

Senate Finance and Public
Administration Committee
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

16 March 2010

To whom it may concern,

Re: Review of native vegetation laws and legislated greenhouse gas abatement measures.

I wish to submit the following comments regarding the Senate review of the Review of native vegetation laws and legislated greenhouse gas abatement measures. The comments are addressing each of the review subjects:

1) The impact of native vegetation laws and legislated greenhouse gas abatement measures on landholders, including:

(a) any diminution of land asset value and productivity as a result of such laws;

My family and I own a grazing property in central New South Wales (NSW). The entire 800 hectares (ha) of the property is classified under the NSW Native Vegetation (NV) Act 2003 as native vegetation and as a result I am unable to neither maintain nor improve the property's carrying capacity. This has had a direct impact on the property's resale value.

The major impact of the NV Act is that I am unable to manage the large number of trees that are inhibiting pasture growth. I am prevented from thinning the trees to increase ground cover and increase the species diversity. The trees are growing every day and dominating the existing native vegetation and within a few years the areas will no longer contain a mosaic mixture of vegetation. My family will no longer be able to sustainably graze these areas and as a result they will have to be destocked. This will have a significant impact on the property's resale value.

Comparable neighboring properties have a carrying capacity of approximately 5 DSE/ha whereas my properties carrying capacity has been falling to a point where the property's carrying capacity has been reduced to less than 2.25 DSE/ha which is less than half of neighbour properties carrying capacity. This fall is a direct result of the NV Act.

The NV Act has directly prevented my family from maintaining and/or improving the property's productivity.

In 2002 the NSW Government classified White Box Woodlands as an Endangered Ecological Community (EEC) under the Threatened Species Conservation (TSC) Act. This was despite the fact that Northern NSW contains large and significant areas of White Box Woodlands and it is extremely unlikely that the White Box Woodland will ever become extinct in northern NSW. As a result of this determination, my family's property is now classified as an EEC.

This has had a significant impact of the value and viability of the property. The TSC Act is even more draconian restrictions on my ability to manage my land.

(b) compensation arrangements to landholders resulting from the imposition of such laws;

The NSW NV Act 2003 and TSC Act need to be repealed and a system of landholder incentives established that assist landholders to manage ecologically valuable land for the Government. A pilot stewardship program known as WEST 2000 Plus's Enterprise Based Conservation EBC was established by a joint NSW and Commonwealth funded program to assist Western Division landholders. The EBC program paid landholders for managing parts of their property for conservation. As a result over 70,000 hectares was managed per year for less than \$140,000. This program clearly showed that landholders do not need compensation but that a well designed Government program can deliver better environmental outcomes than ineffective and expensive legislation.

The NSW NV Act was recently reviewed and in the report showed that only 4 convictions have been made out of 10 commenced prosecutions with the cost of enforcing the NV more than \$30,000,000. This would appear to me to be a complete failure and an inappropriate use of taxpayer money.

(c) the appropriateness of the method of calculation of asset value in the determination of compensation arrangements; and

See above

(d) any other related matter.

Landholders that are impacted by the NV Act and the TSC are very reluctant to be involved in any review of these Act because of the fear of prosecution. This reluctance to be involved was clearly demonstrated in the review of the NV Act when only 10 farmers/graziers submitted comments to the review of the NC Act 2003 despite the Act impacting on thousands of landholders throughout NSW. I suspect that many landholders will not submit comments to this review for the same reason. They do not want to be identified and face possible persecution. Landholders are taking the small target approach (many successful Opposition parties seem to take the same approach).

Thank you for allowing me to contribute to this enquiry.

Regards,

Angus Atkinson