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BUNDARRA NSW 2359  
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17th August 2012

The Secretary  
Native Vegetation Regulation Review  
Conservation Policy and Strategy Section  
Office of Environment and Heritage  
PO Box A290  
SYDNEY SOUTH NSW 1232

**SUBMISSION TO THE REVIEW OF THE NATIVE VEGETATION REGULATION 2012**

Dear Sir

I enclose my submission in relation to the above review

I have previously sent a copy of this submission to the Border Rivers / Gwydir Catchment.  
Management Authority for their information and comments.

Yours faithfully

*Ian Scott*

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## SUBMISSION TO THE REVIEW OF THE NATIVE VEGETATION REGULATION 2012

### INTRODUCTION

I believe that most farmers would be in favour of the Native Vegetation Act IN PRINCIPLE, in that it saves what remains of genuine natural areas from development. This compensates for the time when so much good land was turned into virtual desert - when farmers made the land unproductive by overstocking and overgrazing, and then moved on to do the same to adjoining land, and so on. Most farmers now manage their land so it remains sustainable as well as productive, but the Act does not appear to recognise this.

Why the Act, in its present form appears unjust, is that it limits works to improve grazing capability on ESTABLISHED GRAZING LAND, by giving priority to re-creating what is claimed to be a natural environment, unsuitable for grazing, over the continuing use of sustainable grazing practices. This is why the strong objection to the Act is understandable!

Unfortunately, the comments by the farmers at the meeting in Inverell were emotional rather than constructive. What is really needed is to strike a practical balance between ecological benchmarks and sustainable grazing benchmarks. This submission is an attempt to achieve such a balance, with constructive comments on one part of the proposed changes.

Subject to my comments, I support in principle the draft Code of Practice for the Thinning to Benchmark Stem Densities

### BACKGROUND

The background to this submission is our experience in rehabilitating a property in what was originally grassy box woodland with granite soil, and which was developed in various stages up to the 1980's. It was "improved" in the then traditional way - most of the trees were bulldozed, and the ground ploughed and sown with introduced grasses, and fertilizer was applied annually. But in about half the area of the property the improvements were never completed, in that the dead trees were left lying where they fell, and the new pastures were not established. Furthermore, although the area was grazed, there was insufficient stock to eat the sapplings, and it is now covered with large bands of thick re-growth, consisting of closely spaced, slender, small trees, principally apple, stringybark, gum, and black pine, many multiple trunked, and most of which will never reach maturity due to competition for nutrients, sun, and growing space. These bands prevent the growth of pasture, and interfere with mustering and vehicle and machinery movement.

In the re-growth areas we are selectively culling/ thinning post 1990 re-growth as a routine agricultural management activity (RAMA) in accordance with the Native Vegetation Act 2003 Section 9(2), but as it is almost impossible to determine the age of the saplings, and as they are too small to be identified by aerial photograph or satellite image, we have assumed a benchmark of max. 15cm. trunk diameter at eye height, and crown diameter of max. 2M. As it is not practical, or even necessary, to cull and thin the whole re-growth area, we have limited this to key locations, such as the more fertile hollows, and corridors connecting the various cleared parts of a paddock, and where the re-growth is the least dense. In culling, we have ensured that examples of all species still remain.

Our policy since 2008 has been to allow the introduced grasses to be gradually replaced by native grasses (with the introduction of clover only) and to reduce the quantity of fertilizer, so as to re-establish the pasture as "Modified Native Pasture" (as defined in "Managing Native Pastures for Agriculture and Conservation" by Langford et al.) This includes both the "improved" and the culled/thinned re-growth areas.

We also recognise that the retention of the larger and healthier re-growth trees will, in due course, provide a greater density of tree cover than that intended by the original clearing, resulting in intermittent moving shade for stock, and for nurturing and protecting pasture growth, particularly in dry periods - a return to areas of grassy box woodland.

The draft "Thinning to Benchmark Stem Densities Code of Practice" as described in Fact Sheet 4 of the Review, will be the most valuable item in the revised Act for many farmers, who wish to do low profile clearing as described above, as it will give them much more confidence in compliance with the Code.

#### COMMENTS AND RECOMMENDATIONS ON DRAFT "THINNING TO BENCHMARK STEM DENSITIES CODE OF PRACTICE"

The original RAMA classified re-growth approved for removal as those trees which have been propagated since 1st January 1990, which, as previously noted, is almost impossible to determine. There was no limit set to the number of trees which could be removed, nor any requirement to retain representatives of all species.

My previous submission to the Native Vegetation Committee, dated 2nd April 2010 (never acknowledged) suggested a classification of re-growth by trunk and crown diameter, rather than by date of propagation. In order to retain some degree of tree cover, it suggested a circle of maximum radius around a tree which was clear of other trees before that tree could be removed. It also suggested that a full range of species and ages should be retained.

I note that the draft C of P now addresses these issues.

I also note that the draft C of P specifically applies to the Namoi CMA, but will be similarly adapted to suit other CMA's.

I suggest that the following items be considered for the C of P for the Border Rivers - Gwydir CMA:-

1. The stem Density Benchmark Data Table be carefully compiled to cover all the main vegetation types specific to this CMA, which farmers would wish to thin in order to provide usable grazing area.
2. The maximum stem density for any vegetation type should not exceed 100 stems/Ha in the 20cm class, and average spacing should be no less than 10M. This will allow practical grazing.

When a paddock has a mixture of both open space and re-growth, the average stem density and/or average spacing to be achieved after thinning, should be calculated only on the area of the original re-growth.

3. Two alternatives should be available for achieving the required stem density and average spacing within a re-growth area:-
  - (a) uniform stem density and average spacing over a whole area.
  - (b) groups of closely spaced trees, say at 2M spacing, or even un-thinned with larger spaces between groups, say 50M.
4. There should be provision for further thinning, once the 20cm trunks, and their equivalent crowns have increased in size, which might otherwise result in a closed canopy, with no sunlight on the pasture. ("A Guide to Managing Grassy Box Woodlands" by Rawlings et al. suggests a density for mature trees of 30-40/Ha) This could be considered as private native forestry.
5. There should be provision for removal of diseased and unstable (leaning) trees. The former will never provide a useful function, and the latter will prove a hazard and will probably fall over before the normal life span.
6. The other conditions listed in part 5 of the draft C of P should be included as they are.

With the above suggestions, I would support this Code of Practice, as it will achieve a practical balance between ecological benchmarks and sustainable grazing benchmarks.

Ian Scott

