

PJ & SE Harris
NSW

13 March 2004

Productivity Commission
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Dear Commissioners

My family is involved in mixed farming, having moved to the Burren Junction area in 1976 from Gilgandra, 260 kilometres to the south. In that time, the land use in this area has changed significantly. In 1976 approximately ten percent of the area was cultivated, compared to about thirty-five percent today.

These changes have occurred for a number of reasons, one of which is that vegetation changes naturally as part of an evolving environment. According to long time Burren Junction residents and their records, the land is changing from open grassland to deeply wooded areas.

As a result of this change in vegetation, the landuse is changing. My neighbour at "Nowley" can now run only four thousand sheep on land where he ran ten thousand sheep fifteen years ago. The reason for this is that there have been a number of exceptionally wet years that have led to the open grassland being choked out by a proliferation of trees.

The most economical solution to this problem has been to clear, cultivate and crop this land leaving shade areas and vegetation corridors. After cropping for a few years the land is rotated to a pasture phase again for grazing. Through this process the land was being managed in a sustainable manner until August 1995.

At that time the NSW Government gazetted the State Environmental Planning Policy 46 in an attempt to regulate landuse and development in this state. This regulation was found to be unworkable and was followed by the Native Vegetation Act of 1997. This Act, by the Government's own admission, is also unworkable, and now a new Native Vegetation Act is being formulated for implementation in the next couple of months.

At the same time, the trees have continued to overtake our grasslands and reduce production.

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In order to arrest the continuing loss of production and to survive financially, we have had to develop and cultivate areas most affected by timber, using the exemptions of SEPP46.

It has been proven that the NSW Government, through the Department of Land and Water Conservation, and now the Department of Infrastructure, Planning and Natural Resources, does not understand the evolving nature of our lands and only wish to see absolutely no development at all, sustainable or otherwise.

This has been very apparent where good, sensible local people of the Walgett Shire have given their time freely to participate in the consultation process through the Walgett Native Vegetation Committee. This committee worked tirelessly for a number of years until the local members resigned unanimously, due to their absolute frustration with the lack of progress.

It seems the consultation process is just a farce, merely providing a vehicle to allow the government to push their own politically misinformed, unworkable and unsustainable agenda.

During all this, the landowners have tried to live and work with these laws. It has been impossible!

My wife and I now find ourselves appealing a Remedial Action Order in the Land and Environment Court to defend work that was undertaken legally under the exemptions of the Native Vegetation Act. After surviving two years of drought, we find ourselves borrowing more money to pay solicitors and a barrister in order to establish our legal use of land for agriculture.

The Remedial Order states that our land must not be cropped or grazed for the next ten years. If one sheep or cow grazes this land, we could be liable for a fine of \$110,000, with an additional \$11,000 per day thereafter if the offence continues.

This is a very serious matter.

Half our neighbours are so frightened of the regulations and their consequences, that they are not developing their land, and as a result are seeing their production decline and with it, their viability.

The other half are trying to manage their ongoing maintenance and development under very difficult conditions. But they wonder if they will be the next victims of a vegetation compliance officer, supported by this unworkable and unsympathetic legislation.

Sustainability of the environment and sustainable, efficient agricultural production travel exactly the same path, and farmers, as custodians of the land, take our

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responsibilities very seriously. However, we need security in our property rights to enable us to carry out these onerous responsibilities.

If the lawmakers are to gain the respect of the landholders, they will have to show some credibility. To do this, the regulations must be based on science and fact, not emotion and political gratification; and the people involved must be adequately qualified for the tasks involved.

Farmers are not fools. We are people with initiative, drive and passion, and we cannot stand quietly by, while our property rights are eroded by continuing misinformed legislation.

Yours faithfully

P J Harris