. That is an issue and certainly the issue of harbouring pests - wild pigs, for instance - is a concern and a potential cost to the landowner of land that he has no longer any economic benefit from.

I think the issue comes down to the fact that that's directly been taken away from them and there's no compensation or anything on the horizon. I shouldn't use that word, because it frightens everyone, I think, but there's no recompense to them. There's no help to them to understand that, for what is essentially the public benefit. I think that summarises really what's in the - and the case study has got some detailed numbers of that.

MR REEDMAN: If the Commission would like, I'd just like to run through the story on what's happened to me. A few years ago - 99 or 2000 - the industry started to look a bit tight. I had two parcels of land, one the home farm and another detached portion about eight K's away. To ensure that I got through the tough times better, I sold the detached portion, because I had plenty of land to expand on on the home farm - well, I did at that stage. Six months later this legislation dropped on me, which completely ruined that.

I don't know if you can see that, but the pink section here is the trees and my farm sort of takes up that, so it's half of the farm. It's half of the area that I own. As well as that, to find out how this - this is a map that I had to purchase. I found out via a radio announcement that there were people with property in the area or in the state that should buy one of these maps and find out if your property was affected by this Vegetation Management Act. The fellow that I usually get to do my clearing

said to me before I was able to get the map, "I think your area is involved," and he said, "It's right around that middle piece that pokes in there." He said, "It couldn't be anywhere else," so I had to buy a map and found out.

To this day, I still haven't got a letter from any department - any person in any place of authority - to tell me or to explain to me what has happened, how it happened, how I was to be involved or talk about how we could do anything. To me, I've had half of my farm stolen away from me, with no explanation, and I'm quite bitter about it. I think I have a right to be bitter about it. Anybody who had the same thing done to them, I'm sure, would have some sort of feelings like that.

I can't get over the unfairness. Before the legislation came out, there was plenty of talk about tree clearing on leasehold land. That's all that was ever talked about until the legislation dropped out and it was tree clearing on freehold land. That made a hell of a difference, but in the area around my farm there was more clearing done in the 12 months prior to the legislation coming out than there would ever have been if the legislation hadn't been in the wind. So I believe that the legislation has caused more clearing than it's saved.

Of course, that's 2000 or something and I have had no contact. I have had no talk to anybody. There has not been any indication of compensation, except for Mr Beattie the other day coming out and saying that this pittance of an amount of money that they've got is definitely going through if we re-elect him. Those sorts of promises aren't good enough. I need something that now enables me to plan what I'm going to do for the rest of my life. This block of land was my superannuation policy. That was going to be worth something to sell when I retired, and now it's worth nothing. To sell it now - I don't even know how to discuss the trees on it, because I don't know what the future idea of anybody is as to whether it's worth something, whether it's not worth anything, and it's stuck right in the middle of my total farm.

I would certainly like some sort of compensation. First of all, I'd like some contact with somebody to explain to me why and how. I might think of something else as I go along, but they're the main sorts of things. I believe that if the government or the people want these trees, then somebody should pay me for them and I shouldn't have to look after them for the community for nothing. Well, it should be better than that. To me, I need to be compensated.

There are a couple of ways that, as far as I'm concerned, they could have gone about it. They could have gone to all the farms in the area that have no trees on them and said, well, if they want 15 per cent overall or 20 per cent overall, "You guys revegetate and Rod can clear his till he's down to 20 per cent." That, to me, would have been fair, but it would have been suicidal to any government that brought in

that sort of legislation. Another way that they could have done it nicely would be to come to me and say, "Mr Reedman, your property is going to be involved with this. Part of it is involved. What would you like to do? We could buy the whole property off you and sell you back the other bit or sell the useable bit to the neighbours." It would all still be in production, but I wouldn't be sitting on my backside with no means or no knowledge of what I can do with this block of land. I'd like to stop there and maybe bring up something later on, if possible.

DR BYRON: Thank you very much. There are a couple of issues, at least, that come out of that. Do either of you know if there have been any sales at all in this area of land with vegetation on it that's been classified pink or of concern? Has anybody bought or sold any of that that you're aware of?

MR ASHBURNER: No. At the time of doing the study, we didn't find - that was two years ago, but there was none at that stage. I'm not sure since then.

DR BYRON: I'm not sure who the buyer would be, given that you can't actually use it.

MR ASHBURNER: Yes.

MR REEDMAN: There are probably quite a few of us who'd like to be able to sell but, as I say, how do you explain that block of land and why would somebody buy it for nothing to be a nuisance?

MR ASHBURNER: I've no doubt there might be a little niche market that would take some of the land. You might get someone who's prepared to pay and finds a value in living with bush around them or whatever it is, but I wouldn't say, in the scale of land that's available, that there would be that many people willing to - in this area anyway, but that's just a gut feel.

DR BYRON: There's been no indication or no discussion at all about how that land is supposed to be managed in the future or who's going to manage it and who's going to pay for the management of it? Unless and until you put in an application to clear it, everything just stays sort of under the table?

MR REEDMAN: Evidently, yes. I don't know, but it looks that way. I don't know what happens after that. I've got a letter to say - as I mentioned to you beforehand, I underhandedly got the - I can't think of what classification these girls were, but they were with the DNR and they were the people who checked the biodiversity on the place. They came and checked my place out on the way back from another job, because I was fairly vocal about it and I was jumping up and down. They shouldn't have done it unless there was an application for clearing, but they did do it and I got

a letter back from one of the girls - and she's a graduate whatever it was - to say that, yes, the land is classified as it's supposed to be and that although I wouldn't be able to - you know, I could do what I liked, but that's the way it is. They said that if it was pink and it was classified correctly, then it was a no-touch zone. That's the only communication I've had with anybody really to tell me or to explain to me anything.

DR BYRON: So basically you're expected to continue to be responsible for controlling feral animals and weeds and pay rates on it - - -

MR REEDMAN: I imagine so, yes.

DR BYRON: - - - indefinitely into the future, but with little prospect of ever being able to use it for anything.

MR REEDMAN: But I haven't got that officially.

DR BYRON: No.

MR REEDMAN: Nobody seems prepared to officially tell me what it's actually doing. This is what you guys are probably going to have to find out - that this is the way it's been. It's just been sitting there for two or three years now, and nobody is prepared to come out and do anything about it or to clear it up.

MS: (indistinct)

DR BYRON: Hang on, sorry. In the introduction I explained that for the transcript we can only take evidence, but I'll come back to you later and you'll get a chance to come and explain, if you don't mind, and then you'll be on the record. Sorry, were you in the middle of saying something?

MR REEDMAN: No, I don't think so. I think I'd just finished saying that that's the way - you know, there's no indication, there's no officialdom, there's no notification that I can sort of come to you and say, "Well, look, I can't use that block of land because this letter, which comes from the Prime Minister or from whoever, explains to me that it can't be done and I'm going to be given a bit of land somewhere else to use instead of it," or something. There's not even a communication to say, "Sorry, tough luck, you can't use it."

DR BYRON: In terms of possible ways forward from this situation, the sorts of things that we've talked about in other places are, you know, the government could come along and buy all these bits of land that the government considers to be of high conservation value, in the public interest. That creates all sorts of management problems if you've got little 40 or 50-acre - you know, pocket handkerchief -

mini-national parks studded all around the landscape. Presumably, it would create a bit of an operational problem for you on your canefarm if a big hole in the middle of it belonged to the government.

MR REEDMAN: That would be a problem.

DR BYRON: In other places, they've talked about governments negotiating voluntary agreements with the landowners - conservation covenants or easements; different names - heritage contracts. I think Queensland National Parks has had a mechanism where they'd pay someone \$10,000 if you put a conservation right on the title of your property. From the submission, I understand that you wouldn't be too keen to retain that land and be paid to manage it for conservation purposes. Could you just explore the pros and cons of that sort of arrangement? I understand you're a canefarmer, not a biodiversity manager, for a start.

MR REEDMAN: Yes, but I would imagine that you'd also be expected to manage it for nothing. I know we've got the government's - idea of paying somebody to do something like that unless you're a qualified park ranger or something, but the whole thing is we're expected to do it for nothing now, so anything would be an improvement. I'm getting nothing for the land, it's worth nothing, I'm paying rates on it, and I've got to look after it now. If the government decided that they were going to pay me to look after it, as I say, that would be better than the situation now. Also, they'd have to talk to me to be able to do it and I'd have to be able to find out something that was going on.

DR BYRON: In other places, any land that's been set aside like that is automatically exempt from rates, because it's for public purposes, even though you still own it. I presume that that would give you a bit of partial relief at least.

MR REEDMAN: The biggest problem though is that my plans were to expand onto that land and that it be productive land. That's taken away from me. I can't increase my production. It just so happens since then the sugar industry hasn't gone real well either, but that was not a causal thing of this actual Vegetation Management Act problem.

DR BYRON: If you'd been able to sell that land at its market value beforehand, you could have then gone and bought some other green cane land.

MR REEDMAN: I could have moved some of it, yes, or else I could have gone and bought a shed or something or done something else. I could have moved my life or done whatever but it's just stopped me from - if I could just sell the place for a reasonable price now I'd be happy, but what's a reasonable price for a block with trees in the middle of it? They don't really want to look at it, do they?

PROF MUSGRAVE: The women from the DNR that you spoke to and then the one that wrote you a letter, was there any explanation that they were able to provide as to the basis for your land being pinked?

MR REEDMAN: Yes, because it had growing on it what the map said it had growing on it. That was it. There was no, "This piece of land has been picked out as being special," other than "This piece of land has been picked out because it has these sort of trees on it." That floored me a bit because those sort of trees are the same sort of trees that are growing around everywhere, or were growing around everywhere until everybody knocked them over, I suppose. Yes. That was all they had to do - was to tell me that the category that the piece of land B11.4, or whatever it is, meant that they were endangered species of trees.

No matter how much I jumped up and down that was the end of it. If they had been classified incorrectly then maybe - I don't know whether she would have done anything more for me, or what. She mentioned that I might be able to get on to the Greenies or somebody else and get into a partnership with them and have this lovely bit of stuff there that was going to cost me an arm and a leg to keep going. I'd be a good citizen in the district in putting it up for everybody but I can't afford to do that. Getting back to your question, they must have done it by satellite. I don't know. I really don't know how the hell they did it but she came around to check it.

PROF MUSGRAVE: The thing is that she was able to respond in quite specific terms.

MR REEDMAN: I drove them round so I was with them the day that they checked it. As we were going along they're reading the book and saying, "Yes, there's those trees and those trees and those trees," and at the end they just said, "That's what it's classified as and that's why it's pink."

PROF MUSGRAVE: Were they able to give some indication of some sort of targets or objectives for native vegetation management in your locality that they can relate the quarantining of your land to?

MR REEDMAN: No, not really. I don't think I was all that interested in talking about the area. I was talking about my little block of land that was the only piece in the district of any size that was classified as pink. As I said, there were not that many more trees. These trees that we're talking about are in agricultural land. They are surrounded by agricultural land. The same sort of trees are growing by the millions on the mountains and the hills just behind us, but they're not pinked, but nobody is going to want to clear them because they are a 45-degree hill. It's only the trees, and this is what makes it so hard for me to understand why they need my little

block of trees - actually it's a fair-sized block of trees - when there are so many growing on the hills that aren't going to be cut down.

PROF MUSGRAVE: They couldn't provide any explanation of that?

MR REEDMAN: No. They just said that's the legislation and that's all they're doing. They're only doing their job.

PROF MUSGRAVE: Of course. Yes.

MR REEDMAN: I have to accept that.

PROF MUSGRAVE: So you're a fairly isolated instance in that locality. There are not many other people who have been affected in this way?

MR REEDMAN: No, and all the other farmers in the area are quite happy that I am, I think. That seems to be the way it is. You don't rock the boat. If you miss out on copping something then everybody shuts up.

PROF MUSGRAVE: Yes, tough.

MR REEDMAN: Nobody really wants to help me because I'm lucky enough to have had the only block of trees in the area. The Canegrowers have got a few of us in the same boat together and put in a submission, which I'm thankful for, but you guys are the first guys that I've been able to speak to about this on a personal level, to find out or to do anything about it.

PROF MUSGRAVE: There was no-one in a regional or local office of a relevant agency that you could talk to and berate?

MR REEDMAN: There probably would have been if I was prepared to pay \$250 to get someone to talk to me. I didn't instigate this. I'm a person that's having this done to me. I would have expected somebody with enough manners to contact me.

PROF MUSGRAVE: Indeed. I understand that point quite well. Thanks very much.

DR FISHER: In the written documentation you talk about the parameters that you've used to do some of these computations and some of the economic analysis and I think you say something to the effect that the numbers - for example, I presume, for the price of sugar - are a bit different from the current price. Can you just give me an indication of the approximate price of sugar that you've used in here to do these calculations?

MR ASHBURNER: I think in the main submission the exact price is there. I'll look it up. By memory I think it was \$300 a tonne - \$306 a tonne, which was the average of the previous five years, just a straight average. At any stage it is very uncertain as to what it is. I think the year after this it was 276, so at the moment it is looking substantially worse than that. That is something that will obviously vary with cycles and timing.

DR FISHER: Mr Reedman, I take it that you are faced with a difficult situation with respect to the viability of your farm. Is that correct?

MR REEDMAN: I am, yes, at this stage.

DR FISHER: At current sugar prices, would it be fair to say that you are probably unviable? Would that be a reasonable presumption?

MR REEDMAN: At the current sugar prices, yes. There are not too many canefarmers in Queensland that would be viable at the current sugar prices.

DR FISHER: Now, given your current circumstances, what sort of options do you actually have, do you think?

MR REEDMAN: The only option I have, I suppose, is to sell the property.

DR FISHER: Is it possible to sell the property in its current state?

MR REEDMAN: I don't believe so.

DR FISHER: In your case, there's 91 hectares that's of concern. Is that the number? Is that the size of the block we're talking about, the pink block?

MR REEDMAN: My block is about 130.

DR FISHER: 130, okay.

MR REEDMAN: I've got 270 hectares of property and about half of it has been pinked, yes. I wouldn't have been able to clear all that, any way, because if it was a 20 per cent vegetation I could only have gone back to there, but it's about 120 or 130 hectares in the block.

DR FISHER: Okay, sorry. So there's 130 hectares in the block and you potentially would have been able to use about 90 for cane.

MR REEDMAN That's what the mapping showed us, yes.

DR FISHER: If you were to sell this property, is it possible under the current local planning arrangements to break up the block so that you can sell various bits of it to your neighbours? Is that a possibility or do you have to sell it in one lump?

MR REEDMAN: I imagine that if you wanted to break it up - the farm is 60 kilometres north of here. It's halfway between here and Proserpine. I don't know that there would be any problem with breaking it up. I run it as two parts of a farm because one part of the farm is on road transport and the other part is on rail transport, so I could split the production part of it up and sell it as two different parts, if required.

MR ASHBURNER: I think the point is that yes, there are ways of selling the existing cane land within the local regulations, whether you sell portions to neighbours or you can sell it as one unit. Unfortunately it's probably just on the borderline of being a viable unit, given reasonable prices. Obviously, the industry prices have been relatively low, but it doesn't, I don't think, change the fact that to anybody buying it as a canefarm, that pink area has no value or a negative value almost.

DR FISHER: Yes. I was more trying to get to the question about what the property would be worth if splitting it up and selling it to the neighbours - and I'm not suggesting that you would necessarily want to do that. If that was the approach, I'm trying to get to the point where we could work out - let's say that you did that, hypothetically, then what would the value of that land be under those circumstances, to give us some idea about the consequences of having this centrepiece being declared as pink? In other words, this is just another way of getting at the value of or the consequences of what has happened to the property.

MR ASHBURNER: You want to get an idea of the current market value selling it to best advantage.

DR FISHER: Exactly. Is it possible for us to get some estimate of that number, do you think? Is that an easy or a hard thing to do?

MR REEDMAN: I think it would be fairly difficult actually, right now. There are a lot of canefarms up for sale and no sales, because of the state of the industry right now.

DR FISHER: So the industry currently is so depressed that there is virtually no cane land changing hands?

MR ASHBURNER: No, that's not necessarily correct. There is land changing hands. It depends where it is, what it is. If it's vaguely marginal, of course, it's not going to and I don't know how this would be viewed by prospective buyers but the neighbours probably wouldn't view it as marginal. There probably would be a market value. I'm battling in my mind to put a number to it. I don't think I can. You know, if you're selling a small piece to a neighbour, that's your best chance of finding a value and that's where farms are selling - is someone adding a marginal piece to his existing farm. It is happening, even under current conditions.

DR FISHER: Mr Reedman, how much land do you believe at current prices you would need to farm to be viable, or are current prices so depressed that it's a bit hard for you to make that judgment?

MR REEDMAN: As I said before, at the current prices I don't think anybody is viable - current prices and the current weather conditions. I probably should throw that in. I don't think there's anybody that's viable at this stage. Mr Beattie's little comment on the radio the other day, on TV, that it's a waste of time any of us staying in the sugar industry because we're all going to go broke and the only place that's going to survive is the Burdekin, and he said that for everybody to hear on there. That's not real nice to hear from something like some - in a situation like that, but right now, no. You could have a thousand acres but you couldn't do the work efficiently enough to make anything out of the crop.

MR ASHBURNER: I think you've got to take that in the context of the fact that we've just had two exceptional droughts. They were exceptional in terms of exceptional circumstances but they say the income didn't go down. That's a different issue. So the productivity has been low as well as the price. Under those circumstances I think the industry as a whole in the local region will have gone backwards but I think, given the right weather conditions and return to productivity, at the current price there would be an element of viability and it would return some value to the land. I think that's possible, given a reasonable yield.

DR BYRON: I guess the thing I'd just like to confirm - nobody has said to you that this particular patch of land is the only patch of land of that type of forest within 100 kilometres of here or within this region or anything like that?

MR REEDMAN: No.

DR BYRON: So nobody has said it's particularly scarce but they have confirmed that it is the type that the map says it is.

MR REEDMAN: Mm.

DR BYRON: You don't know whether it's the only place in the world where that species grows or - - -

MR REEDMAN: No. It hasn't got growth on it that you don't find anywhere else. It's normal every day trees for that area. There's nothing special on it but the trees that are there are classified as endangered. Well, I don't know whether it's the trees that are there but they say that the biodiversity is endangered. As I said, I haven't spoken to anybody. I haven't had anybody come and see me or anything so I can't really - all I can do is say the legislation says if you buy this map and it's pink on it you can't use it. I haven't done anything with it.

DR BYRON: Do you know if it's old growth or regrowth?

MR REEDMAN: No, it's old growth, most of it. Years ago they ran cattle in there so it had probably been thinned. I've been on the farm for 20 years and it would be probably a few years before that that they'd run cattle through there. So it's 20-year-old stuff. It's pretty hard to tell whether it's three-quarters grown or fully grown. There is some regrowth on it but little stuff - it's just coming through - and it's getting to be as thick as anything and be absolutely worthless if something is not done. This is what is going to happen with these sorts of blocks. They'll just overgrow and they will be useful for nothing.

PROF MUSGRAVE: I think this one is one for you, Bernie, if you do have an answer and that is, have you got any specific comments on our draft report, or have you heard any? Can you give us any feedback? Of course, Rod, if you've got something to say about it - - -

MR ASHBURNER: No. I think the comment I have - it does seem to capture these particular problems. I think those are in there and certainly in the findings, the recommendations. I don't think it says specifically compensation but it alludes to it fairly strongly in places, if I'm not mistaken. I can't remember quite what it says there but, you know, I think it covers in your findings very much what we are talking about. I don't think there is anything new that we've added to that.

PROF MUSGRAVE: In the draft report we suggest that perhaps we would have a more effective regulatory scene if we had more regional planning and more empowerment of regional groups in planning and decision-making. Would you agree with that? I think it's particularly appropriate in your situation because, as you say, you were the bunny in the region. Have you got any comment on that sort of thinking?

MR ASHBURNER: Yes, I think so. I don't think the regional vegetation management plans have been rolled out. I think you mentioned a whole heap have

been done in the state but haven't actually been rolled out or been anything, so there was some local element in those; but they are just really following what - - -

PROF MUSGRAVE: What came from the top.

MR ASHBURNER: - - - various legislation has told them to do and a few local flavours to it. There's nothing at a very ground level, and I agree that that needs to be addressed in some way so that there's good communication between them. The problem and the reason DNR were kind enough to come and do something was that it saved Mr Reedman putting in his formal application to clear, when simply by looking at it they could say, "Yes. It is what the map says it is," as you know. So that's what they were doing. They weren't there trying to communicate it and give follow-up on anything formal so they were kind enough to actually do that for growers, to say, "Yes. It is regrowth. The map is wrong. Let's go and look at it," or, "No. It's not regrowth. It is what the map says it is." So it was really a verification of the map accuracy.

DR BYRON: Are there any other suggestions, comments? Anything else you want to say? We have heard the points you've made loud and clear. If there is any concluding comment you would like to make - - -

MR ASHBURNER: The only thing is obviously the flow-on effect from these areas affects the miller and the community as well, maybe not in a context that's going to put them out of business or change the nature of the town, but they obviously do have those effects in terms of the economics, on the money side. The benefit, of course, is that we maintain the biodiversity of the town.

DR BYRON: Good. Thank you both very much for coming.

MR ASHBURNER: Thank you very much for listening.

DR BYRON: While we're on this subject maybe the lady who wanted to make a comment could you come up and make the comment into the microphone and then we've got it on the record please.

MS HEIT: I don't know whether to or not. I just wanted to make a comment that - - -

DR BYRON: Sorry, the microphones, and could you just give us your name too, please.

MS HEIT: Yes, Sandy Heit. I just wanted to make the comment that the regional body is actually looking into environmental services - paying for environmental services at this stage. It's not advanced by any means but they're certainly looking into it, doing a lot of work on it, and I've been involved with a couple of other people that are here today. So there is a future for that; people being actually paid to look after the environmental service that you're providing, such as carbon credits or water quality or habitat for a particular or threatened species. That will happen in the future but how far down the track I don't know, but that definitely will happen.

MS: (indistinct)

DR BYRON: Sorry. I'd love to have a conversation about this but we need to get the stuff on the record and we can't do that if we don't use the microphones. You're talking about the new regional NRM groups that are set up under the NHT2 and the National Action Plan for Water Quality and Salinity.

MS HEIT: That's right.

DR BYRON: Which regional NRM group is that?

MS HEIT: I'm with Mackay Whitsunday.

DR BYRON: Mackay Whitsunday.

MS HEIT: We're doing a lot of work on that at this stage. We can't really say when it's going to actually be rolled out or how much money will be put into it or anything. I'm not in a position to actually say that. I work for them but I'm not their coordinator or anything. But that is certainly something for Mr Reedman to look into himself if he would like to find out a little bit more about it.

DR BYRON: That's really helpful to know that those sorts of possibilities are in the pipeline.

MS HEIT: I certainly feel for Mr Reedman and I do understand. I work with a lot of land-holders and I understand the restrictions that they're under. Also I'd just like to comment to Mr Reedman that you can actually go to Natural Resources and Mines and they will explain about the maps to you, and the EPA will also explain to you. I know it's hard to tie them down sometimes; it's a little bit difficult because there's only, say, two of them working in this region. There's also nature refuges. Are you in the Mackay City Council area?

MR REEDMAN: Yes.

MS HEIT: You are. There's a program by EPA and Queensland Parks and Wildlife Service called a nature refuge program where you actually get a tax rebate. Mackay City Council is the only area in our region that actually does that at this stage, but that's something to look forward to. You can get quite a substantial rate rebate on that area of your land, but you have to put a covenant over it. That's the catch, I dare say. But that's about all I can say.

DR BYRON: That's very interesting.

PROF MUSGRAVE: I don't want to be aggressive - I know this sounds a bit aggressive, but why hasn't Mr Reedman been told about this? It seems unfortunate that here is a person in a locality seemingly about the only person in the locality who has been devastated by a regulatory action - there are some things that exist which could soften the blow but somehow he just doesn't know anything about them. There is no machinery which would couple that advice with the rather nasty advice that he inevitably received.

MS HEIT: I certainly understand that. I think our education process has a long way to go. We really do need to do a lot more to explain all these sorts of processes. As far as the environmental services program goes it's too early in the production stage of that for us to actually go out and talk to the land-holders about it yet.

PROF MUSGRAVE: Yes, of course. I understand that.

MS HEIT: Yes, but as far as the nature refuge one goes, that really is an education thing too - we need to talk to more land-holders about it.

PROF MUSGRAVE: Yes. Now, the natural resource management group, is that largely made up of agency people?

MS HEIT: Yes, it is. It's all stakeholder groups.

PROF MUSGRAVE: There's no community representation?

MS HEIT: There is community as well.

PROF MUSGRAVE: There is?

MS HEIT: Yes. It's local ICM groups, there's industry, there's local government, the local conservation groups. It's very very integrated, I think, personally.

PROF MUSGRAVE: Okay.

DR BYRON: That's terrific. Thank you very much for coming forward and straightening things out on that.

DR BYRON: Thank you very much, Marie. If you would just like to sit down and make yourself comfortable; settle in, and then if you can just give your name and affiliations for the transcript.

MS VITELLI: Okay.

DR BYRON: We've got your submission. It's very interesting and we look forward to hearing more about it from you.

MS VITELLI: Thank you. Just before that map - I'll just put those maps up in front of you because you most probably can't see that map from up there. It's the same map as that. My name's Marie Vitelli. I'm a Landcare coordinator with the Dalrymple Landcare Committee based in Charters Towers. The Dalrymple Landcare Committee is an umbrella organisation to about 20 Landcare groups throughout Dalrymple Shire. That's my background. I suppose I've enjoyed the opportunity to come today and also to be able to talk to the Productivity Commission about a scenario that we are facing in our neck of the woods, which is in the Burdekin catchment, Dalrymple Shire.

Within the Dalrymple Shire we've got a subcatchment called the Cape River catchment. It's about 2.1 million hectares. It's an area to the west of Charters Towers and south of Charters Towers, and it's the drainage system for the Cape and Campaspe River. I think the scenario we're facing is not just for that area. It faces anyone, most probably, trying to do woody weed management where you've got woody weeds in amongst native trees. Our scenario is that we're finding that veg management regulations are really impeding getting ahead and doing that woody weed management.

In that area of Dalrymple Shire, the SLATs, or State Land and Trees Report, has indicated we've got about 84 per cent of natural woodland in that area. So it's not as though we're highly cleared, but what we want to do is to get on and do some woody weed management. With Landcare committees we've been successful in securing some funding. We have a .56 million dollars of Federal and State government money. That's under Weeds of National Significance in the federal and also state initiative which is called the Burdekin Rangelands Reef Initiative.

We match that with about one and a quarter million of land-holder and other in-kind contributions, and that's just working on Parkinsonia management in this Cape River catchment. The Parkinsonia has potential to invade a lot of Australia, and that's been identified through pest assessment reports. We've only got a little bit there and it's at the time when you can get on top of it and control it, and the most economical time to do it. We've worked in with CSIRO. They have

done an aerial survey. We have worked in with the shire, and generated maps to show where Parkinsonia occurs across the catchment.

It might be a bit hard to see on the map but there a few little green dots in the upper part of the catchment going down to more of a denser area along the river systems down here. Parkinsonia mainly occurs along the alluvial or flood plain areas. For the scattered areas in the top part of the catchment we mainly used basal bark spraying, going out individually treating each plant. That's okay for scattered infestations, but best practice research, and just knowledge and experience has shown for doing the more medium to denser areas, the best practice is either soil-applied herbicide which is Graslan or Velpar or using mechanical control such as either a bladeplough or Ellrott plough have shown the best mortality rate. That's through the Tropical Weeds Research Centre which is part of the Department of Natural Resources and Mines.

Although control of noxious weeds is exempt under the veg management regulations for Queensland, because we have 14 properties wanting to use Graslan in that area they have to apply for a permit, a tree clearing permit because there is that slight risk or a risk that you could take out a native tree, because when you hand-apply Graslan you put it on the root zone of the Parkinsonia but meanwhile if there is a native tree with roots coming over into that area there could be uptake by a native tree.

We have time and cost of applying for these permits and the time delays in getting a response to these permits. We've had two batches of seven applications go in. The first lot took over four months. We've another lot in at the moment of seven properties and it's four months and we still have had no response. When the veg management officers often come out and inspect the areas, there's slight inaccuracies in the maps they're working off as to some vegetation types on those maps.

Also it's a very small area of treatment. For example, this last seven applications, we only want to hand-apply Graslan to most probably an area of about 1600 hectares of Parkinsonia, if you could put it all together in one area. That 1600-hectares of Parkinsonia is scattered over 40,000 hectares of native vegetation. So it's only 4 per cent of the area, but because the veg management regulations and because we're saying it's scattered over this area, it triggers application processes as though you want to clear that whole 40,000 hectares. So that brings in the EPA. They look at the permits and tick off, and a whole lot of other steps have to go in for assessment of those applications, and that's some of the reason why it takes so long.

The first lot of permits that came back for use of Graslan, on seven properties there was strong regulations there for where it can be used. We find that there is a difference with the regulations that have come out under the permits as to what's on the label. On the label you can use Graslan up to 100 metres within a water course and you're not to use it on more than 11 degrees slope and all the other stipulations, but under veg management regulations these permits say we cannot use Graslan within 200 metres of a river. We can use it within 100 metres of a creek or minor gully, watercourse, but not 200 metres of a river. That 100 to 200 metre area is where some of our Parkinsonia is occurring in the bottom part of the catchment.

Graslan is preferred because it gives you that residual control of seedlings for two to three years, whereas if you use Access - if you do have the labour to go and treat these medium to dense infestations you do have a chance of resurgence of seedlings; the seedlings come up quite readily. So that's why Graslan is preferred in some of these areas where it's medium to dense infestations. We also wanted to trial another best practice technique which is an Ellrott plough. It's a front-mounted blade plough on a dozer; very manoeuvrable around the native trees. We had six properties lined up ready to go - \$10,000 of this funding we had from the government to trial it. In November of last year we had to postpone all that because veg management officers started to say, "Oh, we've got concern that you might damage the seedlings and saplings as you travel around the trees. You most probably require a thinning permit for this. We're concerned that if this machine comes in, the land-holders might want to try and use it over larger areas."

Our trial was just for the work on Parkinsonia. It would not take in other areas. For veg management, mechanical control is restricted in environmentally sensitive areas. We were concerned about the interpretation of what environmentally sensitive areas are, and we are not sure of that scope. This project has come to a halt. We've missed the best time to use the methods, if we would have had the permits. The last lot of permits were lodged in September; we're still waiting. It's best to put the Graslan on before the wet season because that minimises the chance of it moving across the landscape. If you've got wet soil and then you get more rain it can move but if you have dry soil it tends to dissolve the clay pellet and go straight in.

We've had 16 people from the weed spray teams stood down. The drought stopped them from doing some more of the basal bark spraying but they were to be putting the Graslan on the properties where we had the permits, but we had no permits and so they've been stood down. It affects the economics of the local community. We are paying vehicle lease fees for this project of \$2000 a month for two troop carriers that we can't use. We still have \$280,000 funding to use before June 2004 - that's when these two projects cease.

I suppose we're looming on potential failure to be able to deliver a catchment approach to weed management and that was the whole focus of this project, to work collectively with all the land-holders and take out this potentially invasive weed which is just on a fairly low level at the moment, and take it out of the catchment or contain it. Also it's a disincentive for the land-holders about weed management. They've nearly given up and prepared to live with the weeds. In other parts of the catchment a few land-holders are controlling the woody weeds such as chinee apple without applying for permits. It's either by choice they do this or possibly not aware that the regulations impact on weed control because weeds are exempted. It's a bit vague, you need to check with the veg management officer and it depends on their interpretation as to whether you require permits or not sometimes.

Our solutions, I think, are to look at simple guidelines for veg management officers and for land-holders to follow so it takes away this ambiguity of interpretation by the individual veg management officers and their background. Background influences a heck of a lot of how they see the Veg Management Act and how it should be implemented. We would like to see a better definition of these environmentally sensitive areas and I think we need to look at training the veg management officers so that they're aware of requirements under the other acts, like the Land Protection Act, which is that you must control class 2 weeds, of which Parkinsonia is one.

By controlling weeds you can increase biodiversity and also maintain those ecological processes which are part of the objectives of the veg management regulations because often it's best to have a diverse population of plants than a monoculture of weeds. Also we'd like to see label recommendations used for herbicides instead of an interpretation put on by veg management. For example, the Graslan and their interpretation of where it can be used. And quick processing of any necessary applications. The time lapse impinges on all programs and land-holders wanting to get on with weed management.

That's a summary or a background of where we're coming from. I think that this would impact on many other catchments, if land-holders are more aware of the impositions that Veg Management Acts can have on woody weed control.

DR BYRON: Thank you very much. It does sound like a very crazy sort of situation where people who want to control weeds and are required by law to control weeds are having obstacles put in their path. I'm still trying to understand the rationale for the concerns of the regional veg management officers. I probably

should ask them, but why do you think that they're so concerned about either the Graslan or the bladeplough?

MS VITELLI: Our experience with a few veg management officers is their background hasn't been linked to a productivity or a producer based background. What our community often sees is that trees are very important and we need our native vegetation and I think a lot of our media shows that we need all our trees and they have this interpretation that we must save every tree. I think they take it out of context. We've 86 per cent natural vegetation in our shire. We are not posing a threat to our native vegetation, even if we did lose a couple of plants. Okay, we can have maybe accidental death, but it would be a small amount. It won't affect the whole ecosystem or the ecology of those natural woodlands. I feel as though there is not that understanding there or willingness to come out and see the situation.

DR BYRON: Or not being able to see the big picture, that it may actually be necessary to lose a couple of individual native vegetation species in order to achieve the much bigger picture of getting rid of the Parkinsonia. You would probably have substantial biodiversity and habitat benefits anyway.

MS VITELLI: That's right. You would have a lot more biodiversity when you have a mixture of trees and forbs and grasses than when you have a monoculture or just a thicket of Parkinsonia, which can occur and has occurred. Central Queensland has large infestations of Parkinsonia. We don't want to go that way. We're at the stage where we have nearly lost the boat, I suppose, but we can really get on top of that weed in an economical sense and it is a high priority for the shire and their pest management planning process, but we find that there's just these impingements. For example, the Ellrott plough: you can manoeuvre around the native trees. If there's something in the grass profile that is a little native seedling and you might take it out but, meanwhile, you still have your native trees there, producing seed for years to come, which will replace that one little tree that might get taken out in the grasslands. Wouldn't it be best to get rid of Parkinsonia that's posing a bigger risk to your areas?

The other thing is, the perception that trees stop soil erosion. It's not that. Ground cover is the most important thing often for stopping soil erosion and often your grasses can hold the ground together a lot better and also filter a lot of sediment coming down from the catchment or from the land, but there is this idea that the trees control soil erosion and that is not always the case.

DR FISHER: Under the Land Protection Act what are the penalties for not controlling Parkinsonia and other enforced - - -

MS VITELLI: For most of the shires now there is a pest management plan process that's implemented by the local authorities. The Dalrymple Shire Council have prioritised which are the weeds of most importance to control. They have asked all land-holders to put in a three to five-year plan of what they plan to do so there is a gradual reduction of weeds. For things like Parkinsonia - which is a high-priority weed to control in the catchment - land-holders are to cooperate.

If, for example, with this catchment approach - if we have land-holders who are getting rid of it - there are a few land-holders not doing anything with that weed and they threaten infesting the other areas - the shire council then can go in and do an enter and clear on those properties. We do have the Dalrymple Shire Council backing the project. They're working in with us with this program and they're targeting Parkinsonia in other parts of the Dalrymple Shire and we're all doing it cooperatively at the moment and asking people's support to come on board but, down the track, if there are some properties that pose a threat of infesting other properties or posing a threat to the whole approach, there will be regulatory requirements under the Land Protection Act to do an enter and clear.

DR FISHER: But you seem to be telling us that the vegetation management arrangements have precedence over the Land Protection Act because effectively what has happened is that you're not controlling Parkinsonia because two or three officers have decided that you might do something accidental to some native tree somewhere. Is that correct?

MS VITELLI: At the moment, yes. The vegetation management regulations have taken precedence - we cannot proceed. I suppose the next step is going back and looking at what type of treatments can we use? Fire is still being researched. There are mixed results for fire. We don't know if it is going to be effective on Parkinsonia. Only certain seasons and certain types of fires seem to be effective. The other thing is going back and saying, "Well, the only possible treatment is basal bark spraying," which, once again, is going to be just cost-restrictive in these areas which are medium to dense infestations. At this stage I'm not sure when we pull back off the weed, or what the shire council will do in the long term to try and get on top of this weed.

DR FISHER: So what is the shire council doing with respect to resolving the issue with the Vegetation Management Act?

MS VITELLI: Weeds are the land-holders' responsibility. At the moment it's still the land-holders negotiating with Natural Resources and Mines to get those permits. We're trying to go through the right tracks. The shire has not

come and started to negotiate directly with the Department of Natural Resources and Mines at this stage, but there is a community committee which implements the pest management plan and they are fully aware of this situation.

DR FISHER: Which department administers the Lands Protection Act?

MS VITELLI: The Department of Natural Resources and Mines - the same one which implements the Veg Management Act.

DR FISHER: So why hasn't this issue been resolved internally, inside the same department?

MS VITELLI: Just recently I've been talking to Shane Campbell, who is the professional leader with the Tropical Weeds Research Centre and who is involved with all this because they are doing the best-practice research. He is also flagging it internally at a policy meeting within their department, so it is going up higher internally as a policy issue to be discussed.

DR FISHER: Okay, so there is a bit of a problem inside the department. Would that be your opinion?

MS VITELLI: Yes. It's how the two acts are to be implemented and how they relate. I think the veg management officers need to know what's happening with the Land Protection Act and vice versa.

DR FISHER: What is the source of the funds that are being wasted on these troop carriers that you can no longer utilise?

MS VITELLI: That is predominantly Weeds of National Significance funding, which has come as an arm of Natural Heritage Trust funding.

DR FISHER: So Commonwealth moneys are effectively being wasted as a consequence of lack of coordination inside a state department. Is that effectively what is occurring?

MS VITELLI: The project originally started with taking a lease on these troop carriers to move the weed spray teams around. I mean, you thought that things would keep going on a continual basis. We never envisaged that we'd have these problems as we travelled down the track, so, yes, I suppose there is currently money wasted. We are committed to paying those leasehold lease payments. We cannot use them because we cannot use the weed spray teams because there is no work that can be happening at the moment, so we are in a bit of a lull until those teams will

start up again. We are starting teams up again in March-April because there is some more basal bark spraying they can do. The drought and also not being able to continue with the Graslan application has led to those teams being stood down.

DR FISHER: Thank you.

PROF MUSGRAVE: Marie, once again we have a situation where there is no clear rationalisation of broad-scale objective vegetation management at the local level. It's a blanket sort of thing - one size fits all - and the vegetation management officers are implementing that. There's no regional input to the decisions of these officers, apart from any possible influence that the shire council can exert?

MS VITELLI: We've had the Department of Primary Industries extension officers trying to request the speed-up of some of these applications, but we were advised that the priority for veg management processing applications is applications prior to 16 May 2003. This last round of applications we're waiting on were lodged in September-October 2003, so we can't get priority treatment of these applications.

We've had two freehold applications over this time, which have normally got a 28-day turnaround, but what happens with those is the veg management requested extension letters - two lots of extension letters - each time to be signed off by the land-holders. We've tried the media. We have tried to put articles in Country Life. We've tried rural radio. I suppose as a community group and land-holders we're fairly modest and it's very difficult to get those frustrations out. The Tropical Weeds Research Centre are aware of what's happening and also helping with trying to get the Ellrott plough. They're negotiating with the veg management officer over use of that, so we have got sections of the community trying to help. Is that what you mean?

PROF MUSGRAVE: You are highlighting, it seems to me, some of the difficulties attached to not having some sort of local class-type decision. It would seem to me that rather than having this problem of individual application by individual application by individual application and the delays associated with each application, that some sort of blanket decision as to how these problems should be dealt with would extend over the whole of the Cape River catchment and then individual applications could be dealt with within the guidelines as you have suggested that have been developed for this Parkinsonia situation. What sort of mechanism have you in mind for the development of those sorts of guidelines? How might they be done - from head office in Brisbane or more locally with regional input? How might these guidelines be developed?

MS VITELLI: Up until the moratorium, there were regional vegetation management committees, which are community, agency people that were going through local guidelines. We had one for the #Desert Uplands North. There was another one for the #Einasleigh Uplands (South) and they were going through land type by land type by land type and developing what was a code of practice for tree clearing for those vegetation types, and that worked well. All that work was done. The regional vegetation management plans were done, but that has all been put to the side now because of the overall blanket on veg management regulations.

I think for dealing with the weed scenario - those people most probably would not come back together because they've had a real slap in the face. All the hard work they have done has now been shelved, but if we could have those kind of regional vegetation management committees back again and they could also develop guidelines how to handle the woody weeds in amongst vegetation, that would be the way to go.

PROF MUSGRAVE: Yes, so a mechanism was effectively in place, but it's now - - -

MS VITELLI: Yes, it's all been done. There are regional vegetation management plans that have been done. They're finished - at least their first draft. They've been put through to the department. That was all done and it has all been put to the side because the state department rules of veg management regulations have taken over.

PROF MUSGRAVE: Thanks very much.

DR BYRON: Just a point of clarification. Would a lot of properties in this area be pastoral leases or leasehold land rather than freehold?

MS VITELLI: Predominantly leasehold land. Most probably about 80 per cent leasehold and 20 per cent freehold.

DR BYRON: And it's the same department - Department of Natural Resources and Mines - that is responsible for administering it and for the quality and sustainability and so on of all the leases?

MS VITELLI: Yes. There are regulations for both freehold and leasehold - a little bit different regulations but, yes, they administer the whole lot for both types of property holdings. With the veg management officers - it depends on the individuals you're dealing with and we've heard that with different officers you get different

outputs or different turnaround times and that's why we want just simple guidelines. With guidelines, it doesn't matter which veg management officer is assessing the application, they can tick and flick and they know what steps they have got to take. It doesn't matter about your past experiences or how you interpret it. It's a guideline. You know where to go. I think a lot of the time the precautionary principle put in by veg management officers is what slows things down.

DR BYRON: Thank you very much, Marie. It's no consolation, but we've heard a few similar cases in other parts of Queensland and New South Wales where very serious weed infestation problems have basically been put on ice simply because there is a concern that a few individual native species may be damaged on the way, but there are some very important issues in here in terms of the way administrative procedures have interfered in doing something that everybody agrees is a good job that needs to be done and I think we are going to have to try and suggest some ways to cut through the unnecessary part of the red tape.

MS VITELLI: Thank you for the opportunity. It is great to be able to talk to you and look at the woody weed matter. It's not only native trees and clearing, but it is also that the woody weeds are in there amongst the native trees and what are we doing with them in the long term? What is going to be the long term outcome for controlling woody weeds in a naturally wooded environment, especially now? In Queensland we have a ban on all tree clearing. Hopefully all this is going to be panned out and sorted out but, at the moment it is very difficult, if you want to follow the guidelines to do woody weed management in Queensland.

DR BYRON: It comes back from having a very clear picture or vision of what you want to see at the end of the day in terms of the ecosystems which are not infested with weeds or where you have got a sustainable productive landscape with healthy native vegetation not infested with weeds, and if you could start from that very clear vision of what we're all working towards, some of the administrative hiccups along the way might disappear, I think.

MS VITELLI: Yes, I agree totally. Thank you very much.

DR BYRON: Thank you very much, Marie.

DR BYRON: Who would like to speak next? I think we have got a space on the program for anyone else who would like to come forward and put some evidence on the record.

MR WHITEHEAD: My name is Noel Whitehead senior. I am a member of Sunfish Mackay, who represent recreational fishing in Mackay. I can understand the first question going through your mind, "What the hell has fishing got to do with what we're talking about here today?"

DR BYRON: No. I have got it.

MR WHITEHEAD: I understand the name of this particular seminar is Biodiversity and Natural Vegetation. There are concerns in Mackay that I've heard today - the problems associated with weeds and the problems associated with canefarmers - and I can assure you we are very very responsive to both those things. One of the big concerns is the lack of credibility of what is happening with these programs. Biodiversity just doesn't cover clearing a few trees or clearing trees in some areas.

Certainly overclearing has affected the biodiversity and this has occurred and, quite frankly, as was said earlier, the amount of clearing that has been done in this region over the last 18 months - and I have lived here for a big portion of my life, which is about 40 years and I've never seen so much clearing in my life as I have seen over the last 12 or 18 months. It's unfortunate, but a lot of people were told that this sort of thing was going to happen with these vegetation management plans and they decided to go ahead and clear so they could get the work done before this management plan came in.

Unfortunately what we're seeing in Mackay here are different interpretations of this management plan. We want to know why some farmer - as we heard earlier - is being stopped from clearing on land that everybody else has already cleared, when developers are allowed to clear land which is equally, if not more, important in other areas. Part of the natural vegetation of this country also are mangroves, and I know the first thing you are going to say is, "That's covered by the state government."

Surely it is, but unfortunately we have problems associated with mangroves in this area, where they are cleared for development - their proposal to clear them for roads - and also we have a sensational dieback which is occurring in Mackay. We have over 30 per cent of our mangroves dying and we have been trying to get something done about that for the last 10 years. Admittedly, in the year 1999, we started to get government departments to think about it. It's a big problem because they are still thinking about it.

We are worried that a lot of the vegetation is being cleared because what happens then if we get silts, et cetera, running off into our rivers. That also affects our fishery, and that's why we become concerned. The loss of these trees - particularly the melaleucas and this type of thing - means that we're not getting the carbon, et cetera, into the ground, which then is washed into the seas, and again is very necessary for our fishery.

A lot of areas are being cleared and not only do they clear the trees but they clear the wetlands, et cetera, and again that affects our fisheries, so when the word "biodiversity" is used - particularly in this instance here - we have got to remember that it doesn't only affect the trees; it affects everything else around it. Connectivity is another great thing from the portion of nature. Connectivity is another important thing where the natural diversity is absolutely important, so clearing land - and I hope that we will see a lot more of this - there should be areas of land left, connecting the major seashore, et cetera, with the mountains.

The other worry that we've got at the present moment is that those areas that have been cleared alongside of rivers, streams, gullies, watercourses, whatever you like to call them, should be restored. In this biodiversity for natural vegetation, we should be looking at restoring things as well as stopping anything else from happening. I believe that half our problems that we have in Mackay are associated with water quality, because we are having problems with various aspects of the land use. What's happening with land use - and that includes urban as well as rural - is that we are now getting this problem in our waterways. These waters come from up amongst the trees, and if the trees go we have real problems.

I believe the fact that we've cleared so much land in this country over the last 20 or 30 years is one of the reasons why we have weather problems, so it is very important that this act is used not only to protect the trees and the biodiversity that's there but it should also be used to provide rehabilitation for the biodiversity and the natural vegetation.

PROF MUSGRAVE: Thank you very much, Mr Whitehead. We are particularly concerned about the impact on people and communities of actions that are taken to preserve vegetation or, indeed, restore it, if that was the case. If, say, measures were put in place to achieve the sorts of objectives you've just outlined for vegetation - both its preservation and restoration - are we adequately equipped to temper the wind then that blows to the shore and land, the reef and so on, for the community, or could we do it better? If we could do it better, have you got any suggestions as to how we might do it better?

MR WHITEHEAD: I believe that this land belongs to everybody, and I believe that if someone is being devastated, or even slightly hurt, by the fact that they can't

clear land, or they can't do this or they can't do that, they should be compensated. I know that everybody hates the word "compensation". Just taking the farming industry, for instance, it does a heck of lot of in-kind work, but it should be compensated in some way for that. It could be in the way of reduced rates, taxes and this sort of thing.

But, certainly, I find the majority of rural people in both the cane industry and other areas, such as grazing and small crops, are very happy to be able to do something, but they want to make sure that they're not going to lose by it; I understand that - after all, they are there in a business. Unfortunately, at the present moment, few of those businesses are actually making money. I think it's absolutely necessary that they are compensated in some way, but compensated only for the work that's done. We can't compensate people and then find out that the work hasn't been done. The work has got to be done and then compensated.

PROF MUSGRAVE: Are you comfortable with the sort of administrative and regulatory mechanisms that are in place in Queensland in relation to the management of native vegetation and biodiversity, or do you think that there could be reforms introduced that would enable the job to be done better?

MR WHITEHEAD: I believe it could be reformed a little. The first thing we've got to do is to stop the federal government blaming the state government and the state government blaming the federal government, because there's nothing more frustrating to people like ourselves - some of the volunteers who are here today - than having that herring thrown to us, not once but 20 times a year, that they can't do it. Someone has got to be able to do something. With the Vegetation Act, they should spend more time talking to the community and the people whom it will affect and take notice of what they're saying and not this tokenism that we're seeing with consultation.

It's great to see you guys here today, but how many people knew you were coming? I managed to get four people here because I happened to get information that this was on. I guarantee you that 90 per cent of the people in this city didn't know this was on today.

DR BYRON: We can take out advertisements in the local newspapers, but we can't guarantee that people take any notice of them.

MR WHITEHEAD: Absolutely - especially when it's only yea size. About 90 per cent of people don't read the adverts in the local paper. They usually read letters to the editor, front page, back page and that's it. In this case, I feel that if this had been put out to more of the local community organisations, you would have got more people here today. I can't see anyone here from the beef industry, for instance. I

don't think there's anyone here from the small veg growers who are around the place. I don't know whether there's anyone here from the councils. I know you might talk to them separately, but the perception has to be there that people are being consulted and listened to. I really appreciate the chance to say something, and I'm quite happy at any time to answer - - -

PROF MUSGRAVE: In relation to your consultation with the community and tokenism, have you got any specific thoughts as to how consultation could be improved and how we could go beyond tokenism?

MR WHITEHEAD: As I said, I think, first, you've got to contact the organisations in the place, because that's how we work in these small outside areas. It might be all right in other bigger cities and things like that to put a bit in the paper, or something like that. Generally, in these areas we work through our organisations, our conservation groups, our canegrowers and our grazier associations. We work through these groups in the community, and that's how the information gets out. We've each got our own network and, provided we know about it, we can feed our network, who will not only know about it but will know about it in time to be able to do that.

A big proportion of our organisations in Mackay are volunteers. We don't get paid for any of this, but we do have the means to network out to people and let them know. So where you might say, "We'll give them a month's notice," we probably need two or three months' notice to be able to get this out to our networks to get everybody on board. If that happened, you would probably have this room full today, because people are desperately interested in what's happening with our biodiversity and our vegetation.

DR BYRON: Thank you very much for that.

DR BYRON: Is there anybody else?

MS JULIEN: My name is Patricia Julien and I'm in the Mackay Conservation Group. I've also recently been appointed to the executive committee for the Mackay Whitsunday Natural Resources Management Group.

One of the things I heard the other day struck home, and that was that 99 per cent of our wetlands have been impacted by human impacts. That leaves us with only 1 per cent unimpacted. Our coastal wetlands are very important because of the huge numbers of migratory bird species that come through here each year, and they need much better protection. I've just gone through a wrangle under the EPBC Act for a development in this area where we have protected bird species, and they said, "Well, the bird doesn't stay there long enough during the year. It's a migratory species."

From my work with a lot of the acts this year, I have very little faith that the communities are really be helped at the state or Commonwealth level, except through maybe this crisis we're going through now with the Mackay Whitsunday NRM Group, where we're trying to bring together the different stakeholders to address some of these issues. I'm also a little concerned that the money that's being put into this is not going to be sufficient to help the community groups to be able to put the time in that they would like to. The Mackay Conservation Group, representing all the conservation groups, were offered about \$4000 for a six-month engagement procedure. I already work 40 or 50 hours a week on environmental issues locally. How am I going to find the extra time for free to put in at that rate into an engagement process with all the environmental communities? I'm pretty frustrated right now with the whole process and coming to meetings like this, as Noel said. I just wanted to make those comments.

We want our coastal lands protected from overdevelopment. We're losing our wetlands in this area. We've got the mangrove dieback problem and we've got too much development going on in high flood-prone, surge-prone areas, as well as having our wetlands and our biodiversity lost. Biodiversity of state level of significance is being sold to developers. We need a process that works. That's all I wanted to say.

DR BYRON: In saying that, you're implying that you're not very happy with the existing processes at the moment - that they're not working effectively.

MS JULIEN: The community groups on the ground are being strangled to death financially. Our group got \$4000 of federal funding this year, down from 4 and a half thousand last year, and the figure prior to that was a lot more than that. Some of the groups in North Queensland got absolutely nothing, and they do a lot of on-the-ground work. Maybe there will be more funding coming through eventually

through the NRM groups, I'm not sure, but they seem to be very biased towards the interests of land-holders. I can understand that, because there's a lot of better management that needs to be on the ground for private land-holders. There needs to be a lot more research funding put in, so that they can manage their properties better, so that we don't have these high levels of diuron flowing into our public water supplies. We need those things.

I can see it as better integrated management. As was mentioned earlier, we need better integrated laws and a comprehensive, overall management that's scientifically based and isn't subject to so much political interference. That's what I've been seeing in the last two years that I've been working on these issues locally.

DR BYRON: In our draft report we foreshadowed recommendations about regional NRM bodies which, as you know, are a very recent initiative in the last year or two. They're now being set up all over Australia. Every state has been carved up into regions, and these NRM bodies, with different names, are being set up. It's far from clear exactly how they're going to work, how the members are appointed or elected and what responsibility, authority and budget they have. There seems to be an expectation that a lot of people will give an enormous amount of voluntary time.

MS JULIEN: Absolutely. I don't know how that's going to work.

DR BYRON: What bothers me, I guess, is that, if these regional NRM groups don't work effectively, I'm not sure that there's a plan B. I think we really need to make sure that the regional NRM bodies really do work effectively, that they're broad-based, inclusive and all the rest of it.

MS JULIEN: The planning process has to be adequately funded: \$70,000 for over 12 major interest groups in this area to come together and plan over six months for their time, \$70,000 total.

DR BYRON: I've had quite a bit to do with the Fitzroy Basin Association, and it has been going now for eight years. I think it's a bit unrealistic to expect a new group to come together and achieve what it has done in six or 12 months.

MS JULIEN: That's the contract the Mackay Conservation Group has been asked to enter into. The conservation groups in general have been asked to enter into a contract that will try to deliver that within that time frame. That's a huge amount of time being requested of us to get involved, and I don't see how we can do it.

DR BYRON: Even to assemble all the information you'd need for a rational, scientific planning - - -

MS JULIEN: That's it. We have technical advisory panels that will assess whether

where we're going is scientifically feasible or not, or some of the projects that we might think about. Just the overall time commitment from volunteer groups, often with two or three people turning up at the same meetings or other things that we engage in during the year, I don't see it being able to work unless we can expand our volunteer base somehow, and that means really getting out there and educating people and getting more volunteers into the arena. Again, we come back to this reliance on volunteers. I think that we need some sort of financial support for some of our volunteers. I just kissed off an enviro fund grant because I couldn't see how we could afford to put in-kind \$20 an hour volunteers for birdwatching along the coast here so we can try to get Ramsar status for some of our wetlands and get them a little bit more protection.

With an enviro fund grant, you've got to say that these people will be here at this time and that we will have so many people at this time to do this. You can't guarantee birdwatchers will be out there able to go at a certain date and time for a certain number of hours. It just isn't going to happen. A lot of them are employed, and this is all volunteer work. It's not realistic. It has to be reassessed.

PROF MUSGRAVE: Just a question about the technical advisory panels: are these statewide?

MS JULIEN: This is just in the Mackay Whitsunday Natural Resource Management Group.

PROF MUSGRAVE: You have a technical advisory panel for the region.

MS JULIEN: We have technical advisory panels that have been put in place now. We're still in the initial stages of this, but we have them, and they've been working very well with the water quality assessment that's been done. There's a report due out in a few months. It's being peer reviewed. We're getting a very good person working on the water quality plan.

PROF MUSGRAVE: The history of catchment management in Australia is really not one that engenders great optimism or pride, but there does seem to be some movement towards establishing catchment entities which do have some powers and some resources. For example, in Victoria at one stage they had catchment authorities that had the power to impose levies and taxes; that's no longer the case. In New South Wales, the new catchment - - -

MS JULIEN: It's a geographic problem, isn't it? You're going across the boundaries of local government entities which may not be too happy with that.

PROF MUSGRAVE: That's another matter, yes.

MS JULIEN: One of the big issues I see is a need for putting a value on the environmental services that places of high biodiversity have - our wetlands, for instance. Put some kind of economic value on those services they offer and integrate that into your legal system and you may have a chance of protecting it. The only way I really see of protecting anything now is if you buy it, you own it and you look after it yourself. Anything that's terribly effective doesn't seem to be coming from elsewhere. We need a lot more resources put into our environmental agencies to do their job, so that they can actually do the protection and get the scientific research done that they need to get done.

The mangrove study here was funded a lot from community resources - some from DPI and a lot from community resources. The researcher from the University of Queensland was putting a lot of his own time in for free. It was just very difficult to get it done, and there's a lot more that needs to be done in that area. The funding is very low. You need this preventative approach in order to avoid these problems in the first place.

DR BYRON: Managing for the conservation or habitat protection or biodiversity is never going to be free.

MS JULIEN: It provides environmental services, though, that we're not costing into our economic system, and that's the problem.

DR BYRON: Well, somebody is going to have to pay for the management and collection of that data, and it seems to me that we pay for it either through our taxes or through slightly higher prices of the goods and services that we buy in the market.

MS JULIEN: And that's the true value of their worth, isn't it? If we cost those services that are provided into our economic system, then we have the true value of the price of the product. Right now we're not paying the full cost of it. If those external costs are going out to the environment as damage to the systems, or loss of the systems, then we're having a degrading environment that we're not paying for. We have to really come to grips with this, because our impact, our footprint, is getting so much bigger than it used to be.

DR BYRON: We're going to have to pay eventually - either up-front or to clean up the mess afterwards.

MS JULIEN: That's right.

DR BYRON: It's probably cheaper to prevent rather than - - -

MS JULIEN: That's right. So you've got to have a decent economic system to do it.

DR BYRON: That's a good note to finish on, I think. Why don't we adjourn for a cup of tea and a piece of cake. If anybody thinks of something they need to say on the record, we may be able to resume afterwards, but let's take a break now of about 20 minutes or so. If nobody wants to speak after that, I'll come back and declare it over.

DR BYRON: We are resuming the hearing of the inquiry into the impacts of native vegetation and biodiversity regulations. We have at least one more person who wants to speak. If you would like to introduce yourself and make whatever points you want to make on the record, thank you.

MR GREAVES: My name is Ray Greaves. I'm a local thinning and pruning contractor in the forest industry. I also do the killing or poisoning of exotic weed species on properties in the district. I'm also a tree farmer myself and own 10 acres in the district. It was semi-cleared or cleared land. In the beginning, they were growing trees and letting the regrowth come up and managing it. I left the hollow trees and the whole biodiversity system of the trees. When this all started and the regulations came, suddenly there were dozers starting up everywhere and everyone was knocking down trees.

I thought I'd better go and check the mapping. I did, and it was all white in my district except for this little green square. I thought, "Stone the crows, what's that little green square?" and it was my place, and the reason was that I'd grown the trees, managed them and looked after the place. My place had regulations put on, even though they were limited regulations, because I'd looked after the place, but the cowboys around me who'd knocked everything down were laughing - no regulations. That's been the result of this legislation. That's the main point I wanted to make.

The point is that growing native trees for timber can be the most biodiverse and best thing to look after the environment, if you do it correctly, which means growing timber trees native to the area or nearby regions, preferably, and maintaining the biodiversity, which is hollow trees and an understorey of native species. However, generally, most people don't give a rat's about the environment, and let's be fair dinkum about that. They don't give a rat's, so they've got to be encouraged to do this sort of thing, and the only way to do that is to offer them financial incentives. As I see it, that's the only way to do it. I could be wrong but, from my experience in life, that's what happens.

In the Mackay district at the moment, there are canefarmers and other farmers on marginal land on their properties. What they do is they grow trees for timber - little blocks, say half a hectare or a hectare of trees - and look forward to a profit in the medium or distant future. That's the idea. As I see it, if more people could be encouraged to do that, it encourages biodiversity, and that's the simplest way to do it. There have to be financial incentives - maybe offering farmers a guaranteed income from the trees when they reach merchantable size. Depending on the species - whether it's red cedar, or white cedar, or silky oak, or whatever - when it reaches merchantable size, the farmer would be paid for the timber. If a market couldn't be found, then the trees would stay there. If the farmer sees a profit and money in the future, then you win all ways.

The only other comment I'd like to make is that I don't agree with any interference with freehold land. I don't agree with this legislation. I reckon that freehold land should be what it means - freehold. People should own their land and should be able to do what they like with their land. It's different with leasehold and crown land. It should be by education and encouragement - forestry, or whatever. That's the way to look after the environment better. I know from this district that people are getting really pissed off with this draconian approach. Other people have mentioned how the clearing went on when it first raised its head, and it was absolutely phenomenal. I get out on the land all the time with the farmers on their properties, and the talk about killing trees without being caught is phenomenal. You'd be amazed at the ways they're thinking of doing it without satellites picking it up, because everyone knows that the satellites are there watching us all the time. But they're thinking of ways to do it, and they will do it when they're forced. People don't like being forced and being told, "You will do that because we say you will do that." People don't like to be told that. It's got to be done in a more educative and monetary way, when people can see light at the end of the tunnel and when they can see that they can make something out of it.

Encourage biodiversity by giving them a dollar and it will work. The industry I see as the best is the native forest industry managed in a proper and correct way. That is basically all I've got to say.

DR BYRON: Thank you very much for that, Ray. People in other states and other places we've been in Queensland have made the point that, in relation to managed regeneration of native species, which they've been looking after as a commercial timber wood lot for 10, 20 or 30 years, or more in some cases, they are now finding that there is legislation that prevents them from commercially harvesting that area that they've been managing for commercial timber production. People have been saying that, if they ever plant any more trees, they will be planting exotics, because the native veg legislation won't stop them from harvesting those.

MR GREAVES: That's correct, yes.

DR BYRON: I don't think anybody who's interested in biodiversity conservation would like to see the law forcing people to grow exotics rather than indigenous species.

MR GREAVES: Nothing can live in exotics. I worked many years ago in the pine plantations down round Beerburrum and Brisbane - slash pine, Caribbean, that sort of thing - and nothing lives in them. It's like walking into a green, silent tube. Native animals just can't relate to exotic species, so you're right. Biodiversity has to be native species, otherwise it doesn't work.

DR BYRON: Somebody was talking before about restoration of riparian strips and connectivity and saying that it may well be that there's a lot of land for which growing or regenerating native species is both environmentally and financially the best use of the land; but there are probably not a lot of people who have come to that conclusion by themselves yet.

MR GREAVES: No, and because timber is a long-term thing - well, there are other uses for the trees too, like honey production, wildflowers, paperbark - they use paperbark trees. There are heaps of uses for native forests. It's just finding the markets and that's a problem. People like a dollar tomorrow instead of 10 years down the track. But if they're told, "You're guaranteed income so many years down the track," that's a different story.

DR BYRON: The fact that your place was the only little green square on a white map, is that actually constraining you so far?

MR GREAVES: It was.

DR BYRON: Has it stopped you from doing things that you would have done otherwise?

MR GREAVES: To a limited extent, but because it was a forestry operation, in Queensland the laws are with forestry that you can do certain things. It was restraining me a little bit at that time but I've managed to get them to change it back to white. You know, I got the zoologists up here and all these government people. They all came on my block and walked around and said, "These trees aren't supposed to be here." I said, "What do you mean?" They said, "They're the wrong species. That says on our plans they're the wrong species." I said, "I know they are, because it's regrowth."

As you know, certain species favour regrowth better than others, so the species like the blue gum and the pink bloodwood and the grey ironbark which were supposed to be in dominance, like 80 per cent of the total, were the opposite: 20 per cent of the total in the swamp; swamp box, messmate was 80 per cent because of the regrowth. Meantime I'd been around planting other species in the gaps, like silky oak and high-value cabinet woods in the gaps of the trees and them growing up, so it was all different to what they expected. They said, "Yeah, well, make it white."

DR BYRON: But you could clearly demonstrate that it was a managed forest, rather than a piece of remnant native old growth.

MR GREAVES: Yes. So they turned it back to white, but they said in the first

instance it could go to pink, because it was growing good trees in the middle of nothing. I didn't like the sound of that because you'd be restricted even more. I'm a bit of a tree-hugger. I'm not going to go in cutting willy-nilly trees down, but because I'm managing them and looking after it they want to restrict me. I just didn't like it, so I didn't want it pink and preferably I didn't want it green. I wanted it white, so I knew I could walk in there and thin trees out to let the others grow fatter and do things that look after the place, rather than ring someone up, send a letter in, try and get people to come, and say, "I want to do this to this." They say, "I don't know about that. You've got to fill out form B/D and do this," you know.

PROF MUSGRAVE: I've just got one question, Ray, getting back to your suggestion that people be paid to provide environmental services. We've already had some mention of some consideration of that being given by the government. Someone this morning referred to the desirability of connectivity between the highlands and the coasts, having corridors connecting the two. How do you go about getting groups of people, groups of farmers, to collaborate to give you that connectivity?

MR GREAVES: With great difficulty.

PROF MUSGRAVE: Great difficulty?

MR GREAVES: Yes, because you've got to find farmers. That's why I say if they can have monetary value for the timber they see on their property, and they're guaranteed they're going to make an income no matter what, they'd be interested. But getting people who aren't really interested in trees to agree to have trees going down is difficult. I haven't really got an answer for that. You might have two in a row heading towards the coast, say, for example, quite willing, then you've got a bloke here who says, "No, I'm not having - - -"

PROF MUSGRAVE: "No, I don't want to play."

MR GREAVES: But if someone says to him, "Right, we will plant this band of trees here and in amongst that we will have red cedar, white cedar, silky oak, high-value cabinet species that will be worth money in 40 or 50 years' time for your grandkids and it's guaranteed. All you've got to do is look after the place, manage the weeds, look after it. You will get that income, no matter what, or your descendants will when they're duly sold," well, that's a different story, isn't it? That's the only way I see where people who really don't give a rat's can be induced to - well, that just comes from wandering around and listening to what they say, because people talk about trees and they can't even name the species, sometimes.

They say, "Oh, I've got all these trees on my place, these shit trees. They're not

worth anything." Meanwhile, they're talking about blue gum and pink bloodwood, great structural timbers, worth dollars. To them they're shit. They don't know. Blue gum, *Eucalyptus tereticornis*, is one of the greatest structural timbers in Australia. They knock them down. To me they're worth dollars and they're a beautiful tree. You know, if you've got 50 of them, you sustainably manage them, harvest one or two each year, plant another one and that sort of thing; if you do it right - but education, I think. I don't know.

PROF MUSGRAVE: A challenge.

MR GREAVES: Yes. Those are my thoughts.

DR BYRON: Thank you very much, Ray. We're glad to have that on the record.

MR GREAVES: Thank you.

DR BYRON: Is there anybody else? Please, come forward.

MR DINWOODIE: My name is Andrew Dinwoodie and I'm from the Wildlife Preservation Society of Queensland, from the state office in Brisbane, anyway. The Wildlife Preservation Society of Queensland is the only conservation group that has stuck with the RVM committees throughout Queensland, and we'd like to see that the great work done by those committees actually be implemented. I think it's a tragedy that we've done all that work, it has been put on the backburner or shelved, and we're looking at reinventing the wheel again with other committees.

Also, as far as the Vegetation Management Act goes, we'd like to see that it applies to all zonings, all industries and all tenures. It's unfair that the primary producers have been carrying the can for vegetation management in the state of Queensland, and probably around Australia as well, where developers are not subject to the same clearing limitations that primary producers are. The developers are clearing just as much significant habitat as primary producers are. As far as farmers go, Peter Boller from down south pointed out once in a meeting that farmers - individual farmers, family based farmers - aren't really environmental vandals. They are probably the demographic in our community that tries to do the right thing.

Farmers after the war, First World War, Second World War, were told that the community expects them to clear the land and plant the food to feed the country. With generational change, the community's expectations are changing and I hope - and I think - that in the future farmers will say, "Yeah, well, the community does expect us to maintain biodiversity and manage this land for its conservation values," and I think individual farmers and family farmers will probably go down that track, because farmers do like to do what the community expects of them. That's about all. I endorse all the comments about the need for restoration ecology and maintaining corridors, linking corridors between the coast and the interior, and between bioregions and things like that; but that's all stuff that we already know.

PROF MUSGRAVE: Andrew, a couple of times this morning I think we've heard it inferred that developers are treated differently under the act than rural producers. Is that the case? Can you elaborate on that?

MR DINWOODIE: I don't know the act that well, but I know that if there was an area of land that a farmer couldn't clear and then that got rezoned, or he sold it to a developer and it got rezoned by the council, he could then apply to have a house lot on each portion of that and then clear the land so that you could build 50 houses on it.

PROF MUSGRAVE: So effectively you're suggesting that in Queensland urban areas are treated differently from farmland.

MR DINWOODIE: Yes, definitely.

PROF MUSGRAVE: Is that as a consequence of the way the act is interpreted, or is it something that's actually in the regulations themselves?

MR DINWOODIE: The objectives of the act can be interpreted as being mutually exclusive, in that - you know, objective A and objective B, well, you can either do B or A, or they don't really complement each other or part of each other.

PROF MUSGRAVE: That's a worry.

MR DINWOODIE: It's all interpretation, but, yes, the Vegetation Management Act doesn't really apply to clearing a one-hectare block in the middle of the Gold Coast. The other thing is that under the Integrated Planning Act we've got this particular concept called injurious affection. I think it's about the only area in the western world in law where that injurious affection concept exists. That scares local authorities into preventing developers from clearing land which has been rezoned from a rural non-urban to an urban or a residential area.

So if someone has bought an area of rural land that's got good vegetation on it and it then gets rezoned but they don't do anything for 20 years and then they decide, "Oh, okay, it's about time we cut it up into housing blocks," if the local authority says, "No, you can't do that," the developer can then say, "Well, I'll sue you for what I could have got for those blocks on the market." A lot of local authorities see conservation values and realise that that land shouldn't be cleared, but because they're scared of huge court costs and litigation, they often - or nearly invariably - concede and allow the development to proceed, even if it's in contradiction to the council's strategic plan.

PROF MUSGRAVE: Andrew, you said you're very supportive of the regional vegetation committees. Is that what they're called?

MR DINWOODIE: Yes.

PROF MUSGRAVE: It was those committees that were getting on with the job that Marie was talking about. If they were to be reactivated, and there was potential for re-forming them, can you see ways in which they could be helped to be even more effective?

MR DINWOODIE: A lot of them, I think their draft reports are just being considered now or just were being considered when they were effectively mothballed. I think Peter Beattie's election promise about the ending of broad-scale clearing has some component where all clearing has to be done in consultation with these RVMCs. I'm not exactly sure, but I saw some sort of reference in the policy to

RVMCs, so perhaps their work will be consulted and put into practice. But each one of these committees is exclusive of the other, and what suits in Belyando is obviously different to what suits down in South-East Queensland. That's why I think they're such a good concept, because they're actually locally focused.

With funding, I guess, like anything - I mean, our organisation participated in this process at a great financial strain, in time and money as well, and our federal funding went from 16,000 a year down to zero to maintain our society to participate in this process, even though I guess it's a state issue, the vegetation clearing, but all of these organisations are faced with the same thing: we're getting squeezed for time and we're getting squeezed for money. And it costs a lot of money to put together a credible submission, to research it, to write it, to participate in meetings. That's not the in-kind support. The in-kind support is phenomenal.

Our members that participated in a lot of these committees, not only are they on the RVMC, they're also doing their WAMP - their water allocation management plan - they're probably the president of the local P and C committee, they're trying to raise money to mow the lawns in the schools - you just get stretched. You go to some of these meetings with different hats on and you see other people with different hats on. Then the next night you go to another meeting and they're there representing something else. All of these community groups that are participating, and the farmers as well, the farmers also turn up to represent their interests; I don't know how some of these blokes get a chance to run their farms, with all of the committees and organisations and things that they're involved in.

PROF MUSGRAVE: That's not an uncommon observation as you move around Australia. You hear that sort of point being made. A lot could be done to ease that with more resources being made available for these committees, both in terms of money and skilled personnel.

MR DINWOODIE: Technical advice, advice that's easily interpreted and understood and put into practice, would be a great benefit. Your draft report is 540-something pages long.

PROF MUSGRAVE: But big type.

MR DINWOODIE: But for somebody to sit down and actually go through that, that's a month's work just about for somebody working one or two nights a week in their spare time and then to make a reasonable submission. I'm not being critical of the report.

PROF MUSGRAVE: You're right.

DR BYRON: The point is taken.

MR DINWOODIE: But to get a report on mangrove dieback in Mackay, if you're looking at something like that, to go through that and be critical of it and objective as well requires a lot of work. If we could get technical stuff like fact sheets that were to the point, but also still able to get in-depth information if we needed it, that would help.

PROF MUSGRAVE: It seems to me that you would agree with the suggestion that adequately resourced regional groups, such as these vegetation management committees, could deliver the sort of advice and develop the sort of guidelines that Marie talked about quite effectively, if they were adequately resourced. There are those who argue or imply that communities don't have the skills to be able to do this sort of work. There are others who argue that, suitably supported, they have.

MR DINWOODIE: I'm sure communities do have the skills to do this sort of work, and they have done it with their WAMPs. Environmentalists and farmers actually do get on when they get into meetings. There's a lot of common ground. I think the gentleman was wrong saying farmers don't give a rat's about the environment. I believe they do. With the generational change that comes, where farmers realise that community expectations have changed in the last 60 or 80 years, I think that will increase. Our organisation gets on pretty well with AgForce at the moment. We do have the skills. We just don't have the resources, I think, to participate, but I think these RVMCs are a great example of how it can work.

PROF MUSGRAVE: Are organisations such as yours represented on these committees?

MR DINWOODIE: Yes. We were the only environmental organisation that was on every committee. The other state environmental organisations withdrew under protest for one reason or another. I can't really speak for them, but some of it was to do with - you know, there was no ban on tree clearing in place and stuff like that in place and they just thought it was lip service and another stalling tactic. A lot of us do believe that we get bogged down on committees and encouraged to participate in these committees by the government on purpose so that we're distracted and basically our effectiveness is reduced because we're just on all these committees and we're not out there doing what our core business is.

PROF MUSGRAVE: It's a good way of shutting you up, isn't it?

MR DINWOODIE: I don't know whether that's cynical or not. Maybe we watch too much "Yes, Minister". I'm sure that a lot of others do as well. While they've got you going to six meetings a week, you're not out there muck-raking.

PROF MUSGRAVE: That's a good way of tying you down. But being less

cynical, or maybe I'm only talking in the same area, in New South Wales I know that there has been considerable stress within committees that is attributed to the outside representation of some interest groups - in other words, people from green organisations who came from Sydney who are on local committees; and the local people who are on that committee resenting that. That's caused the committee to become dysfunctional. Arguments are advanced that maybe there should not be such outside representation of interest groups, not just green organisations but any organisation.

MR DINWOODIE: I could understand why those groups would feel that way. I guess the strength of our society is that we have 24 branches spread throughout Queensland, so the people in the Rockhampton or the Fitzroy people were from - - -

PROF MUSGRAVE: Okay, local people?

MR DINWOODIE: Local people; but I don't think there are too many environmental organisations in Australia that have that branch structure.

PROF MUSGRAVE: No. I was talking about a situation where, say, the Namoi committee in New South Wales had Tim Fisher from the Australian Conservation Foundation down at Melbourne head office, on their committee. He was certainly not a local person. I take your point.

MR DINWOODIE: Okay. Thank you.

DR BYRON: Thank you very much.

DR BYRON: Someone else? Yes.

MR SMITH: I won't keep you long. My name is Harold Smith. I'm a retired senior cane inspector. I worked for 47 years in the sugar industry - started as a cadet in 53 and retired 47 years later. I grew up with the sugar industry right from the canecutter days to the harvester days and I know farming. I talk the farmers' language. Also I know milling, because I was involved in the milling side of things.

A little bit of a history of it: we've heard talk today about clearing of land. In 1964, the sugar industry really took off and a lot of clearing was done. You've heard people in the last 18 months - believe you me, back in 1964 to 1970 there was a lot went on. In those days, though, the farmers were really encouraged to develop their land. There wasn't any talk of biodiversity. That was never even thought of. In that period of time I was involved on an inspection committee. We had to go round and inspect every single piece of land that was to be cleared. We had to report on the type of land, the type of vegetation. We had to make reports on the slope of the land, recommendations for contouring, et cetera. Also we had to report on the viability of the land.

One of the recommendations we put forward in that time was that there be a border left around creeks, gullies, streams, whatever, of at least six metres. In those days that was 20 feet. When we put those reports in, we were looked upon - us fellows that did the report - as if we had two heads and six arms to make a report like that. Of course, that just about finished in the rubbish bin, with the result that when the clearing went on, it was virtually from bank to bank. Not only that, though, the trees that were cleared from the main area were pushed into the gullies. The trees were then burnt and the trees that were left in the gully were then killed because of the heat. I can take you to farms now where erosion occurred because of the indiscriminate clearing that occurred in that period of time.

What should have happened in those periods, there should have been a boundary or buffer zone or whatever you like to call it left around those streams, but that never occurred. That in itself has created problems years down the track that people probably didn't see. We now have such a broad area of cleared land that waters in heavy rain actually come off those blocks very much faster than they would normally under natural vegetation. The result, with the water coming off faster, is that there is a certain element of siltation occurring.

What is happening now is that with the trash blanket - yes, that's a good thing - that is holding back a certain amount of siltation and not having to work the farms. But what is occurring now, herbicides, pesticides are being used more and more to help control the weeds and that that do come through your trash blanket. Trash blanket is not a panacea. It does serve a useful purpose but trash blanket has its

problems. Trash blanket creates good material for field rats - that's ground dwellers and aerial rats - to form their nests underneath.

Trash blanket is a very good cover for the army worm, of which you have two types at least: a night feeder and a day feeder. To get each one, you've got to have a contact poison that you spray in the morning or night-time. Also under the trash blanket there's a little grey grasshopper about an inch and a half long. Believe you me, he can chew off those little shoots as they come through. Then on top of that you've got the rapada beetle that lives under the trash blanket. He drills. As each shoot comes above the ground, he has the habit of drilling straight through the growing shoot, which kills off the growing shoot. Unless you've got a fresh shoot from underneath, that then kills that. So trash blanket, whilst it does do a good purpose, is not the panacea.

With the poisoning, with the run-off of the poisons, herbicides, pesticides, it means that there is greater quantities of these getting into the freshwater streams, which are then carried downstream and affects the ecosystems in the aquatic system. What you have - I won't go into it all in detail but you have this major dieback we got in Mackay, particularly one species, *Abyssinia marina*. It is one species out of at least 22 species that we have in the Mackay district. We do not have the money to do concentrated experiments on all the creeks and rivers, but it is known that there is mangrove dieback as far north as Midge Point, which is probably 75 kilometres north of Mackay. Creeks in between - we do know there's dieback.

Going south, down as far as Cape Creek - that's another, I would suggest, as a rough guess, 70 kilometres south of Mackay - in the various creeks from there down, there is known reported dieback, but we cannot say a hundred per cent, "Yes, it is dieback," because there's been no scientific research done because the money is not available.

Poisons are used in agriculture but not only in agriculture. Poisons come from industry, poisons come from subdivisions or urban areas, so it would be wrong just to blame the agriculture and grazing just a hundred per cent for what is wrong, but, yes, there is a problem there and, instead of finger pointing, I think what's got to happen is a line has got to be drawn in the sand and everybody say, "Yes, we have a problem. What can we do to fix it?" We have had great difficulty getting certain parties to come to the party but science data is starting to build up so much it's not funny.

Over a number of years it is interesting to notice that in the National Registration Authority in the scope documents on atrazine and diuron - they're doing a scope document; it will probably be another 12 months before they've finished doing all the information, but it is very interesting that the National Registration

Authority brought to the attention that there is no regulatory form of sampling rivers, creeks or streams for pesticides or anything like that, which to me is quite amazing. But what has been done over the years, going back 30 years or more in Tully River and those other northern rivers and some other rivers, a terrible lot of information has occurred from testing of rivers and streams for pH, EC, DO, turbidity, all that sort of stuff, but when you start looking for information, until just recently there has been virtually nothing done on testing for chemicals in aquatic situations.

It wasn't until 1999 that Haynes from up at James Cook University did testing on seagrass, and it was found that seagrass is very vulnerable to pesticides coming off the land, particularly diuron. It was found that it only takes one one-thousandth of a dose of terrestrial quota of diuron to start affecting seagrass. That's how vulnerable seagrass is to poisons, not only diuron, but atrazine, amatin and stuff like that. With diuron - in the United States there are several states that have upgraded it to hazardous and there are several states in America that have banned it completely because of the effect it is having on its biodiversity and all that sort of stuff.

In England since 2000 diuron has been banned to go into boat paints and stuff like that, so it has been stopped. Other areas are looking into it, especially the EU. They are looking into it because they're finding there are problems in underground water. But also atrazine, which is part of the scope documents of registration - that is to be banned very shortly in the EU completely because of the problems they're finding with atrazine going into underground, plus affecting their bioregions as well. But it is interesting to note that even in Joe Baker's report, which is 186 pages long and pretty heavy reading, he makes a point that poisons are released into the terrestrial area.

They do a very good job in the terrestrial area, don't get me wrong on that. A lot of the targets they work at, they work at very well, but, as Joe Baker reports, and his science crew, very very little work is ever done before the release of chemicals, once they escape off a farming system or a suburban area, what happens in the aquatic system, whether it be fresh water aquatic or marine aquatic. So there is a real problem there. He quotes three particular poisons just recently released or released last year for use. Absolutely nothing is known about what effects they may have in the aquatic system. That I found hard to believe, for a start.

As you go further into it, Pioneer River - I belong to PICMA as well, Pioneer Integrated Catchment, and we are now starting to get together a water quality system going, and it's taken a while. To start with, early in the piece, it was a bit of a dog's breakfast, if you know what I mean by that, but with pretty strong support from the PICMA meeting and very good support from our coordinators and our volunteers, we are now starting to see good daylight at the end of the tunnel, with money being spent, and what will come out of this lot should be quite good, because the people are

working their butts off at the moment, trying to put a program together.

One of the things that really shocked the people and particularly science people - in 2002, by DPI people, it was decided to catch a flood event over the Dumbleton Weir because by catching the flood event over the Dumbleton Weir would take in about 85 per cent of the sugar area in the catchment of the Pioneer River. The Pioneer River has only got about 1500 square kilometres of catchment, which is pretty small for a river, but 85 per cent of that catchment flows over Dumbleton Weir.

They did a flood monitoring event and the amount of poisons that were discovered that went over that weir in a 72-hour period, coming off agricultural land, was phenomenal. There were 470 kilograms of actual diuron ingredient went over the Dumbleton Weir in that period, which is a very very high percentage of active ingredient. There was also diuron, 24D, hexazone, atrazine, amatin - all went over, and all these tests were done by a government laboratory, so nobody could say there was any falsification or anything like that, so it was independent. It was when that report came out that - I can't be crude here - that's when problems - the panic buttons really went, with the result that our PICMA system we've got in Mackay, run in association with DPI, at the moment is one of the best in the state.

We are getting inquiries from Burdekin and from Fitzroy and other rivers how we've started our system off so that they can avoid our early pitfalls, which I think is a good idea if they can do that. It means you stop wasting money and you can put more money into whatever hard science research you require. It is since then that that happened, and that is one of the first major testings of chemicals that occurred, as strange as it may seem. You might find that hard to believe but that's what happened, with the result that things are coming out of it.

With the farming side of it, there are many things that can happen in agriculture that farmers can do that I don't believe would cost them money, because, believe you me, what was said here before, the sugar industry is really in a perilous state. I would suggest in the last two years there would be not one farmer or mill made money out of sugar - in the last two years at least, and possibly the last four. ABARE in 1996 said it took \$30 a tonne to grow sugar in the Burdekin and a bit over \$29 in Mackay. Now, to make money out of that, under the normal payment as it is, the farmer gets two-thirds and the mill gets one-third out of the proceeds. Now, for anybody to make a profit out of the sugar at the moment, they would have to be getting \$330 a tonne. I know that figure because I worked at - that is \$330 a tonne at 14-3 CCS and at probably 88 purity, so I know what I'm talking about in those situations because I was involved with it all my life.

How farmers can remedy situations that are not to their making, I don't know,

but the problem is, under the situation with the price they're getting for cane, if they get \$220 a tonne or a bit over that, \$222.50 a year, this year, or the crushing just finished, they'll be lucky, because with the dollar, which is affecting the price and the general overall business - but then you get to another situation. If you can see damage that is occurring, something has to be done to fix it. Now, do they get assistance to fix it? I suggest they should have to, because if you just don't fix something that's happening, it only gets worse and will take a lot more money further down the track for another generation to fix. So that's where I think people have got to come in.

Some of my suggestions are - somebody said here a while ago that a lot of our wetlands are disappearing or have disappeared, something over 70 per cent on the coastal area, That is quite true. But what they have now discovered with the science data is just how important those wetlands are to our fisheries. They are extremely important as nurseries, especially when you get your salt, your brackish and your fresh. They all interrelate with all your different species. So to help farmers get these wetlands back - even Joe Baker in his report suggested that wetlands be saved, but not only did he say wetlands be saved; he also said that prior wetlands that are growing crops should also be reinvigorated, and I agree with him in that.

So there is a lot of thinking to be done, a lot of money that can be spent, but it has to be spent wisely. We've got to get our fisheries back because under the present system - and thankfully there are restrictions coming in - it's not going to help some people, but what we must do is get our fisheries back to some stage where they can recover, because under the present system as we fish now, our wild stock just cannot supply the protein needed that people expect to be able to get. The wild stock - because the reproduction ratio is so low, they just cannot produce what - so what we have got to do - the population has got to be educated and we have got to realise that we just cannot go and fish when we want to fish where we think we can fish. That has got to finish.

On the farming side of it, there are different things that can be done without costing farmers money. One of our big bugbears at the moment is the biodunda business. I don't know whether you know what biodunda is. It's the by-product of ethanol, but it is also a very good fertiliser for sugar cane. What it does do is provide a lot of P and K, not so much N, but what it does do, and how they put it on - it is mostly run across the top of the stools. What happens is, with the very first rain that comes along, that dissolves and runs into the streams, comes out the end and finishes up in the streams. It is a very good fish kill component and, believe you me, it does kill fish. One litre of biodunda will suck the oxygen out of 22 tonnes of water. That's how strong that is, and that's in that report there. It's done by Dr Mortimer. Every litre of distillery dunda entering a waterway has the potential to strip most of the available dissolved oxygen from up to 22,000 litres or 22 tonne of water. This a

significant spill of dunda, for example, 1000 litres has the potential to de-oxygenate 22 megalitres of water. It is a potent brew in an aquatic situation but it is a very good fertiliser on sugar cane.

The way I see that this can be still used in sugar cane is it must be put underground, six to eight inches minimum, beside the stool where it can be contained away from water diluting and then going off into the streams and rivers. It is a very hard chemical to test. There are lots of other things I could talk about because of the knowledge of the industry, but that gives you just a bit of an idea of the different things I know about different areas.

I'll leave it at that instead of carrying on, but there are lots of reports that can be read, very good reports. Joe Baker's report is 186 pages. Dr Duke's is 177 pages long, good science - excellent science actually. There's that there - river catchment - and also there's the groundwater in the Pioneer River's subartesian - the chemicals that are in that that a lot of people don't know about. So, gentlemen, thanks for listening to me. That's just a little bit of the knowledge I have, anyhow.

DR BYRON: Thank you very much for that, Harold. You've got lots of issues in there we'll take back and we can reread it on the transcript and we'll get back to you if we need to follow up on some of those issues.

MR SMITH: Myself and Noel and some of the others I'm sure would be quite happy if we were asked questions on certain items. We could possibly fill in a gap or something like that. I'm quite willing to do that. Being retired, at least I'm not tied down. One thing, with me being a cane inspector, we're in a bit of a unique situation. The mill actually paid our wages but there are certain items that the mill manager could not direct us to do. Certain times in years past we were under the protection of the magistrate of the day, and if a certain problem came up, a mill manager could not come to me and say, "I want you to find in a certain direction." He could not do that, otherwise he would be in contempt. So we were in a fairly unique position.

I don't know whether too many people can get in that position, but we were in a fairly unique position on certain decisions that we had. Admittedly, in a lot of decisions we made, we had legislative stuff to fall back on, so that did help us out a lot, but being a cane inspector, we were sort of more or less independent in lots of things, and we could voice our opinion without fear or favour, and I found that was the best way to do it in my lifetime. There was no good trying to hide something or tell lies, otherwise you had to have too good a memory. Thanks for that.

DR BYRON: Thank you. Again we've had very wide-ranging evidence this morning. I'd like to thank everybody for their participation and their eagerness, willingness to share their knowledge and information and insights with us. It's been

extremely helpful. We're going to have to go away and think about this more and take on board the evidence that you've given us. So, with that, I'd like to thank you all very much for coming, and we'll adjourn the hearings and resume tomorrow in Toowoomba.

AT 12.30 PM THE INQUIRY WAS ADJOURNED UNTIL
TUESDAY, 3 FEBRUARY 2004

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