

SUBMISSION -----On IPART's May 2013
Review into the development of a funding framework for Local Land Services NSW

THIS SUBMISSION comprises , firstly, general comments on the flawed process to date of "consultation" regarding the LHPA and the recent proposed merger with other bodies; and 2, on the inherent bias of the review paper itself. Secondly, in view of the deficiencies noted, I put forward a proposed means of avoiding impending confusion.

GENERAL FAILINGS

A) The approach in this and other reviews fails to recognise the wide divergence of landholder views on the very existence of the LHPA and of the proposed merger with other "services". This divergence is evident geographically and socially. The review seeks to aggregate categories for (presumably) ease of presenting "options". Geographical divergence is seen primarily in the dominant grazing land-use of the Western parts of NSW, versus the highly complex land-use patterns of the coastal strip. This produces great divergence of land management and land use practice, from (politically conservative) farmers, to (politically radical) nature conservation land managers, and every shade and persuasion in between. The proposed merging of services pleases no-one in consequence

B) The language and expression of the review speaks to those in the system. It is obscure, convoluted and difficult to read, presenting a complex intermeshing of possibilities and options probably intelligible only to the author, who sounds like a Masters candidate trying to impress an assessor. While it is certainly carefully written, its multiple arguments within arguments tend to obscure the fundamental limitations imposed, eg by the limited scope to the questions at the end of sections. When one looks beyond the wording it is clear that there is an expected and preferred outcome: "Choose between a, b and c".

PRIORITIES FOR CORRECTION

A) I propose that there should be a fundamental separation of all affected land holdings into a) farming and b) conservation lands, for the purpose of separate administration, rating and provision of services.

B) There should then be a choice offered, as to the preferred land use categorisation adopted for each landholder, in recognition of the diverse range of views and practices broadly around these two poles.

C) This categorisation should then form the basis for rates struck, and for any service offered, strictly according to a clearly stated and agreed schedule.

D) Consideration should be given to having rate notification and collection, and possibly all aspects of administration and service provision, undertaken by local government. This may take the form of separate Farm Lands and Conservation Lands departments within local councils.

E) Exemption provisions should apply for all conservation-rated lands regardless of area, provided the landholder can demonstrate effective conservation practice is being undertaken, within a legally binding agreement entered as a caveat on the land title. Farm lands should not be eligible for rate exemption, because they are managed for profit, and there is ultimately individual benefit in an agreement to subscribe to services. In the case of conservation land the benefit of good practice accrues to the broader public and environmental good, to validate exemption

FURTHER PERSONAL OBSERVATION

Reference is made in the Review to the principle of "payment for services". My primary objection to the whole LHPA system and its subsequent review, is that the service is not only unwanted, it is actually a dis-service. It works against my land restoration philosophy and practice. My Property Vegetation Plan prohibits grazing and other livestock. The restoration practices and specific work techniques aim at multiple benefits to nature, including exclusion of pest species, weeds and disease. What conventional agriculture, operating over broad acres, calls a pest, eg "plague locusts" I call a native insect, part of the biota, forming part of the food chain for birds and animals. I include, however, cattle as pest species.

There is no service currently provided by the LHPA that I endorse. On p30 of the Review (Fig4.2) the question is asked, "Is there a demand for the service?", and then, if "No", "Do not provide". This question cannot be answered by generalisation. It must be somehow dealt with on a piecemeal basis, with some relevance to local reality. The supposed "consultation" to date has shown a predetermined slant towards existing conventional (West of the Divide?) practice. There has been marked bias towards non-coastal districts, enabling, or perhaps excusing, a simplistic presentation for the purpose of documenting and justifying the Review.

I refuse to accept that I have any obligation (other than through the existing enforced court order) to contribute any money towards any contrary land management regime. The local ABC radio recently had a local prominent farmer stating vehement opposition to the proposed merged services, from the other side of the fence, and threatening a rates boycott. He also voiced scathing criticism of the imposed process of "consultation". Here he specifically referred to the "Stakeholder Reference" meeting at Bega, as farcical.

Those charged from above with the responsibility for implementing the new Local Land Service should, while the situation is still relatively fluid, move away from imposition of predetermined views and actively work towards a system that has agreed benefit for all landholders. It is clearly a political expedient to aggregate organisation geographically; but the balancing influence will be to separate into two streams: the Catchment model of Land Services, perhaps? The basis for this seems to exist: the fifth Special Purpose Levy.

I could endorse a combined rates payment through the local council that includes a component for conservation land management, if it is treated as a subscription. Compare a specialist publication that provides information and expert advice on a subject of passionate interest. While the Review states (erroneously?) that the DPI "...ensures best practice management of NSW's natural resources", the arm of the LHPA would not give one any confidence to this effect, and this is borne out in the newsletter sent out with rates notices.

I could certainly see a much enhanced and developed Conservation Land Management service, under the CMA's, or through local councils, if it were treated as broadly interactive, rather than the present imposed conventional farming view. An interactive model would include field visits to see successful conservation practice informative and authoritative articles in a regular journal/newsletter (cf. present Conservation Management News, supported by SRCMA) and practical on site advice and assistance in specific practice areas.

The statement on p39 (Box 5) on Property Vegetation Plans seems to be selected to support a certain argument, and I think IPART should check the facts.

I have a PVP (part copy appended) which is far removed from your negative line of determining requirements for clearing. (I would have thought this would be conveyed via an Exemption to the provisions of the Native Vegetation Act.) My PVP was developed in full consultation with and support from an officer of the local CMA. It includes detailed mapping of existing vegetation and other features with various protection and restoration zones shown, and incorporates my previous ten years' carefully considered re-vegetation and restoration of a small but strategically important strip of land fronting Pambula Lake, including some 450m. of foreshore.

I do not see this agreement therefore as imposing, rather, as supporting and endorsing, and most importantly of providing a reference for long-term monitoring of progress, which will include an annual set of reference photographs.

The possibility of extending special purpose levies to natural resource management is suggested by Minister Hodgkinson in her letter of commission of the Review dated 22 Feb 2013.

While the dominant theme is cost recovery, the way seems to be open to more broadly review and revise the organisations implied as "Local Land Services".

I understand that Bega Valley Shire Council, for one, has indicated interest in administering a rating system for the new organisation, and that some approach will be or has been made to the minister to this effect. (Mr Bill Taylor, BVSC Mayor Fri 7th June 2013 personal comm.)

I urge IPART to treat this as a serious constructive exercise and to make efforts to achieve a "user friendly" outcome, rather than merely to satisfy the bureaucrats and maintain the status quo. Part of this will be to have well publicised meetings or forums on the whole range of component issues, and not to tightly prescribe a limited agenda. This is largely the reason why all "parties" have their noses out of joint and are antagonistic.



Richard N. Jermyn




enclosed:

- 1: part copy PVP agreement
- 2: News clipping

Protecting Pambula Lake habitat

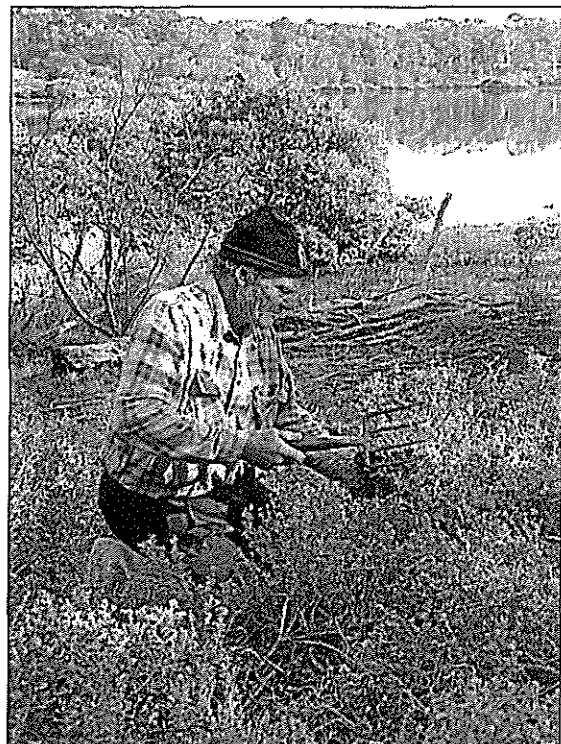
Local landholder Richard Jermyn is on a mission to rehabilitate his property at Harts Gully, near Pambula Lake, and in doing so is protecting habitat and an endangered ecological community and improving water quality. Richard has been rehabilitating two hectares of freshwater wetland and lake foreshore.

"The wetland had previously been managed as a grazing paddock which was slashed and drained and covered in exotic plant species," Richard said. "The remainder of the property was in relatively good condition. In these areas I have focused on removing weeds, controlling feral animals and improving plant diversity by further plantings and through fire management techniques. I opt not to use any herbicide on the property. Instead, I use mechanical control techniques such as weed matting to control weeds and maintain new plantings. These methods have so far proved successful."

Richard keeps a constant vigil on the landscape and insists no new weed invaders will have a chance to establish. He recently signed a voluntary Conservation Property Vegetation Plan with Southern Rivers Catchment Management Authority to ensure remnant vegetation and his rehabilitation work remains intact and is secured for the benefit of future generations.

Southern Rivers CMA Chair, Pam Green said Richard's work is important because it is contributing to maintaining the health of Pambula Lake which supports the thriving oyster industry and local economy. "Richard's action in voluntarily securing in-perpetuity conservation management for a considerable area of Harts Creek Gully and its tributaries, which enter the Lake is significant. The PVP will secure in-perpetuity conservation management for a large area of Harts Creek Gully and its tributaries, which enter the Lake," she said. "Richard has included over 18 hectares of his land in the agreement which comprises freshwater wetlands, forests, 500 metres of Pambula Lake foreshore and 1 kilometre of intact riparian creek vegetation. The PVP will have lasting benefits for catchment health, water quality, habitat corridors and native plants and animals," she added.

Richard will regularly monitor his work with the assistance of the CMA to measure improvements to the landscape.



• Local landholder, Richard Jermyn, removing weeds from Harts Creek Gully near Pambula Lake.

PART SUBMISSION 30/0/13.
 PART COPY - Property Vegetation Plan for lot 102, DP 1108395 Par. Yowetia Co. Auckland
 (Five pp. plus Map.) RNT.

SCHEDULE TWO — AUTHORISED ACTIVITIES AND MANAGEMENT ACTIONS

AUTHORISED CONSERVATION AREA

TABLE 1

Map Number (as per Schedule 1)	Map Unit	Details of Authorised Conservation Area
Map 1a and 1b	<p>4a (Creek flats and swamp, 2.85 ha),</p> <p>4b (Forested slopes north, 6.90 ha) and</p> <p>4c (Forested slopes south, 8.51 ha)</p>	<p>The landholder is to manage Map Units 4a, 4b and 4c for conservation purposes in accordance with the management actions below.</p> <p>The aim of this Conservation PVP is to enhance the condition and habitat value of the native vegetation within Map Units 4a, 4b and 4c. Objectives for management are as follows:</p> <ol style="list-style-type: none"> 1. Existing vegetation is retained. Plant species diversity and cover is maintained or increased. 2. Regrowth is protected. 3. Negative influences from outside the property are reduced and managed to enhance revegetation/regeneration. 4. All natural biomass and natural features such as rock are to be retained on the property. 5. Areas covered in weeds are reduced. New weed outbreaks are managed and controlled. 6. Natural regeneration of native groundcovers, shrubs and trees is to be encouraged/supported by specific management practices identified in the Property Management Plan (PMP). In areas where this is not occurring, regenerative planting is carried out. 7. Fauna species habitat is enhanced. 8. Bushfires are prevented. 9. Use of fire for management only as detailed in the PMP. 10. Nominated areas on the property will be monitored to gauge success of management actions. <p>NB/ A PMP will be prepared by the landholder in consultation with the Southern Rivers Catchment Management Authority (or its equivalent) within 12 months of the Property Vegetation Plan (PVP) being approved: The PMP will include management of; fire, replanting/regeneration; other natural influences, buildings and access.</p>

MANAGEMENT ACTIONS FOR CONSERVATION PVP

1. The management actions and management action details are to be continued for, or completed within, the duration specified in the column "Duration of Management Action".

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2. The management actions and management action details set out below must be undertaken in the specified map unit as identified in Schedule 4.

TABLE 2

Map Number (as per Schedule 4)	Map Unit	Management Action	Duration of Management Action	Management Action Details
Map 1a and 1b	4a (Creek flats and swamp), 4b (Forested slopes north) 4c (Forested slopes south)	Clearing not allowed, regrowth retained	In Perpetuity	<p>1. The native vegetation in Map Units 4a, 4b and 4c is protected and the landholder is not to clear this vegetation.</p> <p>Routine Agricultural Management Activities are not permitted in this zone at any time, except for minimal disturbance required in the undertaking of the following activities that are listed under Section 11, Part 2 of the Native Vegetation Act 2003 or in Part 4 of the Native Vegetation Regulation 2005:-</p> <ul style="list-style-type: none"> • Pt 2(b) & (c), Pt 4 (13 & 17) – control of noxious & feral weeds and noxious & pest animals; • Pt 2 (h), Pt 4 (21) – maintenance of public utilities; & • Pt 2 (i) – removal of imminent risk of personal injury or damage to property. • Pt 4 (20)(2)(d) – roads or tracks in Map Units 4a, 4b and 4c.
		Grazing Exclusion	In Perpetuity	2. The landholder is to exclude domestic livestock from Map Units 4a, 4b and 4c at all times.
		Manage to exclude fire	In Perpetuity	3. All reasonable actions to exclude fire from Map Units 4a, 4b and 4c must be taken by the landholder except in accordance with the Property Management Plan (PMP).
		Retention of natural materials on the property	In Perpetuity	4. The landholder is not to remove natural materials (rock, soil, timber) in Map Units 4a, 4b and 4c at any time except in accordance with the PMP.
		Exclude exotic commercial and hobby apiary sites	In Perpetuity	5. The landholder is not to allow commercial and hobby apiaries with introduced honey bees on the property from the commencement of this plan.
		Feral animal control	15 years	<p>6. The landholder is to prevent harm from feral animals to Map Units 4a, 4b and 4c by undertaking the following activities where necessary;</p> <p>Rabbits: Create hostile habitat through brush matting at appropriate</p>

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				<p>densities and shooting.</p> <p>Cats: Trapping (live), camera monitoring.</p> <p>Dogs: Shooting.</p> <p>Foxes: Shooting, live trapping.</p> <p>Birds: Live trapping and shooting.</p>
		Replanting and regeneration	10 years	7. The landholder will assist natural regeneration and replant with locally native plants in Map Units 4a, 4b and 4c in accordance with the PMP.
		Weed monitoring and control	In Perpetuity	<p>8. The landholder will monitor for new emerging exotic weed invaders and control where necessary, this includes plants which are;</p> <ul style="list-style-type: none"> - posing a potentially serious threat to the environment and are likely to spread in the area or to another area. - displacing and or out competing native plants. <p>The landholder will aim to detect new emerging weeds early and eradicate quickly to avoid weeds becoming established.</p>
		Retain standing dead timber within the property	In Perpetuity	9. The landholder must not remove any standing dead timber from Map Units 4a, 4b and 4c at anytime.
		Sediment runoff	In Perpetuity	<p>10. The landholder will undertake appropriate measures to avoid sediment runoff into Map Units 4a, 4b and 4c during the construction phase of any developments within Lot 102.</p> <p>The landholder will undertake appropriate measures to manage sediment runoff from sources outside the property in Map Units 4a, 4b and 4c.</p> <p>Sediment control measures may include but are not limited to the use of;</p> <ul style="list-style-type: none"> - hay bales - silt fences - brush matting and mulching along contours of slopes.
Map 1a	4a (Creek	Weed Control	5 years	11. In Map Unit 4a there are the following covers of exotic grass species;

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	flats and swamp)			<p>Kikuyu (<i>Pennisetum clandestinum</i>) 10-15% Sweet Vernal(<i>Anthoxanthum odoratum</i>) 20-25% Yorkshire Fog (<i>Holcus lanatus</i>) 15-20%</p> <p>Collectively these weeds cover up to 60% of Map Unit 4a.</p> <p>The landholder will use mechanical control, blanket mulch suppression and high temperature treatment as well as influence wetland flow regimes to control these weeds.</p> <p>The landholder is to control 10% of the extent of these weeds over 5 years. The landholder will aim to confine these weeds to less than 45-50% of Map Unit 4.</p> <p>The landholder will monitor for regrowth in areas where previous control has been undertaken on a bimonthly basis and control where necessary for up to 5 years.</p> <p>The landholder is not to use herbicides within Map Unit 4a.</p>
	4a (Creek flats and swamp)	Weed Control	10 years	<p>12. In Map Unit 4a there are the following covers of exotic weed species;</p> <p>Fireweed (<i>Senecio madagascariensis</i>) 1% Blackberry (<i>Rubus sp.</i>) 2%</p> <p>The landholder will use mechanical control, blanket mulch suppression and high temperature treatment as well as influence wetland flow regimes to control these weeds</p> <p>The landholder is to control 100% of the extent of these weeds over 5 years.</p> <p>The landholder will monitor for regrowth outbreaks on a quarterly basis and control where necessary for up to 10 years.</p> <p>The landholder is not to use herbicides within Map Unit 4a.</p>

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Map 1a	4b (Forested slopes north)	Weed Control	10 years	<p>13. In Map Unit 4b there are the following covers of exotic weed species;</p> <p>Bridal Veil Creeper (<i>Asparagus asparagoides</i>) 0.2%</p> <p>Fireweed (<i>Senecio madagascariensis</i>) 0.01%</p> <p>Panic Veldt Grass (<i>Ehrharta erecta</i>) 0.2%</p> <p>African Lily (<i>Agapanthus praecox</i>) 0% (likely to invade)</p> <p>The landholder will use mechanical removal, blanket mulch suppression, and high temperature treatment methods to control these weeds.</p> <p>The landholder is to control 100% of the extent of these weeds over 5 years.</p> <p>The landholder will monitor for further outbreaks on a quarterly basis and control where necessary for up to 10 years.</p> <p>The landholder is not to use herbicides within Map Unit 4b.</p>
Map 1b	4c (Forested slopes south)	Weed Control	10 years	<p>14. In Map Unit 4c there are the following covers of exotic weed species;</p> <p>Bridal Veil Creeper (<i>Asparagus asparagoides</i>) 0.01%</p> <p>Arum lily (<i>Zantedeschia aethiopica</i>) 0.2%</p> <p>The landholder will use mechanical control, suppression and high temperature treatment to control these weeds.</p> <p>The landholder is to control 100% of the extent of these weeds over 5 years.</p> <p>The landholder will monitor for further outbreaks on a monthly basis and control where necessary for up to 10 years.</p> <p>The landholder is not to use herbicides within Map Unit 4c.</p>
Map 2a	PPa, PPb, Aa and Ab	Photo monitoring	5 years	<p>15. The landholder will undertake annual photo monitoring at Photo Points and Biometric Assessment Sites PPa, PPb, Aa and Ab as marked on Map 2a. Refer to Table 4 for photo bearings and the attached photo monitoring</p>

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				guide for methods.
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TABLE 3 Polygon and Line feature summary

Map Number (as per Schedule 1)	ID	Map Unit	Feature name	Feature	Figure	Units
Map 1a		4a		Polygon	2.85	Hectares
Map 1a		4b		Polygon	6.90	Hectares
Map 1b		4c		Polygon	8.51	Hectares
Map 1a and 1b		Total: 4a, 4b and 4c			18.26	Hectare
Map 2a			Channel	Line	78	Meters
Map 2a	1		Horticulture zone	Polygon	0.17	Hectares
Map 2a	2		Infrastructure - Boat shed	Polygon	0.013	Hectares
Map 2a	3		Infrastructure – Development area	Polygon	0.17	Hectares
Map 2a	4		Infrastructure – Shed	Polygon	0.26	Hectares
Map 2a	5		Infrastructure - Shed	Polygon	0.19	Hectares
Map 2a	6		Powerline easement	Polygon	0.12	Hectares
Map 2b	7		Powerline easement	Polygon	0.54	Hectares
Map 2b	8		Infrastructure – Development area	Polygon	0.085	Hectares
Map 2a	9		Focused rehabilitation monitoring site	Polygon	0.071	Hectares

Initials

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Legend

- Mean high water
- Drainage outlets
- Foreshore (Mapped January 2013)
- Proposed Environmental Protection Zone (EPZ)
- Property
- Photo Points
- Biometric sites
- Channel (Mapped 31/05/12)
- Road - existing
- Monitoring zone
- Infrastructure zones
- Powerline management areas
- Horticultural zone



Native Vegetation Act 2003
Property Vegetation Plan

Map 2a Northern Portion PVP Features and Activities

Request No: 17042
Name: Richard Newbery Jermyn
Property: [REDACTED]

1:2,500
0 20 40 60 80 100 Metres
1 centimetre = 25 metres



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Data Sources
Base cadastral, topographic and aerial imagery data supplied by © NSW Department of Finance and Services, Panorama Avenue, Bathurst.

Reference data © Office of Environment and Heritage, NSW Department of Premier and Cabinet.
Date of Imagery: 2010

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