AGFORCE – PROPOSED LANDSCAPE MANAGEMENT REGULATORY FRAMEWORK

Issues landholders face:

1. Three levels of Government controlling landscape management decision making
2. Complex rules that have led to a lack of understanding and confusion surrounding the activities can be carried out on land
3. Very limited input from governments prior to introduction of complex changes that affect a landholder's ability to make sustainable landscape management decisions on their land.
4. Legislative overreach and overlap of various Acts at federal, state and local levels

Primary Recommendation: Initiate review of current legislation and regulation in Queensland and Australia:

1. Distinct lack of trust exists between land stewards and government at all levels
2. Poor decisions from government have led to poor outcomes across Queensland landscape, for example numerous landholders that cleared vegetation for fear their legal rights would be lost.
3. AgForce Board seeks review of VMA 1999, NCA 1992, FESA 1990, Planning Act 2016 in Queensland and federal the EPBC Act 1999

Policy recommendation summary:

1. 15yr Landscape management plans – at property level across jurisdictions (federal state local)
    a. Agreed vegetation and landscape area management plan that can be adapted by landholder through application to government over time
    b. Open government involvement in the setting and implementation of the plan
    c. At the end of 15 years, review and renegotiate
2. High level communication and involvement with government for landholder certainty and trust
3. Specific policy positions on a range of landscape management areas (expanded below):
    a. Removal of Category C – High Value Regrowth claimed without compensation
    b. Private Native Forestry Code – Sustainable timber industry with new Category F Code
    c. Fodder Regeneration Code – Sustainable regeneration of renewable resource
    d. Landscape Restoration Code – Currently Thinning and Encroachment Codes
    e. Drought Mitigation Business Stabilisation Code – Previously High Value Agriculture
    f. Securing consistent PMAVs under State, Local and Federal legislation – Complete with a definition of Category X and prevention of regulatory encroachment
    g. Quality assured science – Evidence based policy for conservation and production and investment to improve sustainable agricultural science and accurate RE mapping

h. Coordinated Fire Management Planning – Local decision-making for landscape outcome
i. Regional Vegetation Management Planning – Reengaging ownership of RVMPs
j. Introduction of Baseline Area Management Plan instrument within the VMA
k. Removal of Protected Plants regulatory penalties in the Nature Conservation Act 1992
l. Natural Capital – Measurement of land condition and payment for ecosystem services

4. Removal of Protected Plants regulatory penalties in the Nature Conservation Act 1992.

Proposed Future actions:

1. Review of EPBC, NCA, VMA, FES Acts, Reef regulations and links with Planning Act and other legislation
2. Repeal (or large revision of) of VMA, NCA and EPBC as well as revoking local Planning Schemes
3. Simplification of regulatory requirements, e.g. Simplifying DA application and Self-Assessable-Codes
4. Engage with urban people to increase understanding of sustainable landscape management
5. Introduction of Natural Capital approach to building economic prospects for rural landscapes

Specific Policy Recommendations for Landscape Management Regulation in Queensland:

a. Removal of Category C – High Value Regrowth claimed without compensation

1. Restore claimed Category C to Category X status - as with previous Government
2. Encourage landholders to complete, or modify PMAVs to lock in Cat X
3. Provide option of compensation for those landholders who wish to retain Cat C

b. Private Native Forestry Code

1. Establishment of Category F over both Cat X, Cat B, Cat A and Cat R mapping – Cat F to be included in PMAVs
2. Cat F requires an agreed plan with the Department – part of 15 yr landscape management plan
3. Review of REs available for forest practice with special focus on the most productive areas for both timber and carbon (not mutually exclusive)
4. Self-assessable Acceptable Development Vegetation Clearing Code available for use on regulated vegetation areas for landholders who choose not to lock-in PMAVs

c. Fodder Regeneration Code

1. Establish long-term plan (15yrs) with some flexibility for seasonal conditions

2. Undertake 10-year rotation where up to 50% of mulga can be harvested in areas not previously harvested in 10 years.
3. Fodder must remain harvestable by strip harvesting as well as selective harvesting to allow for practical management.
4. Selective harvesting to remain as currently legislated.
5. Strip harvesting to change from 50:75 to 50:50 (harvest:retained) to allow for practical implementation since many landholders have already 50:50 strip harvested their land. 10 years after the initial harvest a landholder should be able to harvest the whole 50m strip that was left 10 years prior. The issue with attempting to reharvest 50:75 country through a 10 year cycle is that it is geometrically impossible to balance rotations.
6. The notification process on the 500ha fodder harvest is to remain as currently legislated. The evidence has shown that while 500ha is too small, most landholders are finding the renotification process workable.
7. Remnant trees to remain harvestable under this code.
8. Legislate an extreme drought event fodder regeneration application whereby in the event of a prolonged period (>5 drought years in a 10 year period), a landholder who has already used 50% of their available fodder can apply for additional fodder reserves to be harvested.

d. Landscape Restoration Code – Otherwise known as Thinning and Encroachment

1. Restore the tree-grass balance and vegetation densities to healthy stands (i.e. earlier recognized state prior to significant increases in density and extent)
2. Review of RE types that require restoration, with special focus on Gidgee, Brigalow and Box
3. Reduce zone to 2 metres around mature or habitat trees in most REs (or do not specify distance)
4. Undertake on a rotational basis as determined by science (e.g. Brigalow 20-25, Mulga 10 yrs)

e. Drought Mitigation Business Stabilisation Code –Previously High Value Agriculture (dryland and irrigated)

1. Reintroduce High Value Agriculture as a purpose for clearing in the VMA
2. Changes to the 2013 High Value Agriculture legislation include:
    a. Land use for improved pastures
    b. Staged maximum areas of 5,000ha per year
    c. Prove-up (clear trees, prepare ground and plant seed) each clearing event prior to moving to the next 5,000ha area.
3. Early involvement of government and agreement on certified map (part of 15 yr plan) to improve certainty for investment and business development
4. Streamline and simplify the application process to make more cost effective for smaller producers using existing land resource and soils mapping

f. Securing consistent PMAVs under State, Local and Federal legislation – Complete with a definition of Category X and prevention of regulatory encroachment

1. Alignment between jurisdictions to enable efficiencies for land administration and compliance
2. Providing certainty for investment and business development of agricultural enterprises
3. Provide security for landholders against introduction of policies like Protected Plants

g. Quality assured science – Evidence based policy and legislation for conservation, production and investment to improve sustainable agriculture, e.g. reef science, accurate mapping of REs, soils.

1. Ensure scientific foundations of legislation and regulation are based upon quality assured science that has been replicated and peer reviewed.
2. Investment in research for sustainable agriculture for example in research stations and ongoing producer led trials and demonstration sites to improve landscape management practices
3. Scientific input into regional landscape management planning processes (such as the Regional Vegetation Management Planning process in 2002-4 – see below)

h. Coordinated Fire Management Planning – Local decision-making for landscape scale outcomes

1. Support for coordination of fire planning and fuel reduction burning within geographically bounded fire districts (e.g. Rural Fire Brigades or districts bounded by physical fire barriers)
2. Alignment within legislation of requirements for fire infrastructure, such as fire breaks
3. Secure authority for local Rural Fire Brigades to conduct and manage fuel reduction burning activities and fire-fighting response without default devolution of authority to urban officers and volunteers

i. Regional Vegetation Management Planning – Reengaging ownership of RVMPs

1. Reestablishment of RVMP process and formal recognition of RVMPs for each bioregion in Queensland with the aim of improving relevance of regulation at the local and property level
2. Support for reestablishment of RVMP committees, review of previous RVMP drafts and revision for formal signoff by Queensland Government
3. Linkage between RVMPs and Development Applications for discrete Area Management Plans (ideally Baseline Area Management Plans) within the bioregion.

j. Introduction of Baseline Area Management Plan instrument within the VMA

A **BASE LINE AREA MANAGEMENT PLAN (BAMP)** is a plan to manage vegetation on a landscape scale having defined the outcome of the management activity, prior to the plan being initiated. A BAMP is in place for an initial ten years, is attached to the title of the land, but can be changed through the Development Application process. The BAMP has two components:

1. A **PMAV** (Property Map of Assessable Vegetation) based on using historical or contemporary evidence-based data, such as explorer and early settler diaries, photographs, and satellite

imagery, to redraw Regional Ecosystem (RE) maps and Regulated Vegetation Management maps. This PMAV defines the outcome of vegetation management activity.
2. An **AMP** (Area Management Plan) that sets out how vegetation management activity will be conducted. The original AMP instrument, revoked in March 2018, will need to be reintroduced.

k. Removal of Protected Plants regulatory penalties within the Nature Conservation Act 1992.

1. Ensure mapping of Protected Plants is ground-truthed and validated without cost to landholders
2. Provide incentives for landholders to manage Protected Plants or compensation for loss of productivity
3. Recognition of the VMA's Category X exemptions within the Protected Plants instrument.

l. Natural Capital – Measurement of land condition and payment for ecosystem services

1. Applied research in establishing metrics and methodologies for identifying ecosystem functions and measuring ecosystem services
2. Identification of beneficiaries that are able to pay for ecosystem services
3. Assistance with contract and legal framework when establishing links between producers and purchasers of ecosystems services
4. Linkage with financial institutions to improve risk exposure and lending conditions based on evidence of natural asset condition and resilience
5. Seed funding for carbon and co-benefit projects through the Land Restoration Fund