

Submission to the statutory review of NSW native vegetation clearing rules (Part 5A of the Local Land Services Act 2013)

The latest State of the Environment report says Australia has lost the most mammals of any continent. More than 80 per cent of Australia's nearly 400 mammal species, from furry greater gliders that fly across treetops to egg-laying, poisonous platypus, are found nowhere else. Tragically, the 39 mammal species that have disappeared since colonisation in 1788 represent 38 per cent of the world's lost mammals.

Ecologists list land clearing as a top cause of wildlife losses and the State of the Environment report said between 2000 and 2017, there were 7.7 million hectares of land cleared across Australia and 93 per cent of the vegetation was felled without federal approvals for threatened species habitats.

The Native Vegetation Regulatory Map (NVR Map) is a tool used to categorise land in the state of New South Wales (NSW) in order to determine whether the rules for land clearing apply. The NVR Map is an important part of the regulatory framework for land clearing in NSW, as it helps to identify areas where land clearing may have a greater impact on the environment and biodiversity.

However, the NVR Map is currently incomplete and only shows excluded land and the sensitive and vulnerable areas of regulated land (Category 2). This means that landholders in certain areas are required to "self-categorise" unmapped land according to transitional arrangements. This can be confusing and may lead to misuse of the transitional provisions.

The government has released a draft NVR Map for landholders in certain regions of the state, but it is **important the government immediately release the comprehensive NVR Map with all map categories including Category 1 (exempt land) and Category 2 (regulated land) displayed** in order to provide regulatory certainty and clarity for landholders and the public.

Our Shire of Wingecarribee in the Southern Highlands of NSW is operating without any statutory defined habitat corridors, so irreparable damage is being done to the wildlife habitat of our area.

We recommend that the Commonwealth, States and Territories should enter joint funding arrangements for habitat corridor mapping in the context of climate change.

This arrangement should be formalised and long-term (e.g. at least 20 years of funding)

To protect threatened species and communities, we need jurisdictional co-ordination through a research and operations hub to ensure effective use of public funds.

The funding partnership should be such that all parties collaborate towards shared objectives. We need to avoid one party funding conservation, and another facilitating destruction of the same assets, as is often the case with the “Biodiversity Offsets Scheme”.

Our experience within NSW suggests that the proposed mapping of habitat corridors would be primarily by the State acting in collaboration with Local Government. Some local governments have the intellectual and financial capital to map habitat corridors competently, but many, especially in rural areas, do not. It is also important that any local efforts are not isolated from adjoining local government areas.

Part of the partnership would see the mapped corridors reflected in statutory planning instruments to afford them legal protection, e.g. Local Environment Plans, Regional Plans, and recognition in at least one State Environmental Planning Policy.

Corridors identified for biodiversity values, including for migratory adaptation to climate warming, may also need to consider the management of bushfire risk. This is important in itself but also for community acceptance of corridors. The use of appropriate fuel management methods, potentially including Aboriginal traditional fire regimes, can maintain or improve corridor values whilst also reducing fire risk.

The proposal is consistent with other initiatives such as Great Eastern Ranges, but goes further by covering all areas. Priority should still be given to the more significant corridors at State/Territory and national scales, but would not be limited to these.

In exchange for Commonwealth Funding, States and Territories are to stop broad-scale land clearing, and to prevent biodiversity offsetting being used to destroy viable remnants habitats. It should only be used in non-viable habitats or where there is a genuinely exceptional circumstances that are in the public interest, and where the offset represents a genuine net gain.

Yours sincerely

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