



NATIONAL PARKS ASSOCIATION OF NSW
protecting nature through community action

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Submissions on laws governing clearance of native vegetation, the Local Land Services Act.

The current Government's laws, introduced in 2016, have seen a 13-fold increase in clearing rates for native vegetation across NSW, putting hundreds of species at risk of extinction. The laws make land clearing easier for farmers while ignoring biodiversity. This is disgraceful state of affairs and the Local Land Services Act needs to change.

KEY ISSUES:

- Many threatened species and vulnerable ecosystems are at extreme risk of extinction due to the inadequate protections for native vegetation and threatened species habitats in NSW.
- The Discussion Paper released as part of the review of land clearing laws lacks any serious consideration of the disastrous impacts of vegetation loss on biodiversity. Virtually all the key threats to biodiversity are due to loss of habitat but the LLS Act does not appear to have made the connection.
- This omission is totally unacceptable, it is estimated that NSW will lose 50% of its threatened species by 2050 because of self-assessment and mismanagement of the biological offset scheme. Given the extinction crisis facing NSW and the world, the recent international agreement to restore and protect a minimum of 30% of each nation by 2030 will not be met.
- The introduction in 2016 of new, far weaker vegetation clearing laws by the NSW Government saw land clearance increase 13-fold, from an annual average rate of 2,703 ha per year under the old laws to an astonishing 37,754 ha under the new laws. The laws favours clearing of land above all.
- The current law's self-assessable codes and biodiversity offsets have enabled this massive increase in large-scale clearing of vital habitats. 96% of land developers demand for biodiversity credits cannot be met. Self assessment codes were always going to lead dishonest dealings by land owners.

- The Natural Resources Commission has questioned the integrity of the LLS regulatory system, noting that “compliance frameworks are inadequate.” This echoes the shockingly negative assessment of the integrity of the biodiversity offset scheme by the NSW Auditor General.
- The current policy objectives don’t offer adequate protection for native wildlife, including koalas. Part 5A facilitates the clearing of most koala habitat, contrary to the NSW Koala Strategy which seeks to double koala numbers in NSW by 2050.
- A NSW Parliamentary Upper House inquiry (established in 2019) found the old land clearing rules played a vital role in koala habitat protection and that without effective intervention, NSW’s most loved iconic species will become extinct in 2050.
- Land clearing laws require urgent reform to ensure: greater transparency over land clearing data; clear limits on clearing; mandatory assessments for clearing proposals; adequate mapping; monitoring of impacts on salinity, soil and water; and tougher penalties for compliance; and funding for adequate enforcement.
- Land clearing laws must turn away from a clearing at all costs mentality and be amended to protect native vegetation, native fauna, flora, ecosystems, water security, healthy soil, and natural landscapes.

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