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Native Vegetation regulation Review Team,
Level 12,
PO box A290,
Sydney South. NSW. 1232.

Dear Team,

Supplementary Submission to Native Vegetation regulation Review.

In response to your email dated 25th July, 2012 with regard to my “submission” to the review of the Native Vegetation Regulation I have no problem with my “submission” being made public provided it is posted in its entirety.

What I do find concerning is the ignorance displayed by the Hon. Mr. Andrew Stoner when it comes to recognising the correct democratic procedure for a constituent to advise their elected representative of their **WILL**.

In support of having the Native Vegetation Act repealed in its entirety:-

Land Magazine 26th July 2012.

Oakdale farmer [REDACTED] purchased 10.1 hectares of land in 1997 has 700 pecan nut trees with an annual production of six to ten tonnes of nuts. [REDACTED] revitalised the neglected soils by adding nutrients. The unfortunate outcome was the regrowth of gumtrees – gumtrees that began to overwhelm the pecans. Local council officers said he could not remove the gumtrees but suggested he could remove rows of pecans. Wollondilly Council spokesman stated the council was bound by the State Governments’ Native Vegetation Regulations.

Daily Telegraph 28th July, 2012.

[REDACTED] run a caravan park on eight pretty hectares behind South Ballina beach. They have ploughed their retirement savings into restoring an old camping ground into a low-key, affordable, family-friendly eco-resort.

But now, like property owners all over NSW their livelihood is under threat, as green-dominated councils use a new state wide planning template effectively to “sterilise” land of human influence. The Grinberg’s Ballina Beach Village has been rezoned from a recreational zone to the environmentally sensitive category of E2, which is the next stage down from a national park, and forbids tourist activity. While technically, they are allowed to keep operating their eco resort under “existing uses” clause, the reality is the opposite.

Now every time they want to change anything, whether it is to use crockery at their kiosk, hire a singer to play in their piano bar, renovate the interior of an old shed to turn it into a yoga studio, even trim a branch off a termite-infested tree that might fall on a tent, they have to submit a development application and prove to Ballina Shire Council they are not “intensifying” the use of the land.

The effect is their thriving business is becoming unviable.

(See full story in Daily Telegraph)

This is just two recent cases where well meaning people have invested in land, been environmentally responsible, only to be prevented from realising a return on their investment because of the Native Vegetation Legislation – a legislation undoubtedly originating from the United Nations Agenda 21.

There are many more documented cases where Local Councils and Statutory Authorities have employed tyrannical oppressive rule administered with injustice and arbitrary use of their (assumed) authority to prevent landowner/farmers from deploying economic development of their natural resources and denied their right to free enterprise and self determination.

There is also a plenitude of cases of landowner/farmers submitting property vegetation plans in an effort to be allowed to effectively manage their land and perhaps increase their financial returns, to no avail.

When visiting farms in the North West of NSW State Environment Minister Robyn Parker stated, “Today’s visit is timely because I found out their input (farmers) hadn’t been received”. (Land Magazine 28th June 2012)

Our State Government has instigated public meetings throughout the state to get landowner/farmer feedback on proposed changes to the legislation.

As I understand it the Native Vegetation Legislation had a “sunset clause” and was to be repealed September, 2012.

At all meetings, to date, a motion has been put forward to have the Native Vegetation Act repealed in its entirety. The motion was carried, in many cases unanimously.

Ms Parker stated, “The (Native Vegetation Act) itself has a range of protections and measures in place that are important to maintain – it’s a separate discussion. She said, “It is important that farmers come along and give us feedback so that changes can be improved and reflect their issues and frustrations.”

What part of the landowner/farmers message does Ms Parker not understand?

It would seem the State Government wants to ensure the continuation of the Native Vegetation Legislation with scant regard to the wishes of those most affected.

The best advice the minister could accept would be to do some case studies of rejected property vegetation plans and listen to the people she is supposedly representing rather than some unelected foreign entity.

To add insult to injury and display an overwhelming blatant hypocrisy the Planning Assessment Commission has recently approved a new coal mine at Boggabri. The commission found “the potential impact on biodiversity are substantial but could be managed if stringent conditions were met, including allowing a large tract of forest to remain as a biodiversity corridor for animals to move through.”

“..including allowing a large tract of forest to remain...” This implies the major portion of the forest will be removed to mine coal – not to grow food – just to mine coal.

Our farmers have to battle the elements and vagaries of markets every day of their lives, working long hours, to produce food and fibres for the wellbeing and comfort of the nations’ people.

On top of this they have to battle with bureaucrats, green and environmental groups including the Total Environmental Centre, public servants who enforce legislation passed through the people’s parliament by the peoples elected representatives – legislation stifling any chance of achieving the full economic potential and return on investment.

Is it any wonder statistics show 9% of farmers suffer depression compared to 7% for all Australians. Suicide rates for men in regional and remote areas are up to 2.6 times higher compared to urban areas.

Native Vegetation Legislation must be repealed to prevent:-

- The down-zoning of private lands.
- The use of environmental zones on private property.
- The effect of overlays on private property.
- The forcing of landowners into perpetual conservation agreements without just compensation.
- The interpretation of the standard LEP template by local councils.

I encourage **The Team** to ensure this submission is place on the Office of Environment and Heritage website in its entirety.

Yours in democratic government,

Ray Gorton.

3rd August, 2012.