

Farmers reject native vegetation law

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Landholders in southern NSW are calling for an end to that state's native vegetation law and regulations.

"My real issue with the *Native Veg Act* is that I can not increase my productivity," says sheep and cattle grazier Craig Mitchell from Cooma.

The Cooma meeting of 50 people voted unanimously to call on the NSW government to repeal the legislation that the farmers object to and most of the farmers walked out of the meeting after passing their motion of objection to the legislation.

It was a strong statement of discontent at the start of the first of the states 27 regional meetings on private native forestry and native vegetation that is being run by the NSW Government.

Cooma district sheep and cattle grazier Craig Mitchell is also the local chairman of the NSW Farmers Association, and says restrictions on native grasslands are hurting the Monaro farmers.

"I run a business on my farm, and If I am not increasing my productivity by two-and-a-half per cent a year, I am going backwards, so I need to be running my business pro-actively, and this legislation just slams the door on me."

His views were echoed by many other agricultural producers at the meeting about possible amendments to the regulations for the act relating to the state's *Native Vegetation Act*.

Brian Clifford of Shannon's Flat, between Cooma and Canberra says that Monaro farmers have been excellent conservators of the native grasslands for many generations and that is why the areas remain in 2012.

"My grandfather took on my family farm in 1896, so if we were doing the wrong thing and over-clearing, we would not still be there (farming to this day) because farmers are environmentalists and we do care for the land."

Wool grower, retired government sheep specialist, and Snowy River Shire mayor John Cahill says native grasslands can be preserved alongside pasture improved farmland as profitability will give producers the money for conservation programs.

"If you went back to a totally native vegetation farm of this lower rainfall Monaro area it would at best run half a sheep to the acre, and you would not be able to breed sheep on it, and you would not be able to make provision for drought through fodder conservation or grain production, so all these things impact on how you manage your land."

John Cahill says the legislation is hurting his regions agricultural producers and their community as the state's native vegetation regulations make it unprofitable for many Monaro farmers to continue.

The Monaro meeting was told by Linda Bell, the manager of conservation policy for the NSW Office of the Environment, that all comments are welcome about the regulations relating to the *Native Vegetation Act*.

However, she said the relevant minister has indicated the law will stand.

Meetings continue across NSW and public submissions are being sought up until August 24.

Various options papers deal with vegetation types including grasslands, with some at the meeting optimistic that a compromise could be reached to allow farming and biodiversity outcomes.

Brett Miners from the Southern Rivers catchment management authority urges the community to read the discussion paper about possible revisions to the regulations relating to native grasslands management.

He is one of the many people looking for ways to link sustainable farming productivity with biodiversity outcomes.

"The government is setting up this process and people really need to have their say."

They will get a strong submission of rejection (reprinted below) from many Monaro landholders, including Justin Jefferson of Kybean on the eastern side of the Monaro where the tall timbered escarpment freehold farm lands meets national parks.

He says his family has been financially disadvantaged by the native vegetation legislation that prevented clearing of trees.

"We had a family farm that was put into a native reserve voluntarily 40 years ago before the act and we were going to selectively log it for superannuation retirement (income)."

Justin Jefferson says his farm lost over a million dollars in value due to the native vegetation legislation, as they could not cut down the timber that was valued at over \$2 million.

"We could not sell it (the farm) for \$700,000, so that means the value of the property rights confiscated was \$1.4 million."

He speculates that there must be billions of dollars worth of property across NSW that he refers to as 'confiscated without compensation'.

Read the full speech of Mr Jefferson at the end of this article.

Again Linda Bell says the government is keen to hear from anyone with a view on the state native vegetation regulations.

"We are seeking their input on those proposed changes so that we can finalise something that will work."

John Cahill is one of the many proactive agricultural producers concerned by the rapid proliferation of the region's worst weed, lovegrass.

He says the weed is threatening to destroy the Monaro native grasslands that are essential for regional agricultural activity.

"I am concerned by our grasslands and their ability to survive into the future as they have been managed by farmers for the past 200 years, and the proof of that success is that they still exist and many of them exist in pristine condition."

Mr Cahill says he arrived in the area in 1967 and is increasingly concerned for the state of the Monaro native grasslands that have become more degraded as highly invasive exotic weeds have proliferated under the *Native Vegetation Act*.

"If you look at what is happening in this area, and now I see the area of Cooma, and north of Cooma, completely invaded by lovegrass and the agricultural productivity of that area is almost nil now and I am very frightened that the rest of the Monaro grasslands will go the same way."

Linda Bell says the new Coalition government is listening to community views.

"The minister is clear that if people have concerns with the greater legislative framework, and the native vegetation act, those comments are welcome."

The issues are not unique to NSW and Victorian farmers are also calling for a change to that states native vegetation legislation.

Gerald Leach from the Victorian Farmers Federation says the laws make it difficult for farmers to expand production from low intensity grazing to higher cost cropping.

"It costs some farmers dearly, as now technology allows them to crop that paddock, but if there are native grasses they are not allowed to plough that paddock, and that leaves them in a time warp."

He says farmers and the broader community are trying to achieve the same outcomes.

"What they are trying to achieve it enhanced biodiversity outcomes but that will only come through incentives to farmers."

Copy of the motion and speech by Justin Jefferson as presented at the Cooma meeting on June 27th 2012.

Motion:

That this meeting calls on the NSW to repeal to the *Native Vegetation Act* and Regulations completely.

Opening Speech:

The *Native Vegetation Act* should be completely repealed because it's bad in principle and bad in practice and can't be fixed by tinkering with the Regulations.

For starters, here in the Monaro the overwhelming effect of the Act in practice is actually to promote the spread and restrict the fighting of African lovegrass. This means more weeds and less native vegetation, less biodiversity and less sustainability. So the Act is self-defeating. It can't justified be even in its own terms.

But it gets worse. The Act simply
1: ASSUMES that all property should and does belong to the state;

2: ASSUMES that the state knows best in all and any decision-making; and it;
3: ASSUMES that social co-operation based on force and threats and central planning is intrinsically better than social co-operation based on consent and freedom and property.

All these assumptions are wrong and offensive. They have been disproved both in theory and in practice over and over and over again at enormous cost in human suffering.

The Act reverses the onus of proof: you're guilty until proven innocent. It authorises intrusive search without a warrant. It abolishes the right to silence: it compels you to incriminate yourself. It authorises evidence by executive decree. It effectively confiscates freehold property rights without compensation in breach of the Constitution. The Act is oppressive and abusive.

And if you say what about my property rights and the Constitution? What it all comes down to is this: how does being tasered, and handcuffed, and locked in a cage sound? That's what's called strengthening compliance. The Act criminalises farming.

The reason people were clearing native vegetation in the first place was because seven billion people, through the price mechanism, were telling landholders We want you to use that land to grow food and fibre, because we are hungry and cold?

The supporters of the Act aren't proposing to eat Poa tussock and gumnuts, they want steak sandwiches and salad and nice food like everyone else. They're not volunteering to go without food. They just ASSUME it's a good idea for someone else to go without food.

If it's true that native vegetation is more important than property rights, then why don't the supporters of the Act sacrifice their own property?

All that's needed to achieve the objects of the Act is for those in favour to form themselves into a voluntary association or use an existing one like the Australian Conservation Foundation - instead of buying cappuccinos, and mobile phones, and biscuits, and holidays which according to them are much less important than native vegetation - they need to spend the same money to pay for it. They can have all the vegetation communities they want!

If a lot of people support it, the monthly subscriptions will be small.

And if a not a lot of people support, the Act cannot be justified.

So if we put aside all the justifications for the Act that are:
1: self-defeating, and dysfunctional, and factually false,
2: and all the justifications that are abusive, immoral, and anti-human
3: all the justifications that are illogical, a double standard, and hypocritical there's nothing left!

I challenge anyone here who think they can defend the Act to start by getting up here and telling us why the value of imposing a pre-1788 botanical museum on everyone else's property without paying for it, is a value that automatically ranks higher than
1. the value of human life,
2. the value of our livelihoods,
3. the value of constitutional government,
4. the value of the billions of dollars of property rights that have been confiscated, and
5. the value of our freedom and a free society!

When the politicians and government officials are running their offices like they were in 1788, then and not before is the time we should start talking about running our farms like that.

Of course they won't and they can't. The Act is fundamentally bad, it should be repealed, and I ask everyone here to vote for the motion.

(This is a copy of the motion and the speech given by Monaro landholder Justin Jefferson at the Cooma public meeting on native vegetation on June 27th 2012.)