

Finance and Public Administration
Reference Committee,
P.O. Box 6100,
Parliament House,
Canberra, ACT 2600

Mr Adrian Newton,

By way of introduction my family Company owns over 10,000 hectares of lease in perpetuity land at _____ and in excess of 3,000 hectares of freehold title at _____ N.S.W.

I have lived on some of this land all my life starting in 1949. While always calling _____ home, I spent 6 years at boarding school in Sydney, 2 years in National Service at various locations and 1 year at Yanco Agricultural College gaining a certificate in agriculture.

I propose to address the relevant issues of the enquiry after first giving some background to experience that colour my thinking.

Firstly as a schoolboy I was extremely puzzled at the doctrine of "terra nullius", when it was patently obvious the land was occupied by aborigines and often defended by them.

It is now history the high court agreed with my thinking and native title became recognised, flowing from their customs and traditions. A compensation package was put in place by the Commonwealth Government for native title that had been extinguished. Further legislation was put in place to enable Aborigines to seek compensation from any form of Government that impaired any part of remaining native title.

From various native title cases, high court judges spoke of freehold title possessing rights of the highest possible calibre and as such all native title would have been extinguished by the granting of freehold title. It would seem illogical to have State Governments liable for "any" intervention in native title, yet only be responsible for compensation if they remove all of the rights of freehold title, which has already been able to replace all native title rights.

Similarly it would seem if customs and traditions give aborigines the right to compensation, lease in perpetuity titles, that contain clauses such as "the lessee shall hold and use the land bona fide for his own exclusive benefit", should likewise be compensated if they have to allow native species and endangered species to impact their customary exclusive benefit.

On climate change, I believe the climate is constantly changing, but as to the reason why and what is causing our present direction of change would need some greater scientific knowledge than I possess. The last eight years in this area have produced some temperature and rainfall results somewhat consistent with global warming. Mid December had the scientists forecasting below average rainfall for the next three months. Since then we have seen record rainfall and record flooding at places like St George in Queensland.

To solve problems you sometimes have to explore the exact opposite of what you may think is the obvious solution. For example a batsman at cricket scoops his bat upward to elevate the ball, but in golf the greatest elevation is caused by using a short iron and hitting steeply down onto the ball. Likewise hitting upwards onto the back of a tennis ball, imparting topspin, causes the ball to drop sharply at the other end of the court.

Likewise some things that we perceive to be good for us, have some limits or qualifications. Water is something we would all say is good for us and in fact a necessity of life. Doctors advocate we drink 2 litres per day. However 2 litres of sea water or gardia infected water would have a most undesirable effect. So it is obvious that what we should say is "fresh water is good for you".

However if the temperature of the fresh water that could save you dying of thirst, is at boiling point it would be better not to consume or wash in it at that point. Water of any quality or temperature is fatal if it enters our lungs in large quantities.

With the surname of Newton it is constantly at the forefront of my mind that one of Sir Isaac Newton's law of physics states "For every action there is an equal and opposite reaction". I have no problem recognizing that any species taken out of an ecosystem has an effect on the rest of the system. I would suggest however if a species is endangered in an ecosystem, it is saying it is having trouble surviving in the changes that have occurred in the ecosystem. My argument is all systems are constantly changing and if a species struggles so much as to become endangered, it's final demise will have a minimal impact on the ecosystem due to the fact its numbers are already extremely low.

Now I will try and address the issues.

1 (a) As stated earlier my scientific knowledge on climate change is limited and as some of the world's most eminent scientists violently disagree it could be dangerous for me to speculate. I would like to point out however that most of the research would seem to be focused on the negatives of greenhouse gases. Perhaps there are some positives for which we haven't researched.

I am much more at home with native vegetation. While on the surface of it, native vegetation would appear to be a good thing as it has shown it can survive and reproduce in an area at a given time. However if my assumption of the environment constantly changing is correct, native vegetation is also changing and to try stopping change is not only not necessary but indeed highly dangerous. To me having vegetation conserved is a wonderful goal but whether it is native or not is of a lesser importance.

My thoughts on endangered species being allowed to demise on rural land may seem a little cruel. However I support the use of National Parks for their survival and would have thought that should be the reason for their creation.

Real estate agents and valuers are the obvious people to put a value on loss of asset value according to the district and state of development of the land. Obviously some land will be little impacted, while other properties will be severely affected.

As little as 4 to 5 large coolibah or box trees if they were evenly spread over a hectare of cropping land could quite conceivably reduce yield by 1 tonne / hectare on the western edge of the cropping belt. This would translate to something like \$300,000-00 per 1,000 hectares if wheat were to be at a profitable price.

With regard to grazing land, viewing my property at the moment, it looks as though woody native vegetation is having little effect with the excessive recent rainfall. In more normal years some of the same badly effected woody vegetation land is hardly productive at all. Not only is some of this land low in stock feed production but extremely hard to muster and a true OH&S evaluation would regard it dangerous to enter. Luckily a near tragedy was narrowly avoided on a neighbours property at

On the 23rd December two years ago, a man with many years of National Parks experience and familiar with the property on which he was conducting some fauna trapping experiments, entered some dense mallee a very short distance to check some traps. It was an overcast day but thought he was only going less than 100 metres from his vehicle so it was not necessary for him to carry safety equipment such as his G.P.S. or mobile phone etc. Being a chronic diabetic, my neighbour became concerned for his welfare when he failed to return at dark, and a SES search joined us in trying to find the man from where he had left his vehicle. The night search was abandoned about 2.am to resume early next morning. With more SES volunteers and locals on bikes we searched for some hours in the paddock where he had gone missing. Luckily a light shower of rain enabled us to pick up his footprints and track where he had crossed a fence into another paddock. It was close to midday before the lost man became found and only by my calculations he had walked about 40km. He seemed to be in pretty good shape despite his ordeal, but had to be rushed to hospital later that night. Had there been no shower of rain the result may have been different as we probably would have continued to search the paddock where he originally became lost. If this person had lost his life would the N.S.W. government and its native vegetation legislation perhaps been liable under OH&S. Clearly this area

of the state has too much woody native vegetation, compared to the lack of other vegetation, and has little productivity in this modern era of taking fire out of the ecosystem.

1 (b) I feel the repeal of all native vegetation legislation would be the most sensible form of compensation, as I believe it is unnecessary and indeed counter productive to good land management. Trees being perceived as good without qualification is similar to my analogy of water. Trees are essentially home and protection devices for insects, birds and other fauna. They are generally very poor providers of food. We need grasslands in conjunction with timber belts to provide a truly vibrant ecosystem. We have seen earthquakes in areas like Chile causing massive loss of housing, but it has been the loss of food and water supply that has proven a real problem in the cities. Remember fauna don't have a transport system as we humans do to bring them food. The last thing needed in an area already populated with sufficient fauna housing, is another tree, but some form of food source whether it be native or not would be far more desirable. Greenhouse gas abatement laws should be carefully thought through so as to lower the need for compensation arrangements.

1 (c) While the government obviously has to have the right to restrict what may happen on one property, where it is perceived necessary to protect the rights of others, there would seem to be some sort of template already set up under native title by their rights of custom and tradition. It would be in everyones best interest to limit the need for court determinations re compensation.

1 (d) While it is mainly farmland that is bearing the brunt of the lack of property rights at the moment, I believe there is being a dangerous precedent for all land titles. I wonder how coastal landholders would feel if they were told to erect large earth walls, without compensation, to protect other landholders from rising sea levels because of global warming.

My thoughts on things being perceived as good or bad without qualifications, is where I believe many of our current land management laws are flawed because of wrong assumptions on which they are based.

While to my knowledge, no such law exists, if the government brought in a law to stop erosion, most would applaud that thrust. Erosion however has been necessary for our river system to form, and continued erosion to some extent is just part of the price we must pay for their continued existence.

(2) While not being too familiar with the detail of either policy it would seem to me that having a carbon tax will only lead to a reduction in emissions if those responsible for the emissions pay the tax and recoup their expenses from the consumers of their goods and services. Any subsidy by the taxpayer will merely mask the cost of the emission and have little effect on the pollution or incentive to find cheaper alternative solutions. Storing more carbon in the soil, would benefit the biology of the soil, but measuring the benefit may well eat up any potential gains unless simpler measurement ideas are forthcoming.

Trees as a carbon sink would on the surface seem to be a long term form of carbon storage, but most likely without some form of control or harvesting, they would become increasingly likely over time to be more prone to fire and hence the CO₂ cycle would start all over again.

Regards,