

Mr. T.P. Chirgwin

RE; Senate Inquiry into the Native Vegetation Laws, Greenhouse Gas Abatement and Climate Change Measures.

1. Firstly I would request that the Senators implement a longer time frame for busy and uninformed people to lodge their submissions, and more importantly to publicise the issue so that the general public know that the inquiry is occurring.

2. I am a landholder who has native vegetation in a Heritage Agreement and other Native Vegetation that is not in a heritage agreement. Although the land that is under agreement laws was placed into such with a small degree of compensation (fencing), the owners understood full well that they were not going to be allowed to clear it anyway under the new South Australian native vegetation laws, and thus were effectively blackmailed into putting the land into the Heritage Agreement. The scrub that was put into the Agreement was used to "allow" for the clearance of the remaining scrub, but the remaining scrub was not cleared. Upon further discussions with the Native Vegetation Branch of DEH, I have been told that I am now unable to clear the land that is not under the Heritage Agreement at all.

3. Further to this, we are prohibited from clearing large trees that grow on our council boundary, and no more than a metre onto council reserve for smaller vegetation. This effectively prohibits us from clearing in a practical nature (except to do it by hand), and we have a very high manual maintenance cost in future years to keep the scrub from impacting on our fences. To combat this most farmers (I am a fencing contractor as well and thus work for other farmers), resort to fencing inside their boundary and losing the use of their land. Those who step in the new fence 5m from their boundary, lose the use of at least \$1500 worth of land from every km of roadside fence on their property!

4. I have individual native trees that rob from my pasture and make it difficult when working the paddock. My costs are almost the same as if there were no trees, as spray overlap occur, fertilizer is wasted and breakages and lost time are increased. A single Narrow leaf tree can dramatically reduce production on 0.2 of a Ha (\$600 worth) of good land, yet I am in breach of regulations if I clear it. I have many such trees, yet am not compensated for any loss of income due to being compelled to keep them. I do understand that trees are of benefit when planted or grouped together, for shelter and salinity control, and as such I can choose the most applicable places to keep them or plant more. The Native Vegetation Act however, compels me to keep them all regardless of the practicalities, except with some minor exemptions.

5. Land that cannot be cleared is worthless as farming land. Many KI properties (as my own) contain large amounts of scrub which could be sold off to people who would desire to have a getaway block, but Native Vegetation Laws are very onerous when people try to subdivide the land through scrub and council will refuse applications upon advice from the Native Vegetation Council..

6. The placement of dams, or centre pivots for irrigation are also curtailed / impacted by Native Vegetation Laws.

7. At this point I will point out that I am not adverse to native vegetation, and have been raising awareness to Government employees about the biodiversity decline that has been occurring **because** of the native vegetation laws.

My property is part of the first private/public fire trial in South Australia, and shows that biodiversity regeneration will occur through deliberate burning where no fires have been for many years.

The Grace James Corner Trial (Kangaroo Island) yield 150 species of plants after the prescribed burn yet only 50 species were found prior to it.

We now need politicians to be genuinely environmentally aware!

The natural regeneration of species, after fire, moves from pioneer understory species until they are overshadowed by larger persistent trees, which ultimately also die out when regenerative actions are banned.

Consequently the "rare and endangered species" on KI are **only** due to the lack of fires, yet fires are illegal and in breach of the Native Vegetation Act and this impacts on landholder's ability to even preserve the Native Vegetation that they want to preserve!

8. Due to the National Water Initiative policy, the rights of farmers over their own farm generated storm-water are also being taken away by bureaucrats who misunderstand the significant increases in streamflow due to land clearance.

These misguided people have mistakenly called the present streamflow "environmental flow", and have not realized that the majority of streamflow from farming areas is farm generated storm-water.

On Kangaroo Island and in Western Australian CSIRO studies, paired catchment have found 5 fold increases in storm-water due to land clearing in 700mm rainfall areas.

Further to this, the proportion of farm-storm-water compared to scrub-storm-water increases in lower rainfall events/areas, and thus during droughts the percentage of runoff due to cleared land is even greater again than would have been obtained if it all was still scrub.

The rights of landholders have been curtailed and the farmers have not been compensated for this "community" benefit.

The Water Task Force under the Kangaroo Island Natural Resources Management Board has been set up look into the matter of stream-flows etc, due to local community who saw bureaucrats trying to force policies that were both inconsistent with scientific principles and Nature, and inconsistent with the prior ownership rights of property-holders with the Minister for the Environment in SA.

They advised that the planning was in keeping with the National Water Initiative.

9. I understand that the governments want a user pays system, and I think that this is a fair thing.

The Government has been paid in times past for the Crown rights over now private land (bar mineral) and all the trees and water etc on them, yet the government is taking away those rights that it had previously been paid for, and has refused just compensation. What an utter disgrace!

If a road was to be made in the City of Adelaide for the benefit of commuters, and some housing and businesses were in the way of progress, those owners would be (and are) compensated for their loss.

Country people expect no worse treatment than city people, yet governments seem blind to the obvious.

If, for community benefit, the rights of an individual are taken away, then the community that receives that benefit must pay just compensation, for the government issued titles to property with no encumbrances upon payment for those rights!

Any thing less is theft!

Thank you for giving me the opportunity to reinforce the importance of private property rights that are an integral part of a free and democratic society.

T.P. Chirgwin