

# SENATE INQUIRY INTO NATIVE VEGETATION LAWS, GREENHOUSE GAS ABATEMENT AND CLIMATE CHANGE MEASURES

## **(1) The impact of native vegetation laws and legislated greenhouse gas abatement measures on landholders**

It could be argued that native vegetation laws and legislated greenhouse gas abatement measures are coincidental and separate in their intent, but their implementation results in the same or similar impacts on landholders and the environment.

**The primary object of the NSW *Native Vegetation Act 2003* is:**

- (a) to provide for, encourage and promote the **management** of native vegetation on a regional basis for the **social, economic and environmental** interests of the State,

The AEF contends the Act fails to achieve this objective

The Wentworth Group of Concerned Scientists in 2002 noted that:

*"Clear distinction needs to be made between the need to stop broad-scale clearing of remnant native vegetation and the need to control shrub invasion in the semi-arid and arid pastoral areas of Australia".*

The AEF contends that distinction is largely absent in the application of native vegetation laws.

**The Kyoto Protocol as per the Dept of Climate Change & Energy Efficiency:**

*The Kyoto Protocol mechanisms are based on the principle that the benefit to the climate of reducing greenhouse gas emissions is the same regardless of where they are reduced. The cost of taking action will vary from place to place, so the Kyoto Protocol enables the global community to reduce emissions **where it is the most cost effective.***

The AEF submits that Australia's application of the Kyoto Protocol is spectacularly successful in regard to 'no cost of compliance' to over 99% of Australian citizens in the first commitment period of the Protocol. The majority compliance cost of meeting our international obligations falls unfairly on less than 1% of the community.

The Wentworth Group has stated:

*The focus in climate change policy has centred on reducing greenhouse gas emissions from energy generation, manufacturing and transport, because this is fundamental to any solution to climate change.*

But this has not been Australia's focus in the reduction in emissions under the Kyoto Protocol,

I draw your attention to the Australian Farm Institute table on page 6 of our submission.

**Australia's changing emission inventory**

Sector	1990	2004	% change
<b>Energy</b>	287.5	387.2	34.7
Stationary	195.7	279.9	43.0
Transport	61.7	76.2	23.4
Fugitive emissions	30.0	31.0	3.4
<b>Industrial processes</b>	25.3	29.8	18.0
<b>Agriculture</b>	91.1	93.1	2.2
<b>Landuse change, forestry</b>	128.9	35.5	72.5
<b>Waste</b>	19.2	19.1	-0.7
<b>TOTAL</b>	<b>551.9</b>	<b>564.7</b>	<b>2.3</b>

Australia's Independent Farm Policy Research Institute

Again the Wentworth Group:

*If changed grazing and cropping practices resulted in the capture of just 15% of this potential, [that is the potential to store carbon] carbon stores in Australia's agricultural soils would offset 140 Mt CO<sub>2</sub>e of Australia's emissions each year.*

*Without planting a single tree, it would improve the health of our farmlands and Australian agriculture would become carbon neutral*

But tree canopy, rather than net biodiversity gain or carbon dioxide stored in the soil has become the focus of both the native vegetation laws and the Kyoto Protocol.

Why then are we focussing on tree canopy? Because it is easier to measure and regulate – rather than providing the best outcome.

The current situation, in NSW and Queensland at least, is that the application of a complex and confusing array of legislation, compounded by a lack of understanding of the unintended consequences for long term biodiversity and pastoral management – is a demonstrated decline in the quality of both.

There seems to be a disconnect between the intent of native vegetation laws and the clearly recognised need to assure confidence and security in food production and the management of private land to produce good environmental outcomes.

While most landholders would welcome an incentive based stewardship role for the environment, the current situation is taking them from an ownership role to involuntary environmental stewardship on behalf of the state. This comes at a cost to productivity that affects their ability to manage their land for the long term environmental interests of the state, as mentioned in the objects of the Act.

The continuing reduction in a landholder's ability to manage soil, water, native vegetation and weeds on his own property threatens to undermine productivity, regional economic stability and confidence.

Achievement of the best policy outcomes long-term, is more likely by co-operative incentive based schemes rather than punitive regulatory measures, whether those outcomes are Kyoto driven or biodiversity driven.

The AEF contends that a viable, confident rural sector looking to the future will be the vehicle to drive gains in biodiversity protection and enhanced vegetation management. Effective biodiversity and land management will not occur without the co-operation of those who control the majority of land.

If the federal and state governments are hell-bent on achieving the objectives outlined in current legislation for the benefit of the wider community and international obligations, then cost equity in achieving these objectives must be recognised.

If biodiversity conservation on private land is to be given primacy over food production and individual property rights then policy intent must be clearly articulated and debated publicly. If this is not the policy intent, then the unintended consequences need to be addressed by legislative amendment.

The AEF has several recommendations it would like to submit to the committee:

**Recommendation 1:**

That state governments amend native vegetation laws to introduce meaningful incentive payments to landholders for the management of biodiversity values on behalf of the community.

**Recommendation 2:**

That an urgent assessment is undertaken by state governments to determine whether, implementation of native vegetation laws are having a negative effect on biodiversity.

**Recommendation 3:**

That the federal government investigate if the application and outcomes of native vegetation laws contravene the Environment Protection and Biodiversity Conservation Act.