

SCANNED

Submission on: A guide to grazing and clearing of native vegetation Your Ref CEO 1258 /15

General: Thank you for the opportunity to comment on a document urgently required to put a very complicated Act in a form and language that the rural land owner can understand.

I will offer my comments page by page:

Page 1. (As indicated on the bottom)

Disclaimer: The Department should accept responsibility for the document. It would serve no purpose if every land owner had to seek expensive legal advice before carrying out routine land management on their own property.

In any event, following the "Shark Bay Fisherman's Case" I think the Department would have to accept responsibility.

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Introduction – Agree.

Purpose – Agree.

Legislation – Agree

Exemptions for low impact land management practices: First paragraph – Agree

Second Paragraph: Most of the Wetlands identified in the 2005 Notice are not wetlands of any significant environmental value, or have rare and endangered species. This legislation needs review.

From time to time the ESAs cannot be viewed on the WA Atlas. The properties are very hard to identify and there should location numbers readily available.

Last Paragraph – Exemptions for clearing authorised under a written law: I believe this is incorrect. Schedule 6 does not apply on an ESA!

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Exemptions for grazing of native vegetation under the EP Act:

First Dot Point – Agree.

Second Dot Point: I agree this is a fair summary of the legislation, However the 20 year rule should be changed so that once land has been legally cleared, and regrowth can be controlled without a permit.

What is Native vegetation? Blue Box:

Indigenous aquatic or terrestrial vegetation would seem to include all species that were in the State before European Settlement and as such creates huge problems for land owners and if enforced would make most criminals!

(a) Agree.

(b) Don't know where this regulation exists or what is included.

Last paragraph: Agree that this is the law, but few land owners are ever informed by WWF or others that if they accept money they have effectively given away their land. Even worse, they are often misinformed that after 10 years the land can be grazed!



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What is clearing?

Blue box: Agree that this is an accurate summary of the Act, but it is unworkable.

(e) In particular makes it a criminal offence to graze any rushes or reeds, Guildford Grass or any other surviving native grass. (Severing trunks or stems)

Grazing and "substantial damage". The Department is to be congratulated on its attempt to come up with a workable determination of substantial damage.

Sustainable grazing.... This is a sensible policy. The problem, as I see it, unless it is incorporated in legislation it has little value. For instance (e) above must be deleted.

Grazing that involves the severing.... Agree with the sentiment, but it must be in legislation.

The most visible indications..... Clearly a "motherhood statement". Most of the cleared land in WA produces valuable crops or pasture. To suggest that native vegetation is always the most beneficial land use is clearly wrong. Generally, private land owners are the best judge of correct land use. There are exceptions, but the worst neighbour any one can have, is the Crown!

Thank you for the opportunity to comment, I hope this submission is of some value.

Murray Nixon

President, Gingin Private Property Rights Group (Inc)

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