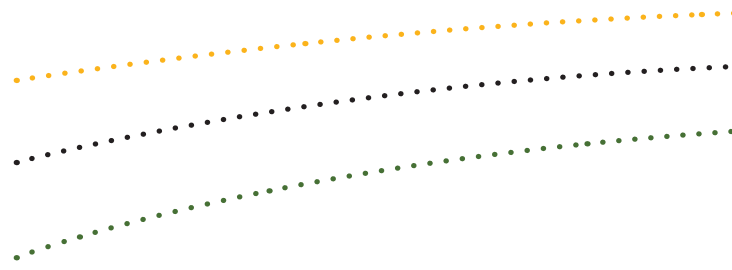




Australian Government
Department of the Environment,
Water, Heritage and the Arts



FARMING AND NATIONALLY PROTECTED GREY BOX WOODLANDS AND GRASSLANDS

The Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South-Eastern Australia were once widespread inland, from central New South Wales, through Victoria, to eastern South Australia. Since European settlement, much of this ecological community has disappeared or become degraded. The little remaining in good condition is now protected by national environment law (*Environment Protection and Biodiversity Conservation Act 1999*).

What does national protection mean for farmers and graziers?

National protection does not stop farmers from continuing to do what they have been doing on their land. In many cases, supportive farming practices have helped to keep the remaining native grassy woodlands and grasslands in good condition. National environment law is not about stopping farm business, but it helps protect Australia's unique plants and animals from the range of threats that many of them face, and in some cases new activities or changes in land use may need Australian Government approval.

If farmers have the protected grey box woodland and grassland on their property and want to substantially change the way they use their land—for example, develop or clear their property—they may need Australian Government approval. Only activities likely to have a significant impact on high quality areas of grey box woodlands and grasslands need approval from the Australian Government environment department. In some cases, approval may require using alternative ways to carry out the proposed activity to reduce the impacts on the protected ecological community.

Before farmers make any changes to the way they use their land that could result in irreversible or long-term loss of the protected ecological community, it is best that they first check with the environment liaison officer at the National Farmers' Federation (see contacts below) to see whether approval is needed.

Farmers who have the protected ecological community on their property may also be eligible for funding to manage, protect or restore remnants through the Australian Government's Caring for our Country initiative.

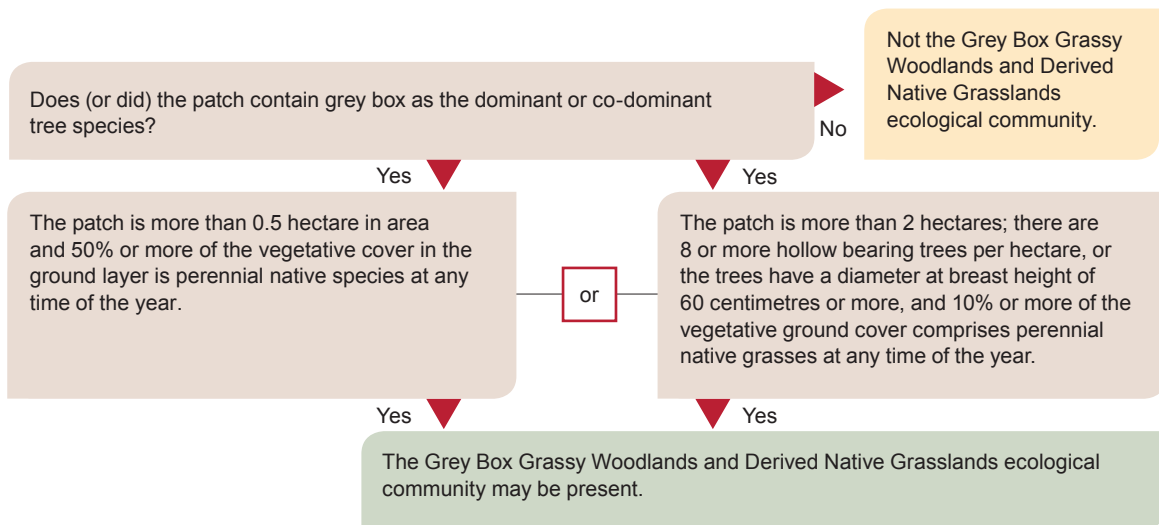
Is every bit of grey box woodland and grassland protected?

Only remnants of the protected ecological community in New South Wales, Victoria or South Australia that are half a hectare (1.25 acres) or more in size and in good condition are protected under national environment law.

How do I know if the protected woodlands and grasslands are on my property?

The listing advice for the Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South-Eastern Australia tells you how to identify whether you have the nationally protected ecological community on your property—see 'Where can I get more information?' (below). In general, the patch of the ecological community must be at least half a hectare (1.25 acres) and the vegetation of the ground layer must be well represented by perennial native species. It must have a low coverage of non-grass weed species (less than 30 per cent vegetation cover at any time of the year). Some of the best remaining areas of these Woodlands occur in travelling stock routes and reserves.





Why are derived native grasslands also protected?

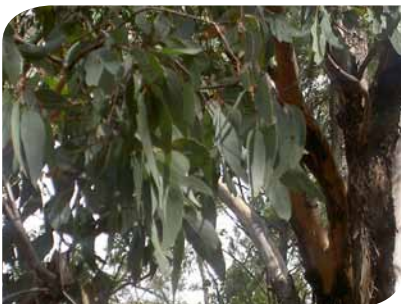
Derived native grasslands are native grasslands that were formerly woodland, but the trees have been cleared and the native ground layer vegetation has remained largely intact. They have similar biodiversity value to patches of natural grassland and woodland, since most of the plant diversity occurs in the ground layer. Scientific experts recommended that derived grasslands be included in the protected ecological community because of their inherent biodiversity value, and the likelihood that derived grasslands can be restored back to their former woodland state.

What are my responsibilities according to national environment law?

Australian Government approval is required if a new activity is likely to have a significant impact on the protected ecological community. Under national environment law, it is up to the person responsible for the activity to work out whether approval is needed. If Australian Government approval is required, it is up to the landowner or land user to seek it. If the landowner or the person responsible for the activity does not seek Australian Government approval when required to do so, he or she could be in breach of the law. If you are unsure, you should check with the environment liaison officer located with the National Farmers' Federation who is available to answer your questions. See contact details below.

Can activities started before the ecological community was protected continue?

The ecological community was officially protected under national environmental law on 1 April 2010. Activities that began before national environment law came into effect on 16 July 2000 can continue without further Australian Government approval. If the activity began in the period between the start of the national environment law and protection of the grey box woodlands and grasslands, then it is best to check if approval is required by contacting the environment liaison officer located with the National Farmers' Federation.



What routine farming activities are not significant?

Farming activities that are unlikely to have a significant impact on the grey box woodlands and grasslands include:

- doing minor firebreaks and routine burn-offs at appropriate times of year (for example, avoid peak flowering season)
- maintaining existing fence lines, roads or firebreaks
- maintaining farm gardens and orchards
- removing individual trees for safety reasons
- installing new fences (noting local or state laws may apply)
- replacing and maintaining sheds, yards and other farm buildings
- maintaining internal access tracks
- protecting and maintaining natural or lawfully established pastures (if established before the national ecological community was protected)
- running low intensity (sustainable) grazing, including rotation or strip grazing
- controlling weeds (hand and minor ground machinery)
- moving farm vehicles and machinery (with minimised impact on native vegetation).

What farming activities might need consideration?

Activities that are likely to have a significant impact and may need national approval are those that will permanently clear, replace or degrade the values of the grey box woodlands and grasslands. They include:

- permanently clearing areas of the protected ecological community
- permanently converting areas of the ecological community to cropping
- fertilising, irrigating, or sowing exotic pasture species in areas of the ecological community in a way that significantly degrades it (that is, it will no longer be of the previous good quality that is defined for the protected ecological community)
- intensifying grazing pressure in a way that permanently degrades the ecological community
- changing the type of livestock if it is likely to lead to long-term or permanent degradation of the ecological community
- large-scale aerial or boom spraying that could kill or degrade native species in the ecological community
- expanding farming activities into previously undisturbed patches of the ecological community (for example, intensified grazing) that may cause irreversible harm.

What is an ecological community?

An ecological community is a group of plants, animals and other organisms that interact in a unique habitat. Types of ecological communities include woodlands, grasslands, shrublands, forests and wetlands.

How does an ecological community become protected?

When an ecological community becomes threatened and its survival uncertain, it may be listed for protection under Australia's national environment law—the *Environment Protection and Biodiversity Conservation Act 1999*. The decision to protect an ecological community under the law is based on science.

Ecological communities, like species, undergo a thorough assessment by the Threatened Species Scientific Committee, an independent panel of experts. This assessment is done in consultation with other experts, land managers, state governments, key stakeholder groups and the public. The scientific committee looks at whether the ecological community meets the criteria to be protected under national environment law, then provides advice and a recommendation to the Australian Government environment minister about whether it should be protected. The minister considers the recommendation, public comments and supporting documentation before making the final decision.



Why are grey box woodlands and grasslands protected under national environment law?

The Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South-Eastern Australia are protected as endangered under national environment law. The Threatened Species Scientific Committee independently assessed the ecological community and found evidence of a substantial decline in its extent, and a severe decline in its ecological integrity. More than 85 per cent of the ecological community has disappeared since European settlement as a result of land clearing, changing land use and weed invasion.

The ecological community now mostly remains as small and fragmented patches. The future existence of the ecological community is at risk from the various ongoing threats. This listing means the ecological community is protected by national law to help it recover and ensure it is not lost forever.

The ecological community provides habitat for several plant and animal species that are also protected under national or state environment law. It also provides vital ecosystem services, such as natural management of water and soils, and shelter for stock.



Some specific examples of activities that may or may not require approval

Erecting a new house/shed or other farm infrastructure

In most cases, activities of this type are unlikely to have a significant impact on the grassy woodlands and derived native grasslands, especially when existing sites are used, and do not need assessment and approval under national environment law.

Installing a firebreak around the perimeter of a rural property

Building firebreaks and maintenance for rural asset protection purposes are unlikely to have a significant impact. An exception might be when establishing new firebreaks through a patch of the protected grassy woodlands or derived native grasslands known to have high conservation values (for example, high number of native species, or important patches that connect to other native vegetation).

Cultivating existing firebreaks (previously mown or grazed)

If the protected grassy woodlands or derived native grasslands are present in the firebreak, then changing from a maintenance regime of mowing or grazing to cultivating or grading is likely to result in the permanent loss of the protected ecological community, and may need approval if the affected area is larger than half a hectare (1.25 acres). If the firebreak contains native grasslands but does not meet the good condition threshold of the protected grasslands then approval is not required.

Emergency grading, slashing or clearing during a bushfire emergency

While emergency works with a significant impact on the ecological community (or other nationally protected matters) may be subject to national environment law, the department will not seek to enforce the law if the impacts are a consequence of a genuine emergency. But the department would expect reasonable efforts to rehabilitate the ecological community as far as practicable.

Grazing in roadside reserves or stock reserves

While roadside and stock reserves may support the grassy woodlands and derived native grasslands, grazing under permit (if required) is not likely to have a significant impact, assuming it is done at a sustainable frequency and rate.

Weed control

Weed control is unlikely to be significant if done as part of the normal farming business, and using farm machinery without permanent damage or degradation to the ecological community.

Road maintenance works next to my property

These works, normally done by local government, may need assessment and approval under national environment law, but councils are responsible for considering whether that is the case. Works planned in a way that is not likely to have a significant impact on the ecological community will not need consideration under national environment law.

Building and maintaining stormwater drains, including when flooding threatens access to or within a property

National environment law will not apply to routine and ongoing maintenance of existing drains. Building new drains will not need consideration under the legislation if the works will not impact on nationally protected matters, such as the protected ecological community. Building large-scale drainage networks (with a view to draining lands and improving productivity) may need approval if the drainage works will result in significant damage or loss of these protected native grassy woodlands and derived native grasslands.

Where can I get more information?

Further information to help farmers identify whether the protected ecological community is present on their property is available at www.environment.gov.au/sprat or by calling **1800 803 772**.

If, after reading this question and answer sheet and referring to the information on the department's website, you think the protected grassy woodlands and/or derived native grasslands may be present on a property you own or manage, and you want to undertake an activity likely to have a significant impact (for example, that will result in loss or permanent degradation of a large, good quality patch), you should contact the Australian Government environment department for advice and assistance as to whether the national environment law applies and approval is needed.

The department's environment liaison officer, located with the National Farmers' Federation, can be contacted by phone on **1800 704 520** (freecall, including mobiles) or by email at environment@nff.org.au or go to www.environment.gov.au/farming



Photo credits (l-r):

Page 1 Grey box bark (M White), Grey box grassy woodland (R Purdie), Grey box habitat used as a nector source for the threatened swift parrot (D Watts)

Page 2 Grey box trunk and leaves (C Barton), Grey box grassy woodland (R Purdie), Grey box understorey chenopod (C Barton)

Page 3 *Austrostipa* sp. between Parkes and Wellington (C Barton), Grey box grassy woodland (M White), Grey box grassy understorey (C Barton)

Page 4 Grey box leaves (M White), Grey box and *Callitris* sp. (Matt White), Grey box trunk and leaves (C Barton)

Page 5 Grey box leaves (M White), Grey box leaves (M White), Slender Darling-pea (*swainsona murrayana*), at Jerilderie (P Foreman)

© Commonwealth of Australia 2010

This work is copyright. You may download, display, print and reproduce this material in unaltered form only (retaining this notice) for your personal, non-commercial use or use within your organisation. Apart from any use as permitted under the *Copyright Act 1968*, all other rights are reserved. Requests and inquiries concerning reproduction and rights should be addressed to Commonwealth Copyright Administration, Attorney General's Department, Robert Garran Offices, National Circuit, Barton ACT 2600 or posted at www.ag.gov.au/cca.

Disclaimer

The contents of this document have been compiled using a range of source materials and is valid as at February 2010. The Australian Government is not liable for any loss or damage that may be occasioned directly or indirectly through the use of or reliance on the contents of the document.