

28 June 2016

Biodiversity Reforms - Have Your Say
PO Box A290
Sydney South
NSW 1232

Cotton Australia submission: proposed NSW biodiversity conservation reform package

To whom it may concern,

Cotton Australia welcomes this opportunity to provide comment on the NSW government's proposed biodiversity conservation reform package. We wish to lodge a brief submission to highlight the pertinent points and areas requiring attention, on behalf of our NSW cotton grower members.

Introduction

Cotton Australia is the key representative body for Australia's cotton growing industry. The cotton industry in NSW is predominantly concentrated in the north-west however spans from the QLD border in the north, reaching the Riverina and Victorian border in the south. Approximately 66% of Australia's cotton farms are located in NSW. At its most recent estimate, the farm gate value of the NSW cotton industry was approximately \$858m. A cotton farm is on average 495ha, with cotton comprising 14% of land on a farm. The remainder is comprised of other agricultural enterprises as well as native and riparian vegetation.

Responsible landscape management is very important to our individual growers and the wider industry. Cotton Australia champions responsible landscape management – including managing for biodiversity outcomes – through its flagship program, myBMP (Best Management Practices). myBMP is the cotton industry's voluntary, online farm and environmental management system and includes a 'Natural Asset' module. The industry has a history of investing in catchment and landscape (including biodiversity) research, development and extension, in partnership with local NRM groups.

Cotton Australia recognises the significant engagement and input NSW Farmers has had with government in the reform process to date and, as the key peak agricultural group representing farmers across the state, believe it is appropriate that they take the lead role in negotiating with government around the details. Cotton Australia has not been in a position to undertake the same level of analysis of the package. We reiterate some key points made by NSW Farmers in our response.

Executive Summary

Cotton Australia acknowledges the significance of these land management reforms, and the opportunity they bring to improve on the current system and provide farmers the support they need to conserve and protect their land. It is important that this regulatory framework is balanced, not overly burdensome and supports farmers in their conservation efforts.

Whilst we recognise the opportunity the reform brings, we also wish to raise some areas of concern that we believe the government needs to address before they are implemented:

- The Government must release the draft map for a further, full consultation period before it becomes live and part of the legislation
- A process for landholders to appeal a mapping determination should be included,
- Ensure Local Land Services are adequately resourced to deliver on their responsibilities.

The opportunity

Cotton Australia acknowledges the significance of these reforms, and values the positive opportunity it brings to improve on the current system – to deliver improved environmental outcomes and provide farmers the support they need to conserve and protect their land. We value the government's intent in these reforms, to create a more balanced framework that:

- gives farmers the flexibility to make decisions about their land, while helping them protect the environment
- provides incentives to farmers to conserve land, while encouraging innovative farming practices
- invests in private land conservation
- is based on solid scientific evidence

Given that private landholders are central to delivering on biodiversity outcomes, it is crucial that these reforms deliver on these outcomes, are practical and don't place an unfair burden on the farmers of NSW.

Key concerns and areas of feedback

The key areas of concern that Cotton Australia wishes to raise with the NSW Government in this current reform package are outlined below, under key topic headings:

Mapping and map settings

It is concerning that a critical part of the reform package – the regulatory map – has not been released for consultation with the rest of the reform package. We understand that the maps will not be accessible until January 2017. Only the maps allow farmers to understand how the reforms will actually affect them. We are also concerned about the implications of mapping being done on a separate time scale.

Cotton Australia recommends that:

- The Government release the draft maps for a further, full consultation period before it becomes live and part of the legislation
- A process for landholders to appeal a mapping determination be included.

Land management codes

For implementation, it will be important to ensure the codes of practice are clear and unambiguous. We note the views of NSW Farmers' about the codes being overly complex, and encourage the government to work with them where possible to ensure they are made to be as clear, simple and appropriate for farmers as possible.

LLS clearing approval

We note that landholders will be required to engage an accredited assessor to quantify the biodiversity impacts of proposed clearing and these impacts will need to be offset by acquiring and retiring biodiversity credits. We agree with NSW Farmers in that the costs of engaging an assessor and offsetting biodiversity impacts under this approval framework must not be a barrier to entry for farmer, and that landholders should be able to access upfront information about the costs of engaging an assessor and meeting offset obligations to enable appropriate forward planning.

Implementation

The reforms give much greater responsibility to Local Land Services. It is important that government adequately resource LLS to deliver on these and support farmers engaging in the process. Prior to implementation, the government also needs to clarify who is responsible for compliance of the legislation.

Cotton Australia recommends that:

- The Government ensures adequate funding is available to Local Land Services to implement the land management reforms on the ground.



Advancing Australian Cotton

Cotton Australia looks forward to working with NSW government on any further consultation opportunities to improve the draft legislation and implementation of the biodiversity conservation reform package. Cotton Australia would welcome an opportunity to provide further information on its position. For more information contact Adam Kay, CEO, on 02 9669 5222 or adamk@cotton.org.au

Yours sincerely,

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Cotton Australia