

Senate Committee Inquiry Submission

TO: SENATE FINANCE AND PUBLIC ADMINISTRATION COMMITTEE

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This submission covers the following points in the terms of reference (underlined) of the Senate Committee Inquiry:

(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

(i) Our property prior to our purchase had been continuously selectively and 'sustainably' logged. Under the Native Vegetation Legislation and associated Legislation this would no longer be viable or possible. This has had a significant negative financial impact on the value of our family's holdings.

Previously we had applied to do selective land clearing under the Native Vegetation Legislation our application was rejected resulting in no development of our property. Since the rejection of our application there are further restrictions proposed under the Eurobodalla LEP which has and will continue to devalue our land asset.

The loss of the timber asset and the inability to further develop farmland has resulted in many of our blocks being only able to be used for the retention of native vegetation for the public good, thus resulting in the diminution of our land asset value.

(ii) Restricting the development of our property by way of Native Vegetation Legislation has severely impacted the earning capacity of our property. Being unable to clear any areas of regrowth and develop previously used and unused areas of our property for cattle production has had an estimated financial loss of hundreds of thousands of dollars.

The impact on the productivity of the timber harvesting operations has also come at a considerable financial cost. The value of which is undetermined at this stage although is estimated to be once again in the hundreds of thousands of dollars.

Our property has an ongoing historical farming history and this is the first time in over a

hundred years that development has been totally controlled by excessive red tape.

Since the introduction of the Native Vegetation legislation our family no longer employs two full time farm hands and various contractors. This is a direct result of loss of potential income and is a cost to the whole community. Further to this we believe that due to this loss of income we have not been able to employ further farm workers adding to less employment in our local community. The member of our family who previously earned his income on farm has had to seek employment off farm due to the loss of earning capacity.

(iii) The locking up of the trees on our property to effect greenhouse abatement has placed further restrictions on the holdings resulting in the following advice to us by local respected land valuers. Every block held under title by our family has been affected negatively - "you will not be able to give some of these bush blocks away". As a result it is our belief that not only has the value of these blocks been severely impacted but further these blocks are a financial burden. Once again farmers will be forced to carry the cost of greenhouse gas abatement alone and unassisted.

(iv) All sustainable logging which has been on going on our property will no longer be possible under the Greenhouse gas abatement scheme.

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

(i) Farmers and landowners have been forced through restrictions imposed under the Native Vegetation Legislation and associated regulations to carry a severe burden of environmental responsibility on behalf of the whole community.

(ii) Surely it is not reasonable to expect farmers and landowners to carry this burden without being compensated for losses or offered financial incentives for doing so. So far farmers and landowners are being offered no compensation or financial incentives – this must be addressed.

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

I have no knowledge of a method of calculation of asset value to determine compensation applying to our family's holdings. The only method that our family has applied to determine the losses incurred are based on market values of stock and timber assets.

(d) Any other related matter

(i) The manner in which local councils are applying the Native Vegetation regulations is proving in most cases to be an even more onerous burden on landowners. The justification of the Native vegetation laws should be questioned in many local Government areas, the Eurobodalla Shire being an example where vast amounts of land are protected by National Parks, Wilderness areas, State reserves, State Forests etc. The amount of land (Vegetation) under Government control in Eurobodalla Shire is approximately 82%.

(ii) Local Government areas where there is a large representation of Native Vegetation

Ecological communities should not be restricting farm and land development using Native Vegetation retention as the justification. Removing property rights through Native Vegetation Laws and greenhouse gas abatement measures goes against the concept of "Just Terms" which we consider to be included in the Constitution - whereby government can not take property from anyone without compensation.

(iii) If for the public good my property is made unviable it is only just that the public should help foot the bill for the environmental responsibility.

(iv) The claiming of farmers' trees for "carbon sinks" to reduce carbon emissions for industry is vastly unjust. To achieve a 22% carbon emission reduction under the Kyoto protocols by locking up farmers land is nothing more than theft of farmers land to compensate industry. This is un-Australian, it is "confiscation and no compensation"

(v) Surely in this country we should be making the big polluter pay and the exact reverse should apply ie: Industry should be made to pay to offset carbon by retaining native vegetation.

RECOMMENDATIONS

A) Repeal all Native Vegetation Legislation thus restoring land rights to farmers and landowners.

B) Set in place an incentive scheme that recognizes and financially rewards landowners for maintaining and enhancing native vegetation.

C) Ensure that industry and the wider community pay for any compensation or incentives to landowners ie: "If you want my land pay for it"

D) Commit to the provision of Just Terms and insist that where land tenure is compromised compensation is provided.