This is a submission to the **Senate Native Vegetation Laws Inquiry**

From Wayne and Patricia Naughton

We purchased our land in July 1991. The property is 360 acres and was zoned Rural 1A - the highest category of rural land. We run the property as a beef cattle farm. The land is approximately a third pasture, a third forest and a third swampy land. The only restrictions on the property at that time were three small areas of protected land - approximately 20 acres in total. All of these were the steep areas of our land - with more than 18 degrees of slope.

In our request to the ATO for primary producer status in 1992 for the property (which was granted) we stated that "there is a substantial area of gently sloping land with quality soil that is covered in re-growth forest. If we are allowed to clear and pasture this then carrying capacity would be further enhanced. (An officer of the local Council has given a positive verbal response to this development suggestion - for approval we will have to make a formal development application)".

Given we had just spent all our money on purchasing the property and needed to fence and improve existing pasture areas we did not immediately pursue any clearing. When we did so in 2003 we found that we could no longer do this - we had to reduce our Development Application to just 22 acres (9 hectares) including the new dam we wanted.

To make sure we complied with the Native Vegetation rules we contracted the then NSW Dept of Lands to do the work. They built a good dam for us but the 'clearing' was almost a waste of money as only trees less than 100 mm diameter were removed (except at the dam site) and the best land was not cleared at all as it was deemed to be a stream bed.

It was during this process in 2003 that we also discovered that all our swampy land, which was so valuable to us during drought times, had been declared SEPP 14 and consequently not supposed to be grazed. Our water 'harvesting rights' as dam-building now seems to be called, have also been severely restricted - both in quantity and location.

These changes to the allowable use of our property have removed most of our ability to improve our farm. They have reduced the value of our property and had these rules been in force in 1991 when we purchased it, I doubt whether we would have bought it. In Australia one doesn't expect to buy something, and then have someone legally steal half of the purchase. It is also contemptuous that we were neither consulted nor directly informed of the loss of our rights.

Also as a further nasty consequence of these changes, Local Council in its current draft Local Environment Plan has changed our Rural zoning to Environmental - probably because of our SEPP 14 and forested areas. We, along with many others in a similar position are appealing this change, we do not know if this further reduction to the use of our land is Local Council or State Government driven.