

Submission

**Senate Inquiry into
Native Vegetation Laws, Greenhouse Gas Abatement and Climate Change
Measures**

By the Senate Finance and Public Administration Committee

This submission has been prepared by Joy Sheather

As per the inquiry terms of reference this submission deals with the impact of the NSW Native Vegetation laws on my property.

Specifically section

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

Since 1991 I have owned a portion of land approximately 20 hectares in size. In 2004 my wife and I completed a 3 Lot subdivision of that portion of land and sold 2 x 5 acre Lots. The profit we received from the sale of those 2 Lots was to acquire the adjoining 2 portions of land (approximately 38 hectares) from my late mothers deceased estate, which we did in 2005. Our intention was to subdivide more 5 acre Lots and sell them as a means of future income. Our Shire Council has since changed the zoning of our land and placed constraints on it using Native Vegetation laws as the reason for doing so. Not only are we now prevented from further subdividing our land, the change of zoning and the constraints that have been placed on our land have resulted in a huge reduction in the value of the land.

The NSW Government have taken away our former right to sell parts of our land as a means of future income, however we are still obliged to pay Council Rates, Livestock Health and Pest Authority rates and insurance, plus the cost of controlling noxious weeds, feral animals and fire on land that has had its value diminished by Local and State Government.

Specifically section

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

There has been no compensation arrangements for the loss of our former right to subdivide and sell 16 hectares of our land.

Section

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

There are no compensation arrangements.

Specifically Section

(d) any other related matter.

The Senate Finance and Public Administration Committee needs to be aware that the NSW Roads and Traffic Authority (RTA) currently has a Pacific Highway Upgrade proposal awaiting approval from the NSW Department of Planning. That proposal traverses straight through the part of our land that has had constraints placed on it under Native Vegetation laws. Obviously there are different laws for the owners of freehold land and a State Government Authority. The RTA can bulldoze the native vegetation on our land, however the owners of that land have been prevented, for a number of years, from developing that same land, and with NO compensation.

If land is to have constraints placed on it, such as Native Vegetation constraints, those constraints must apply to not only the land owner but also to Local, State and Federal Government Authorities and Just Terms Compensation must be paid to the landholder for the loss of the use of their asset.

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