



M: 0493 667 561

E: pra1@bigpond.net.au

POSTAL ADDRESS: PO Box 2175, Wandal QLD 4700

1) INTRODUCTION

Property Rights Australia believes that, “The key point of alignment across the FAO, Afi, EUDR¹ and almost all other foundational international definitions of *Forest* is that: ***“It does not include land that is predominantly under agricultural use.”***”

This exemption for land used for agriculture simplifies further discussion about Australia’s position and supports Property Rights Australia members whose agricultural land includes land used to rear livestock.

All discussions are entered into with the understanding that the above exemption for agricultural land, is our Property Rights Australia position. Agricultural land includes land used to rear livestock. The Australian government notes on the EU backs up this position by defining, “Land used for the purpose of rearing livestock is included in the definition of ‘agricultural use’.”²

The same government web site tells us that the EU will assign risk of deforestation categories as Low, standard and high by 31st December, 2024 and this rating will determine the percentages of cargo inspected, although all ratings must carry out their due diligence.

This process is meant to be transparent and adaptable and the EU is inviting input from countries and organisations so that so that countries do not attract a ‘false “high-risk” category’.

“The **Sustainable Agriculture for Forest Ecosystems (SAFE)** project is the most important pillar on the cooperation side of the TEI [Team Europe Initiative]. SAFE is currently being implemented in Brazil, Ecuador, Indonesia and Zambia. Further country components will be added in Vietnam and DRC in 2024. The SAFE project will be further scaled up to cover more countries through upcoming financial contributions from Member States”.³
Australia is not presently on that list.

The EU has its own list of countries that it is observing. We can only suggest that Cattle Australia rid itself of the hype surrounding activist language, and put the case for Australia based on its own EU definitions.

Only once we know our EU rating and whether they will trade with us based on their own definition, should we approach McDonalds and start negotiating without any activist interference. We need to know where McDonalds will source trim from if they no longer trade with Australia or trade to a lesser extent.

¹ FAO-Food and Agricultural Organisation, Afi Accountability Framework Initiative, EUDR European Union Deforestation Regulation

² https://green-business.ec.europa.eu/deforestation-regulation-implementation_en#eu-observatory-on-deforestation-and-forest-degradation

³ [Benchmarking & Partnerships - European Commission \(europa.eu\)](https://ec.europa.eu/euro-observatory-on-deforestation-and-forest-degradation/benchmarking-partnerships)

The global definitions should be what we are prepared to adopt. Australia trying to do something different is untenable, renders us anti-competitive, and adds the already considerable burden placed on landowners. Who are the “international partners” who will not accept the EU definitions and Australian definitions as reported by DAFF.

It is not Cattle Australia’s job to come up with any definition of agricultural land. There are numerous national and international government documents that define agricultural land including the possession of an LPA number. We need to simplify, not get complicated. It is a red herring and looks like a concession to NGOs.

2.1) SUMMARY

The tiered system must go. It is discriminatory and is alleging Land Use Change which is not correct.

Definition of forest, the international definition or the Australian definition.? We must go with the international definition. Considering that, “The definition of *Forest* excludes tree cover on land predominantly under agricultural or other land use,” Page 44, the question should be purely academic, anything else immediately opens us to challenge.

There will be nothing “voluntary” about this program. It will be like Livestock Production Assurance (LPA). Without accreditation you will be unable to sell to meat processors with various export markets.

There is nothing regionally appropriate about it. It is, in fact, a very blunt instrument. **The reason for the agricultural use “baseline” is not adequately explained.**

We need a clear understanding of the baseline, how it will operate, and why it is to our advantage. There is no scientific justification why the year 1990 was chosen for the baseline.

Case study 4: Mulga Harvesting, is an illustration of a lot of what is wrong with this paper.

It ignores a history of scientific research and best practice management of the Mulga bioregion, one that is unique. The area covered, 10 ha, is not a true representation of the requirements of the area. (p. 25).

It is barely a nod to a significant bioregion which has its own requirements if we are talking about local adaptability.

Case study 3: stage 2 Clearing for infrastructure.

Is there really a cumulative total against the 1990 baseline? No addition of regrowth? If infrastructure is required, it just needs to be built with no such thing as a cumulative total.

There should be no reference to clearing width in this guiding document. Width depends on the activity, new or existing infrastructure and if the woody vegetation is regulated or non-regulated.

There is no consideration for clearing firebreaks to protect infrastructure in regulated native vegetation, which is up to 20m or 1.5 times the height of the tallest vegetation. Activity to source construction timber to maintain infrastructure on property is also permitted under government regulations.

Case study 1: regrowth clearing on agricultural land use

The example given potentially undermines the rights of a landholder with non-remnant vegetation meeting the 5m height and 10 per cent canopy cover thresholds defined as “forest”. In

Queensland, these non-remnant areas are often locked in under a Property Map of Assessable Vegetation PMAV. Landowners can clear for any purpose and any area within a PMAV. The Cattle Australia Land Management Commitment Decision Tree does not outline assessment of regrowth forest which is approaching structure of a natural forest but was cleared prior to 1990.

Case studies 4 and 5:

There should be absolutely NO control over clearing of weeds by whatever means is effective.

Claiming that a gentle approach as in case 4 is maintaining ecosystem function shows poor application of expertise and foresight. The idea that any weed clearing be suspected as deforestation must be removed. It is part of our biosecurity obligation. Describing an area overrun by Lantana as having “high quality biodiversity” is not tenable and ignores potential threats to fauna and the unhindered movement of fauna.

Case study 6: Bushfire

The right to continue grazing after a natural disaster should be sacrosanct.

Classification 3: will have many unintended consequences.

It will stop any prospect of development in Northern Australia, including effective weed management.

Many Native Title areas will not be able to be put to productive use, thus violating the human rights of indigenous peoples, one of the tenets of the EU requirements.

Grazing of state forests does still exist and casual grazing of national parks to assist in fuel reduction and mitigation of fire hazard should continue to exist.

Landowners who have carbon farming projects involving woody vegetation, with grazing excluded, will be unable to return to grazing after their contracts expire.

There is no indication of how long land can lie “fallow” and no mention of drought or other natural disaster destocking at the choice of the landowner. This destocking can sometimes be for an extended period of time stretching into years.

The “make good” mechanism is not yet ready for use and needs to ensure that it is not unduly onerous.

The deforestation status of host farms where wind and solar installations, and powerlines are the causes of tree removal is unknown. This will be an ongoing development process on beef agricultural land.

There is no provision anywhere, and particularly in stages 2 and 3 for removal of thickened or encroaching native woody vegetation. This ignores locally relevant research and management practice.

This paper shows the hallmarks of a rushed response, and was drafted with minimal industry and scientific consultation. It largely ignores the current state government vegetation management guidelines. It should be agreed to by industry, easily understood and reflect mainstream definitions. Simplicity is key.

2) DISCUSSION

2.1) The Tiered System

The tiered system must go. Not only is it discriminatory but it is alleging Land Use Change in order to make accusations of “deforestation”. Let us return to the basics and count all land under agricultural use as not subject to deforestation. Many examples can be found of disastrous consequences from Environmental Non-Government Organisations (ENGO) wish to control every move. In this instance, the needs of industry should be paramount to Cattle Australia.

In Northern Australia, large properties practice agriculture in treed landscapes. A tiered system penalises efficient and necessary weed control. Quite possibly it prejudices the installation of tracks, firebreaks, and infrastructure.

2.2) Weed Management

Weed management is one area where lobbying by ENGOs has already caused disasters with examples given below. That weed control. By any method, could even be considered deforestation, in any area, is totally unacceptable. It is bad for land management, ecosystem function, and breaches our biosecurity obligations.

Woody weed control methods such as mechanical, herbicide and fire may temporarily impact the canopy cover and structure of nearby native woody vegetation, but it will recover over time. Any form of weed control should not be considered deforestation.

A Qld Govt map app that displays distribution of restricted invasive plants across Qld and rates them as common & widespread to occasional & localised.⁴ Invasive woody weed species such as rubber vine, lantana, chinee apple, bellyache bush, African boxthorn and many more are depicted.

Surely management of these woody weeds in amongst remnant, regrowth and non-remnant vegetation CANNOT be considered "deforestation".

There is a General Biosecurity Obligation GBO, as per *Biosecurity Act 2014*, to manage invasive weeds and stop spread onto adjoining land & down waterways.

For example, rubber vine infests 20 per cent of Qld and is dense across 700,000ha. Costs Qld beef industry \$18million per year in reduced pasture & beef production.⁵ Lantana infests 4 million ha across the east coast of Australia, is toxic and impacts on agricultural and native ecosystems.⁶

2.3) PRA Case Study: Far North Queensland

There are many areas of infestations such as this across the country but we will use North Queensland as an example. Many areas are lightly developed, but onerous regulation, lobbied for by

⁴ <https://qgsp.maps.arcgis.com/apps/MapSeries/index.html?appid=f836f313f7e2477480ec69a851378872>

⁵ (https://invasives.com.au/wp-content/uploads/2022/04/Rubbervinemanagement_Controlmethodsandcasestudies_May2004-1-compressed.pdf , page 3).

⁶ <https://weeds.org.au/profiles/lantana-common-kamara/#prosection3>

environmental groups, has also curtailed the effective removal of woody weeds such as rubbervine and lantana in riparian areas.

This resulted in waterways that are largely blocked, hindering the dissipation of flood water, demolishing fences, and extending flood times by weeks. In some cases, the watercourses are changing direction and causing erosion.

Such severe weed infestations constitute “legislated severe degradation”



Star River rubbervine infestation (Nth. Qld)

PRA would go far enough to say that not only should weed removal be permitted by whatever methods are effective, but encouraged by government with funded programs to get these sorts of areas back to ecosystem health without hindrance of regulation or “voluntary” programs.

2.4) PRA Case Study: Mulga Harvesting

With all the discussion about Australia being unique and different, this document has not made positive allowances for required management practices in some of our major bioregions and ecosystems.

Was there any scientific input to the discussion on the Mulga bioregional management? If so, what are the reference sources please?



A block of regenerated Mulga after fodder harvesting is even-aged thick regrowth

The Mulga example using 10 ha is not realistic of the areas utilised is not representative of the areas utilised for rotational fodder harvest.

Forced regeneration of the grazed Mulga does not yield a functioning ecosystem without management intervention, which is controlled by ENGO lobbied for, regulation, to thin out suckers. Under such conditions, no pasture regenerates and no wildlife finds it habitable. The go to method of regeneration favoured by activist ENGOs, “lock up and leave” is an absolute disaster.

2.5) Natural Disasters

Cattle producers in recovery from natural disasters should not be placed under additional stress by prescriptive mandates to how many livestock are permitted to continue to graze. The natural disaster should under no circumstances be used as an excuse to force destocking or stock reduction.

2.6) Firebreaks

Although an example of clearing for infrastructure is given, there is no example of clearing a firebreak.

Under the flawed, tiered system, where aggressive weed removal on tier 2 agricultural land can be considered deforestation, it begs the question about whether firebreaks in any areas would be considered “deforestation”.

The legal width and distribution of firebreaks is already constrained in Qld by state legislation which already means they are too narrow and ineffective and improvements need to be made.

Regional communities and native flora and fauna, are already put at risk by these regulations. This would only be exacerbated by calling clearing firebreaks, deforestation, with tiers 2 and 3 at most risk.

Even tier 3 land requires firebreaks.

This is another reason why this discussion is literally, a dangerous one. Any group who dares to call creating firebreaks a “loophole” is putting lives at risk.

2.7) Thickening and Encroachment

Research by Qld Dept. of Primary Industries from 1970s to the early 2000s was conducted in the grazed woodlands of central Qld. and concentrated largely on the thickened, un-natural conditions of these areas. This research resulted in the establishment of the TRAPS long term recording sites, which showed an annual, average basal area incremental change of $1.06 \text{ m}^2 \text{ ha}^{-1}$.⁷ PMAVs have been issued to restore these thickened woodlands in recognition of this research. Similar research in the mulga lands has described thickening with the introduction of grazing and the lack of regular fire. Naturally open areas of western Queensland are subject to encroachment by native and introduced weedy species.

This has been unequivocally demonstrated using the carbon signature buried deep in the soil organic matter, which characterises changes in vegetation from grass to woody vegetation.⁸

These landscape scale responses to management since settlement, change ecosystem function and biodiversity composition. Spontaneous conversion of grasslands to a treed environment does no favours to our small mammals and many of our native birds, some of them granivorous, but not exclusively so. Sometimes it is simply a matter of trees offering extra cover as is the case with the

Golden Shouldered Parrot being preyed on by raptors.⁹

To restore ecosystem function requires management.

2.8) Infrastructure

Delete *“provided the clearing is not wider than 10 metres. As a result, 5 metres of vegetation has been cleared on each side of the fence to minimise harm”*.

Insert *“provided the clearing is in accordance to government regulations”*

Why?

Clearing distances for infrastructure vary across government regulations. Up to 20m to protect infrastructure and one and a half times the height of the tallest woody vegetation in some circumstances, such as public safety. The decision tree should NOT include specific clearing distances.

The idea of a “cumulative total” since 1990 is unexplained but throws up concerning scenarios.

⁷ Global Change Biology, 2002 8, 762-784

⁸ Geoderma 126 2005, 241-255

⁹ Austral Ecology 2009, 36, 196-209

2.9) Ephemeral Use

Grazing used as a management method for understory grass to reduce wildfire hazard or manage grasses affecting biodiversity (e.g. gamba grass, olive hymenachne, para grass) should not be considered “deforestation”.

2.10) Co-existing uses

How to assess co-existing land uses with agriculture, which disrupt natural forest?

Wind turbine and solar panel renewable energy sites on agricultural land and natural forest rangelands are clearing native woody vegetation. Grazing land use often continues around and within the footprint of these cleared forest areas. Will these grazing livestock be deemed from a deforested area?

The Australian Land Use and Management Classification ALUM Version 8 defines this intensive land use as Utilities:-

5.6.3 Wind electricity generation

5.6.4 Solar electricity generation

5.6.5 Electricity substations and transmission¹⁰

Page 14 of the Cattle Australia Information Paper indicates the baseline date of 1 January 1990 was used to assess area under agricultural land use, using ALUM V8. Therefore, renewable energy field sites will be included as agricultural land use and be assessed as per proposed land management policy for deforestation, which is clearly a problem.

2.11) Note to Bankers

To all banks who have or intend to have “deforestation-free” products, need to be aware that WWF and other ENGOs are not the experts on this topic. They are activist groups with activist agendas and do not care about unintended consequences. Some are noted for violating human rights in third world countries. Social concern for communities affected by their activist agendas is lacking. Many Australian examples of this are evident in industries from forestry, fishing and irrigation.

Activist groups are certainly not experts in ecosystem function. Their “lockup and leave “ policies in national parks have led to severe weed infestations feral animal infestations and huge fuel loads which will go up in intense flames under the right conditions, often lightning strike, killing native animals, neighbours’ livestock and property, not to mention the neighbours themselves. For this dangerous unmanaged vegetation and ecosystem collapse, they are unrepentant. They have never been held to account for the failings and costs of their policies.

Outlined earlier in this document as an example of poor policy, introduced at the behest of WWF and other ENGOs, is that Mulga used as drought fodder, must be left untouched for ten years. This results in many thin stems and a tree desert where there is an almost complete absence of any ecosystem.

Regulation of weed management in riparian areas in Far North Queensland has led to environmental disaster and has been dealt with elsewhere in this document.

¹⁰ <https://www.agriculture.gov.au/sites/default/files/abares/aclump/documents/ALUMv8.pdf>

Specific to the discussion paper we have examples of a severe infestations of Lantana with the claim that it is a “mature ecosystem and high quality bio-diversity”. This is ridiculous. There is a good reason that Lantana is classed as a noxious weed and must be removed by whatever methods are effective.

As for Australia being a “deforestation hotspot”, environmental groups NEVER work on percentages. Annual clearing, which is overwhelmingly regrowth, regardless of attempts to redefine it, is <0.5% of land area in Qld and much less Australia wide.

If you want to know about ecosystem function, ask a farmer with local knowledge.

3) CONCLUSION

Cattle Australia would garner a lot more support from landowners if they were seen to be advocating on behalf of our industry as required by the objects of their constitution, instead of building straightjackets for the grassfed cattle industry.

Property Rights Australia recognises the trade constraints which are emerging with the EU being the first deadline so the EU must be approached first by Cattle Australia acting on its own behalf without extra-industry input. The EU has invited as much ¹¹. They are interested in RATES of clearing, not football fields. They should be shown what governs healthy ecosystem function in Australia.

Cattle Australia then needs to approach McDonalds, having carried out due diligence about their expectations and where else they would source product from if they reduced or stopped using Australian trim. This needs to be done from a position of knowledge and on Cattle Australia’s terms.

We have been attacked from all sides for decades including by all the usual ENGOs right at this moment in time. Cattle Australia’s reactionary and rushed attempt at a definition of “deforestation” will not stop them continuing to undermine our industry. To believe so is to be naïve. Once they have a win, they lift the bar.

Once there has been proper deliberation on what we need for our country, we should respond in kind and remind them that what we are doing is not ‘deforestation” and any organisation which claims it, may find themselves subject to legal challenge.

Cattle Australia is spending far too much time on bureaucracy which is doing nothing to reduce red and green tape and not enough on public communication and advocacy.

Prepared by
Joanne Rea
For Property Rights Australia

¹¹ [Benchmarking & Partnerships - European Commission \(europa.eu\)](https://ec.europa.eu/eip/eip-benchmarking-partnerships/)