



Submission – A GUIDE to GRAZING

The Pastoralists and Graziers Association of Western Australia (Inc) appreciates the opportunity to provide comment on the draft “A Guide to grazing, clearing and native vegetation” (under Part V Division 2 of the Environmental Protection Act 1986).

The Pastoralists and Graziers Association of WA (PGA) is a non-profit industry organisation established in 1907, which represents primary producers in both the pastoral and agricultural regions in Western Australia. The PGA participates in key industry and commodity groups. We have a strong membership from all facets of the broad acre agricultural industry, including the pastoral industry.

Our comments are as follows:

1. Page 1 - Disclaimer

Environmental Legislation is both complicated and confusing to the majority of landowners. Whilst we applaud the department’s initiative to document the guidelines for grazing we believe that more need to be done to give landowners the ability to carry out their land management practices without having to seek expensive legal advice.

2. Page 2

Purpose – Agree

Introduction - The Association is supportive of the intent of the Guideline set out in the draft document “A Guide to Grazing, Clearing and Native Vegetation”.

Whilst we support the intent of the draft document we believe that there other related issues that must be addressed especially those pertaining to Environmentally Sensitive Areas (ESA).

Legislation - Agree (1st Paragraph)

Paragraph 6 states "ESAs are intended to prevent incremental degradation of important assets such as declared rare flora, threatened ecological communities or high value wetlands."

The Environmental Protection Notice of 2005 included "Defined Wetland" as identified in the geomorphic maps in V&C Semeniuk Research Group report.

Wetlands listed in the report and classified as ESA'S were done without a proper assessment as to their environmental significance.

As indicated in the report, time and financial constraints did not allow for ground proofing to be carried out on the majority of the wetlands.

Wetlands that do not contain remnant vegetation should be fully assessed for their environmental significance and those that do not contain rare or endangered species of flora or fauna need to be removed from the ESA register.

It appears that the major difference in property rights between lands zoned rural (farming land) and rural land identified as ESA is in regard to the right to graze.

Agricultural land not within ESAs can be grazed if cleared including any native vegetation to the extent it has been grazed in the past. This enables stock lawful access to native vegetation (either bush or parkland cleared), for shade and shelter. It also enables the land owner to control regrowth (up to 20 years old).

Those land owners with ESA's are only allowed grazing land outside the ESA and the 50 metre buffer zone unless a permit is obtained.

Section 51B of the EP Act allows the Minister for Environment to declare by notice either a specified area of the State, or a class of areas of the State, to be an ESA.

Minister Jacob in a recent statement has suggested that amendments are being drafted to the Environmental Protection Act which will greatly assist in remedying concerns relating to any negative impact of ESAs, whilst protecting high value areas. These proposed amendments are by way of referrals to the CEO of the Dept of Environmental Regulation for assessment.

Under the proposed referral model, the applicant will be required to refer all proposed clearing activities (including applications to graze ESAs) to the CEO. The CEO will then determine, having regard to specified criteria, whether or not the proposed clearing requires a permit.

Whilst the referral model may expedite the issuing of permits in some instances, it doesn't address the real issues associated with the blighting of highly productive farmland in the south west region of WA.

3. Page 3

Exemptions - for grazing of native vegetation under the EP act.

First dot point - agree. (Clearing caused by grazing stock on land under pastoral lease is exempt).

Second dot point – This is a correct summary of the legislation. Our view is that any reference to “20 years” be removed and replaced with the wording when identifying clearing.

Clearing of land that was previously cleared for agricultural pursuits if:

- (a) The land has been used as pasture or cultivation or forestry in the past and
- (b) Clearing to maintain previously cleared areas for agricultural and pastoral pursuits”

4. Page 4 – Grazing and “substantial damage”

Last paragraph - the suggestion that native vegetation is the most beneficial land use is not supported.

That statement can only be attributed to a philosophical belief that needs to be backed up by verifiable scientific data.

High rainfall and wetlands areas have always been considered the best grazing areas, and it is important that traditional grazing land practices be recognised as a beneficial use. If land owners are not allowed to control regrowth on wetlands, they will very quickly return to bush with huge financial consequences for the land owner, and significant environmental challenges for the community, including fire hazards and feral pest control.

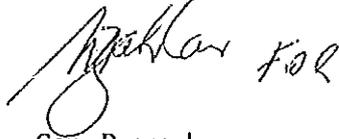
Clearing of vast areas of native vegetation was initially carried out due to past Government policy, which at the time was not supported by all landowners.

It must be acknowledged that farmers are best placed to look after the land and the environment.

If the community wishes to use agricultural land for other purposes, then the landowner must be compensated.

We appreciate the opportunity to comment. Please do not hesitate to contact me should you require clarification or additional information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gary Peacock' with 'FDR' written to the right.

Gary Peacock
Chairman
PGA Private Property Rights