

Property Rights & Natural Resources



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From the President & Private Property Rights and Resources Committee of the PGA of WA (Inc).

INQUIRY INTO NATIVE VEGETATION LAWS, GREENHOUSE GAS ABATEMENT AND CLIMATE CHANGE MEASURES

The PPR Committee responded with a written submission and consequently received an invitation to present in person to a Senate Committee on Tuesday 20th April.

The Senate Committee comprised of Senators Ryan and Kroger (Vic), Johnston and Siewert (WA), Polley (TAS).

Representing PGA was Gary Peacock, Leon Bradley, Rob Klaassen and Glen McLeod. The Hansard transcript is available at:

http://www.aph.gov.au/hansard/senate/committee/committee_transcript.asp?MODE=YEAR&ID=107&YEAR=2010

The Senate Committee is of the belief that there are legitimate concerns about the impact that the current native vegetation laws have on the landholders and that it is unreasonable to impose the burden of the broad environmental objectives onto a small number of Australians

They recognise that there has been a significant change in the relationship between a landholder and their own property as well as the landholder and governments.

A significant burden of this shift has been borne by those involved in agricultural or pastoral activities.

It is also clear to the Committee that there is a lack of trust and co-operation between affected landholders and various state government agencies in the planning, implementation, management and enforcement of native vegetation laws.

Two of the recommendations are:

- (i) that COAG re-examine the native vegetation legislation with the view to establishing a balance between maximising agricultural production and best practice conservation
- (ii) that the commonwealth initiate a national review to assess the impact of various native vegetation legislation and regulatory regimes particularly those at state levels.

The Full Report is available on :

http://www.aph.gov.au/Senate/committee/fapa_ctte/climate_change/report/index.htm

It may be worthy of note that Senator Siewert of the Greens did not support the recommendations and lodged a Dissenting report. She quoted a report by the Dept. of Environment stating "over the past 200 years Australia has suffered the largest documented decline in bio-diversity of any continent."

The Senator fails to recognise the contribution of stewardship initiatives and best practice land care efforts of the vast majority of landholders in this country.

VEGETATION CONSERVATION NOTICES.

PGA has had some discussions with the Law Society of WA in relation to the appropriateness of a Ministerial Appeals system that has been a part of the Environmental Protection Act 1986. We have the view that an independent system has an avenue of appeal divorced of those that are responsible for imposing the restrictions.

The Law Society of WA has put forward a submission stating that they would support transferring Environmental appeals to the State Administrative Tribunal. In their view the first principal must be that appeals, whether by applicants or third parties, must be to a body independent of the Executive, and, the lack of transparency with the current arrangement.

Members' views are sought by the Committee.

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