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Submission

to

The Office of Environment and Heritage

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on

The Review of the Native Vegetation Act

Compiled by John Edwards

Honorary Secretary

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Submission on Native Vegetation Act Review

Introduction - Overview

The Clarence Environment Centre has maintained a shop-front in Grafton for over 22 years, and has a proud record of advocacy for the conservation of our unique environment. As such we are focused on the protection of native vegetation which serves as a cornerstone for biodiversity without which the human race would cease to exist.

In March, 2009, The Chair of the National Biodiversity Strategy Review Task Group, circulated a letter introducing “Australia's Biodiversity Conservation Strategy 2010-2020”. In that letter he states that: ***“It is now well understood that the decline of Australia's biodiversity and the loss of critical ecosystem services that they provide has the potential to impact on all sectors of our society and economy”***.

The Biodiversity Management Plans and Strategies, introduced at all levels of Government in recent years, have all identified one undeniable fact, that native flora and fauna are in decline across the board. When referring to the Federal Government's previous 1996 Strategy, the review Task Group's circulated Consultation Draft, acknowledges (page 10) that: ***“We observe and note report after report of the downward trend in our biodiversity: the Australia State of the Environment 2006 report found that biodiversity is in serious decline (Beeton et al. 2006); the second environmental performance review of Australia by the Organisation for Economic Co-operation and Development, 2008, reports that despite improved efforts the downward trend in the conservation status of some species continues.”***

Another undeniable fact is that native vegetation loss is the major contributor to those declines. The Office of Environment and Heritage (OEH) has been charged with the protection of biodiversity in NSW, supported by numerous pieces of legislation, including the *Native Vegetation Act*, to allow for that protection.

As such, it was disappointing to read the Minister's politically motivated pronouncement that, *“the cycle of Labor and Green policy experimentation has left many in the farming and natural resource management communities disenfranchised over Native Vegetation management”*.

That comment, clearly aimed at pandering to the Shooters and Fishers Party, is made despite an admission that over the last 5 years that “experiment” was successful in reducing land-clearing from a frightening 80,000 hectares, down to 2,750 hectares per year. From this we can only assume that OEH has been instructed to water down land-clearing legislation to allow landowners free rein to return to the bad old days, simply to achieve the political support of right wing extremists.

The Minister's comments that: *“the Liberals & Nationals Government's position is that we support the objects of the Native Vegetation Act to protect native vegetation of high conservation value, to prevent broad-scale land-clearing unless it improves or maintains environmental outcomes, and encourages the revegetation of lands”*, is a major concern.

Table 2 in the minutes of the Natural Resources Advisory Committee (NRAC) meeting, (9-10 August 2011) **shows that the Minister's own Private Native Forestry Unit (PNF) has, in the last 4 years, reassessed 165,836 hectares of mapped old growth and rainforest, and only 5,457 ha of old growth and 4,945 ha of rainforest were confirmed (10,402 total), meaning that 155,434 ha of mapped old growth and rainforest has been declassified, to allow it to be logged and now, with the Ministers claim that *Act* will only protect vegetation of high conservation value, also allow it to be cleared. Is this why the NRAC committee was recently abolished?**

The Minister's suggestion that land clearing can somehow *“improve or maintain environmental outcomes*, simply beggars belief.

Summary.

The Clarence Environment Centre urges the Review Panel to ensure that, while we have no objection to the cutting of red tape, this should in no way lead to any weakening of protection for native vegetation. Therefore we ask that:

- any changes to the *Native Vegetation Act* retain measures that fully protect native vegetation,
- the definition of “regrowth” be changed to apply only to native vegetation less than 15 years of age (currently regrowth is classified as anything growing since 1990), and “regrowth removal must only be allowed where canopy cover of mature trees is less than 5%. The current loophole which allows “underscrubbing” of forest by claiming it is regrowth, or that it is “Routine Agricultural Management Activity”, must be closed,
- the removal of native vegetation for bushfire protection, or fire hazard reduction, must be policed to ensure the activity does not extend beyond the legislated limitations, and used to clear more land,
- the allowance of 6 metres clearing, either side of a fence line is excessive, and should be reduced to no more than 6 metres in total, while at the same time controls must be placed on the number of internal fence lines that are allowed in forested country (i.e. fence line clearing as a defacto clearing excuse, must cease),
- “underscrubbing”, particularly in relation to rural residential land must be stopped. This practice, which entails the bulldozing of all understorey vegetation and “unsightly” old, hollow-bearing trees, simply reduces biodiversity by over 90%.
- stewardship payments and/or carbon credits be made available to landowners who are prepared to manage their properties for biodiversity conservation,

We thank the Minister for this opportunity to comment, and ask that our organisation be kept informed.

Yours sincerely
John Edwards