

**INQUIRY INTO LOCAL LAND SERVICES AMENDMENT
(CRITICALLY ENDANGERED ECOLOGICAL
COMMUNITIES) REGULATION 2019 AND LOCAL LAND
SERVICES AMENDMENT (ALLOWABLE ACTIVITIES)
REGULATION 2019**

Organisation: NSW Farmers' Association
Date Received: 26 September 2019



26 September 2019

Legislative Council Regulation Committee
NSW Parliament
Macquarie St
SYDNEY NSW 2001

To the Regulation Committee,

Submission to the Inquiry into the Local Land Services Amendment (Critically Endangered Ecological Communities) Regulation 2019 and Local Land Services Amendment (Allowable Activities) Regulation 2019

NSW Farmers Association (NSWFA) is Australia's largest state farming body, representing the majority of commercial farm businesses in NSW, ranging from broad acre, meat, dairy, wool and grain producers, to more specialised producers in the horticulture, egg, pork, oyster and goat industries.

The latest figures from the Department of Primary Industries shows there are over 48,000 farm businesses in NSW, employing more than 65,000 people and contributing \$24,563 million to the NSW economy per annum. The ability to undertake sustainable land management practices and ensure land can be used productively into the future is fundamental to the success of NSW farming enterprises and those who rely upon them.

As stewards of a substantial portion of Australia's land mass, farmers are key stakeholders of the environmental legislation that governs the protection of native flora and fauna. NSWFA welcomes the opportunity to provide comment on Local Land Services Amendment (Critically Endangered Ecological Communities) Regulation 2019 and Local Land Services Amendment (Allowable Activities) Regulation 2019.

Background

In August 2017, NSWFA welcomed the repeal of the outdated and unworkable *Native Vegetation Act 2003* and the introduction of a new biodiversity framework that aims to balance sustainable land management alongside environmental preservation- the *Biodiversity Conservation Act 2016* and Part 5A of the *Local Land Services Act 2013*. Two years on, there are further improvements to be made but the overall reforms have been a key initial step in restoring the balance between biodiversity, agriculture and the environment. As the previous legislation was prohibitive to any type of land management, approvals for such activities have understandably increased under the new framework. These however, are accompanied by significant increases in land set aside to be conserved in perpetuity and a range of positive environmental outcomes that would not have been possible under the old regime.

In June 2019, the NSW Threatened Species Scientific Committee declared two new critically endangered ecological community (CEEC) listings:

- Monaro Tableland Cool Temperate Grassy Woodland in the South Eastern Highlands and South East Corner Bioregions; and
- Werriwa Tablelands Cool Temperate Grassy Woodland in the South Eastern Highlands Bioregion (together known as the Monaro and Werriwa CEECs).

NSW Farmers' Association

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During the consultation preceding these determinations, the agricultural community and conservationists alike raised serious concerns about the restrictions such listings would place on the ability to manage invasive exotic grasses in the region. The greatest threat to native grasslands across the Monaro, is a lack of management of exotic grasses such as African Lovegrass. Monaro landholders should be supported to undertake this management and have displayed their ability to do so while restoring high conservation value grasslands through the “Monaro Grasslands Pilot”.

Fortunately, in cases where the new listings are found to be of low conservation value, arrangements have been made to allow more flexibility to use the Land Management Codes than would otherwise be the case with CEECs. NSWFA strongly supports this sensible immediate term measure so that the listings do not create conditions that are prohibitive to farming and cause perverse environmental outcomes.

Local Land Services Amendment (Critically Endangered Ecological Communities) Regulation 2019

We understand that the object of this amendment is to align the allowable activities available to the new listings with that available to other CEECs. NSW Farmers supports this amendment so far as ensuring the environmental standard is consistent.

Local Land Services Amendment (Allowable Activities) Regulation 2019

This amendment adds further activities, such as necessary clearing for gas and water infrastructure, clearing for maintenance of telecommunications infrastructure and collection of firewood to the list of allowable activities that can be undertaken without seeking approvals. This infrastructure provides vital amenities to those living in regional and remote communities and we do not believe unnecessary burden should be placed on this type of development and maintenance that poses very little environmental risk. We also note that such activities were able to be undertaken as Routine Agricultural Management Activities under the previous legislation. In this way, we support the amended regulation.

Yours sincerely

Bronwyn Petrie
Conservation and Resource Management Committee Chair