

Mrs J. Hughes

Mr Chairman", I would like to move the motion "that this meeting calls on the NSW government to repeal the Native Vegetation Act 2003 and Regulations completely or

I would like to support the motion calling the NSW Government to repeal the Native Vegetation Act 2003 and Regulations completely.

Quite apart from the fact that the Native Vegetation Act is proving to be bad in practice with reducing biodiversity and increasing weed, feral animal, bushfire and soil erosion problems, and bad in principle as it criminalises ordinary farming activities by unreasonable and convoluted codes of practice, I see this Act as attacking our basic ownership rights to use our property for the lawful purpose that it was purchased for.

My name is Jeannie Hughes. My husband and I own nearly three and a half thousand acres of freehold title land zoned for agricultural production. Over fifteen hundred acres of that land is native vegetation locked up by this bad legislation. This land, because of that vegetation and the bad law that protects it, does not contribute a penny's worth of productivity to our business which is to produce food for our nation and the wider world. Even the Greening Australia man at the carbon farming initiative information session I attended last week could not explain to me just HOW my productivity was improved by the trees on this land

As far as we are concerned we cannot find any financial benefits from owning native vegetation locked up at great cost to us as we still pay rates, weed and pest control costs, etc, but we have lost the **potential use** of that land which could be to clear suitable scrubland by our own decisions and plant the grasses or crops which will benefit our farming business and produce food for our nation and the wider world.

So, who owns that land locked up by the Native Vegetation Act?

Do we own it? But we can't use it by our own decisions. If we have to ask for permission to use it, do we still own it?

Does the State Government bureaucracy, the CMA, own it? They are the people we have to ask for permission to use it. They have never paid any just terms compensation even though there is a Land Acquisition (Just Terms Compensation) Act 1991, and by the by, this govt is also reviewing that act asking for public submissions to: "define and clarify what real property rights or interests in real property are "

Does the Federal Government own it? They are the corporation who are benefitting the most from the use of it when they negotiated and ratified the Kyoto Protocol. Our locked up native vegetation forests are being counted in the Land Use, Land Use Change Australia

Clause by which Australia can increase the domestic greenhouse gas emissions such as in the manufacturing, transport and mining industry, on the back of the locked up forests in Australia – on OUR Backs!

So who really “owns” property?

Remember that line in the sand? It unfortunately has been crossed many, many times and one of the most horrifying was the passing of the Native Vegetation Act 2003 at a time when the Productivity Commission warned against it, and I quote:

“using regulation as a means of ‘taking’ private property may prove counter-productive”;

Again, I quote:- “creating an adversarial approach is unlikely to be effective for achieving biodiversity outcomes, particularly in the longer term”;

and yet again, I quote: - “the assertion of ownership by government of a formerly private resource, without public debate or without payment of compensation, raises the prospect of non-compliance”, - I could go on!;

also the Legislative Review Committee advised that it “trespasses on personal rights and liberties” and that it also “inappropriately delegates legislative powers” and even the authors involved no longer want to “own” it, for example, NSW Farmers Association who were involved in its preparation and I do sometimes wonder at what Mr Ian Sinclair (of the Sinclair Report) or the Wentworth Group think of the finished product.

Speaking on behalf of my husband and I, we are not asking you to get rid of the CMAs or the potential good work they are capable of, as a voluntary co-operative democratic organisation as opposed to an authority. We are not asking for permission to destroy the environment – we ARE the environment, we live in it and we work with it! We are asking you to restore our stolen “ownership” of our property which can be done by repealing the Native Vegetation Act and Regulations completely as was promised by this present government in the lead up to the 2010 state election.

I ask everyone here to vote for the motion.

Public Exhibition Documents on Website  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
Terry Brill wrote some

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