

IMPACTS OF BIODIVERSITY AND NATIVE VEGETATION REGULATIONS
Submission to the Productivity Commission Inquiry May 2003

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I preface this Submission by saying that it is based more on my own experience within the System so most of the views are my own and not necessarily the views of my Council.

Do the regulations impact on farmers and do they protect Biodiversity?

If a landholder does the right thing and seeks permission to clear vegetation under NVR controls they have to pay for a permit and they often have to give offsets in the form of plantings or protection of remnants so they “lose” land, time and money as a cost of obeying the law. More plants do go in the ground that can help the environment to a small extent but they aren’t always a net gain to Biodiversity.

If a landholder wishes to ignore NVR’s they can plough up a grassland or knock down the trees and if no body complains they get away with it. This can and has happened in our shire and others in recent years and once its done its nearly impossible to put back a pristine grassland or replace 500 years of growth in a tree and it is extremely difficult to prosecute retrospectively.

There are also exemptions under the act such as pest plant and animal control, fire protection, fencing, access for utilities etc which can be used to completely clear a forested block over time all within the law. I cite the case of Campaspe Shire v Collins Pastoral from the Echuca Magistrates Court (as featured in the “Weekly Times” where the defendant was acquitted after clearing 120 healthy mature Bullock trees (*Allocasuarina leuhmannii*) a species protected under the EPBC act. The successful defense was that they were removing rabbit harbor.

In the case of a grassland there is also nothing to stop someone overstocking, fertilizing, broadcast seeding or pugging up a paddock with livestock. Any of these acts can destroy the diversity of species, lessen its value or eliminate certain listed endangered species. This was pointed out to me by a senior DNRE staff member so either the legislation is flawed or the on ground interpretation is.

Do regulations effect Land Values?

Just prior to a recent local auction DNRE staff made it known that the paddock was a grassland and couldn’t be cropped and the property was then passed in without a bid despite quite a lot of interest from local farmers prior to the auction. I have been told however that the prices paid at auction for blocks purchased by NRE for preservation as grasslands are above market value.

How can the Government achieve its desired environmental outcomes?

With the current situation there are too many loopholes that allow native vegetation to be destroyed by people who want to do the wrong thing. This makes the remaining vegetation even more precious and puts further constraints on those who are trying to do the right thing and at the moment this is costing them money. If legislation was tightened up to stop the deliberate losses, people who are currently providing the service of maintaining biodiversity for nothing were given a return for their investment and there was wider education on the non tangible benefits of maintaining biodiversity, then the government might start to achieve its outcomes.

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