



27 January 2023

Local Land Services Policy Team  
By email to: [policy@lls.nsw.gov.au](mailto:policy@lls.nsw.gov.au)

Dear Sir/Madam

## REVIEW OF PART 5A OF THE LOCAL LAND SERVICES ACT

---

The National Parks Association of NSW (NPA) appreciates the opportunity to comment on the 5 year review of Part 5A of the *Local Land Services Act*.

NPA's mission is to protect nature through community action. Our strengths include State-wide reach, deep local knowledge, evidence-based input to policy and planning, and over 65 years' commitment to advancing the NSW protected area network and its professional management. We also provide outstanding opportunities to experience and learn about nature through our unrivalled program of bushwalking, field surveys, bush regeneration and other outdoor activities.

NPA is dismayed by the lack of any evaluation of the effectiveness of the current controls over native vegetation clearance in the Discussion Paper. It appears that any such evaluation has been deferred to the parallel review of the *Biodiversity Conservation Act*. In our view this is entirely inappropriate given the highly integrated and interdependent operation of the two Acts. In the absence of objective data on land clearance rates and biodiversity loss, the review of Part 5A is reduced to nothing more commentary around the complexity of the approvals process.

This is totally inconsistent with the original objectives of the two pieces of legislation. As stated in the second reading speech of then Minister for Agriculture Naill Blair, *'The objectives of these reforms are to arrest and ultimately reverse the current decline in the State's biodiversity while facilitating ecologically sustainable development, in particular efficient and sustainable agricultural development.'* The minister went on to assert that *'Providing farmers with the incentive to actively manage native vegetation is essential to securing the State's biodiversity'*. He finishes with the grand statement that it is time to *'usher in a new era in land management and biodiversity conservation—one in which we work with rural communities instead of against them, and one in which agriculture and the environment flourish'*.

The intent of the legislative reforms was clear, to provide greater certainty for land holders and to arrest and reverse the decline in the State's biodiversity. Unfortunately there is no hint of that fundamental linkage in the exhibited Discussion Paper and instead the community is presented with a fractured, and frankly confused, presentation on a range of bureaucratic application processes.

For the record, NPA considers the statutory regime introduced in 2016 to be an abject failure that has seen at minimum of a threefold increase in annual rates of native vegetation clearance and massive loss of biodiversity. The impacts of that accelerating habitat loss has been exacerbated by long term drought, the devastating fire events of 2019/20 and the recent flood events. The combined effect puts our state's biodiversity in extreme peril and makes a mockery of national commitments to proactively manage a minimum of 30% of all land and seas for biodiversity conservation by 2030.

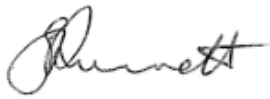
NPA recommends that the scope of the review should be broadened to consider the extent to which the *Local Land Services Act* is meeting its statutory objectives, including the principles of Ecologically Sustainable Development and arresting the decline in biodiversity. We question whether the NSW

Government has recorded sufficient information about current rates of vegetation and biodiversity loss to undertake such an assessment. The fact that critical elements of the regulatory regime, notably the Native Vegetation Regulatory Map, remain incomplete implies that the Government's primary interest is the facilitation of land clearing rather than the dual objectives stated in legislation.

NPA further recommends that an incoming NSW Government discontinue the current incomplete process and commission an integrated review of both the *Local Land Services Act* and the *Biodiversity Conservation Act*. The terms of such a review should include an assessment of the impacts of current rates of land clearing on the State's biodiversity and consideration of emergency measures that may be required to address this crisis.

I can be contacted at [garyd@npansw.org.au](mailto:garyd@npansw.org.au) or on 0432 757 059

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dunnett', written in a cursive style.

Gary Dunnett  
Chief Executive Officer  
**National Parks Association of NSW**  
*protecting nature through community action*