

NATIVE VEGETATION (MISCELLANEOUS) AMENDMENT BILL – 25 Nov 08

Adjourned debate on second reading (resumed on motion).

(Continued from page 1014.)

Mr PEDERICK (Hammond) (16:39): I also rise to support this bill. I note that one of the most significant amendments will allow for 'out of region' offsets whereby an applicant for a native vegetation clearance permit will be able to provide the required offset allowing a net environmental benefit to be created in a different part of the state. In regard to that, I ask: what will be the monetary cost of the offset? Will it be a factor of 10:1, 5:1 or even 20:1 on whatever bit of Mallee scrub, for example, that may be cleared off?

This is not a contentious bill, but I wonder whether it does go far enough. I certainly take note of the member for Stuart's amendments. Proposed new subsection (2)(b) of his amendment to insert a new clause 14A provides that *'the clearance occurs on pastoral land and is for the purpose of re-establishing land for cropping purpose after a break not exceeding 15 years'*. I know that under the current legislation people have actually bought heavy tractors and ploughs to ensure that they keep ahead of the legislation. They have tractors and ploughs going 24 hours a day so that the native vegetation does not grow beyond the prescribed time limit.

I think that this goes against the very thing that people who appreciate the environment want. The amendment allows up to 15 years and then, if that country is required to be put back into a cropping phase, that should be able to be done. It seems ridiculous that people have been out there—and I know that this has happened and it would still be happening—tearing over land every few years because they have to, otherwise they will never be able to clear that land again.

I turn to the construction of vehicular tracks not exceeding 15 metres in width to aid access to particular areas, which forms part of the member for Stuart's amendments, and the construction of firebreaks not exceeding 20 metres in width. In January or February three years ago, there were some big fires in the Ngarkat Conservation Park, and at about the same time there were some other fires around Coomandook, and some of those fires were on my own property. It was very hot—about 45°—and we had many lightning strikes. Plenty was happening locally, not far away, and that was emphasised by the red and orange glow in the night sky over the Ngarkat National Park, which had a tremendous fire in it.

I believe that, if the people on the ground had made the right decisions, we would not have seen some of the disastrous results of that fire coming through to farmland and destroying fences. When these fences are destroyed, does the government come to the party like a normal farming neighbour would? No it does not. The act says that it does not have to. One family in the area are very good farmers. They have a netting fence and then on top of that they have cyclone and then on top of that they have barbed wire, which is over six foot high. It keeps everything out. I can assure members—

An honourable member: Not the fire.

Mr PEDERICK: Not the fire; everything bar the fire. These are good farmers out at Parrakie who grow veldt grass right up to the wire because everything is kept out, including rabbits, kangaroos and emus.

Mr Goldsworthy: It must be a good fence.

Mr PEDERICK: It is a fantastic fence. When I toured the area with the member for MacKillop there was the stench of death from the kangaroos that could not get out—that is how effective the fence is. That is the important point. Usually farmers have only the standard fence in place, 3 foot 6 to 4 foot at the maximum, so all the native animals—whether it be emus or kangaroos—come across to farming land and they certainly can become a nuisance and knock about grazing feed and crops. What I find really disheartening is the fact that, when these events happen, the government does not come to the party and the people adjoining a park have to pay for the fencing.

Some decisions were made on the Sunday morning of the weekend of that fire. They knew the forecast. They knew that the wind was going to be coming at them at around 60 to 90 km/h. It was going to be quite a wind. They knew it was coming and they could have done a

burn back. The CFS was present. They had everything happening. The chiefs were near Lameroo somewhere directing it as they do—and the CFS does a great job—but within the whole chain of command scenario there was a big problem about whether they would be prosecuted through an act regarding back-burning. At the end of the day, it did not happen.

However, I am told that, under the relevant legislation, a man or woman on the ground can make that decision. It would have saved a lot of angst. This fire was going to burn this country that they needed to back-burn, anyway. As a consequence, the CFS made a contingency plan (as they do) and they decided that the Mallee highway would be the stand. Considering the weather conditions—45°, plus high winds, 60 to 90 km/h winds—it would just breach a highway and just go to town, let alone the thousands of hectares burnt beforehand, as well as farmhouses, buildings, farm sheds and equipment.

Mr Goldsworthy interjecting:

Mr PEDERICK: Yes, close to the sunset country. Equipment, houses and sheds could have been lost, but to the credit of the local farmers and the CFS, they did hold it, but not without the loss of many kilometres of fencing and many hectares of farmland. Whether it was the result of paranoia in agencies or whether it was a directive from above, but another side effect was that big bulldozers, ploughs, etc, were sent out. They were blackened areas, nothing was going to burn there again, yet here they were cultivating great firebreaks well after the event. It is no point doing it then: it had all been and gone. There has to be much more common sense.

I am always intrigued when I talk to a member of the CFS or when I hear that they are having a controlled burn that they have over achieved—and sometimes it is a good thing. I think 'over achieving' is the technical term for a very successful burn, in fact, you have probably burnt three-quarters of an area instead of a quarter—

Mr Williams: They did a good one down at Messent.

Mr PEDERICK: Yes, I was just thinking of that, the Messent fire. I believe they were going to burn about a quarter of it and they burnt about three-quarters of it, so they got one hell of a firebreak. There has certainly been over achieving in the Ngarkat park. People have to realise that these parks are tens of thousands, if not hundreds of thousands of hectares, and that naturally, over time, with lightning strikes, etc., they have burnt vigorously. And yes, Ngarkat has had the guts burnt out of it plenty of times.

I think there needs to be far more control about how this native vegetation is managed, because otherwise we will not maintain it. I think there needs to be a partnership with the farmers, decent firebreaks, 20 metre firebreaks around the edge, so that people can access these parks and there needs to be more controlled burns so that sizeable sections can be burnt. If you have decent firebreaks, the dramas of over achieving might not happen either.

This bill does go part of the way, but I certainly support the member for Stuart's amendments. I make another point about native vegetation and highways. The Dukes Highway is one that has been in the media for all the wrong reasons lately. I, along with the Hon. Stephen Wade and the Hon. Robert Brokenshire, attended a road safety meeting at Tintinara. Within two days of that there was another fatality on the Dukes Highway, within 10 minutes of where I live. My sympathies go out to that family because it is a very traumatic time; it does not matter who you are. It is just terrible.

That night I had actually asked the transport department people about the value of a human life and whether native vegetation takes precedence. I believe that, in the past, when they built passing lanes of only 900 metres or up to one kilometre long (they are now about double that length), departments took too much notice of native vegetation. Passing lanes were constructed on corners, yet when you got around the corner there was a nice long straight with three lanes of traffic, rather than two, where everyone could see what was going on. It does create issues at times for people who are confused.

The department's answer on the night was that the Native Vegetation Council had a lot of give and take. Well, I am not one to just slash and burn trees, but I think we need to show some common sense. If anyone wants to challenge me and say that there is not very

much mallee scrub down there, I advise them to find a helicopter or a Cessna and get up there; I could show them acres and acres, kilometres and kilometres, of mallee scrub.

I think we need to be a bit smarter with our laws. We do not want to pillage our native vegetation, but when it comes to the simple fact of road safety and human life I think a lot more common sense needs to be demonstrated. Under the Mining Act with regard to native vegetation there can be exemptions, but they have to do offsets, and I think we have to be a lot smarter all along the way. With those few words I commend the bill to the house, but I think it needs to go a lot further.