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Biodiversity Legislation Review

PO BOX A290

Sydney South

5 September 2014

To Whom it May Concern,

We apologise for our late submission in reference to the Native Vegetation Act, and the Threatened Species Act relating to the necessity to clear trees and grass when developing your property, with the intention of increasing productivity and value. Over the past 15 years we have made several approaches to various departments of the NSW Government, including a submission in 2004 to the Productivity Commission on a report they were doing on the Impacts of NVA and Biodiversity Regulations.

The only thing that came from all this was that we would have to make application for a Vegetation Management Plan. This had to be done by qualified experts in this field. We spoke with two separate experts (consultants) and there costs were both \$ 60-\$70,000.00 plus expenses.

I then contacted the owner of nearby property Euroka Station, and his advice was don't waste your time and money as he had spent in excess of \$100,000.00 and achieved next to nothing. A similar conversation with the manager of Spring Plains proved similar with his advice, don't waste your time and money.

When we purchased our 3 properties in 1997 we were still under the Western Riverina Grasslands Management Plan.

In June 1997 a NVA officer from Leeton inspected the properties and he advised us in writing that we would be able to develop up to 85% of the joining properties as we had less than 50% NV. We did not wish to clear that amount of land we would have been happy with 60%. The Department of Water in Leeton then granted us 3 irrigation licences one for each property .

In 1998 we put the first bore in and developed 120 hectares for irrigation. The second bore was then completed along with another 150 Hectares of irrigation set up and finally the third bore was installed. We had spent in excess of \$ 1,000,000.00 setting the plan up for a top irrigation property, working with the DLWC in Leeton all the way.

On 20th December 2000 my wife Jenny received a phone call from an officer at the Deniliquin DLWC stating we were in breach of the NVA and immediately we were told to stop work or face fines in excess of \$ 1,000,000.00. We were totally unaware of the changes in the legislation and we had not

received anything from the Department to let us know of the changes, we argued that we were given the go ahead under the WRGMP. We now had 2 magnificent Bores working, another installed and not enough country ploughed up to make the operation viable.

This was a very difficult and stressful time for our family. Our eldest son had just finished an Agricultural Degree with intentions of returning to help run the farm. He could foresee big problems with the NVA and TSA (Plains wanderer recovery plan) he chose to move on. A wise decision for a bright young man who wanted to be successful and really wanted to contribute to the future of farming in this country.

We could have worked up 80% of our country in 1997 and turned it into a dust bowl. To me this would have been extremely poor management , we could have done this and never had a worry, but instead we chose to give the country a spell while we did the irrigation development, as it had been heavily overstocked by the previous owners. I have always felt somewhat cheated by the decision of the Department not to inform us that things were changing , therefore we could have had a window of opportunity to complete the fallowing for the irrigation and we would have been fine.

In 2006 we suffered massive cuts to our water allocations because we could not use all our water without sufficient irrigation ground available. Our new water allocations were based on History of Use and our HOU was low.

Naturally one can imagine from the year 2000 on, as stated earlier there were many conversations with neighbours, letters to Government Departments, all to no avail, finally progressing to the costly legal and court system. I will not elaborate.

If the NVA and the TSA is not repealed so the farming community can operate and manage their properties in a manner which is financially rewarding and environmentally sustainable then the future for farming families in Australia does not look very encouraging to me.

Sadly we are running out of farmers.

If we had been able to finish our development , it would now be producing 1-1.5 million dollars a year and employing 2-3 staff. Instead we have leased the property to a grazier, and the irrigation has not been used for 7 years. Jenny and I had other interests at the time so we had to put all our energy into these to financially survive. Had we not been in a position to do this the actions by the Officers in these Departments would have sent us bankrupt. We have suffered enormous financial losses.

Ours is a situation mirrored by many. So much beautiful productive land going to waste because of the terrible draconian laws that people are so frustrated and fed up with, but my greatest fear is that we have no one in Government with the courage and spine to tackle this issue.

Unfortunately this new State Government who promised things were going to change, gave us a slight glimmer of hope that there was light at the end of the tunnel for NV but time is marching on as they too have done nothing to date

I was not going to send a submission. I know Jenny and I have done everything we could to try and get some justice for what we believed was incorrect advice and a very raw deal from Officers in the

Department for both NV issues ; Plains Wanderer issues (we have never seen one on the place, but their mapping suggests otherwise); and enormous issues over the formula used to incorrectly calculate our WAL (Water Access Licence). I am not going to send good money after bad anymore.

I complete our submission by suggesting you read: **Page 326. Implementation of the regime. and Page 327. Complexity. The Productivity Commission Inquiry Report 8 April 2004.**

From this you will gather what the incompetence of bureaucrats not being responsible for their actions can achieve, which in our case (like many others) was devastating. I firmly believe that sometimes people get delegated to positions beyond their level of intelligence this was certainly so in the NVA and this is strongly supported by reading the paragraphs suggested above. But then again what good came out of the Productivity Commissions Inquiry?

Yours Sincerely

Stewart and Jenny Hutchins