



# Hunter Environment Lobby Inc.

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Native Vegetation Regulation Review  
Conservation Policy and Strategy Section  
Office of Environment and Heritage  
Level 12, PO Box A290  
Sydney South NSW 1232

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By email: [native.vegetation@environment.nsw.gov.au](mailto:native.vegetation@environment.nsw.gov.au)

## **Submission to the draft Native Vegetation Regulation 2012**

Hunter Environment Lobby Inc. (HEL) is a regional community-based environmental organization that has been active for more than fifteen years on the issues of environmental degradation, species and habitat loss, as well as climate change.

HEL wishes to lodge a strong objection to the proposed changes to the *Native Vegetation Regulation 2012* (the regulation) under the *Native Vegetation Act 2003* (the Act). These proposals will result in a major increase in broadscale clearing in NSW.

The proposed inclusion of clearing invasive native species, environmental works and thinning activities as Routine Agricultural Management Activities (RAMAs) thus exempting them from approval under the Act is a serious weakening of the intent to control broadscale clearing in NSW.

The lack of requirement to report this level of clearing will impact on the ability of both Catchment Management Authorities and the NSW Office of Environment and Heritage to effectively regulate the Act.

The proposal to clear endangered ecological communities through streamlining of the Environmental Outcomes Assessment Methodology (EOAM) and proposed new RAMAs will increase the rate of likely extinctions of threatened species in NSW.

The NSW Office of Environment and Heritage is abrogating its responsibility to protect the environment of NSW by proposing these sweeping changes to the regulation, which is already a major compromise in controlling clearing activities in NSW.

HEL is particularly concerned about the continued, cumulative loss of listed endangered ecological communities in the Hunter Region as approved for large open-cut coal mining operations.

The connectivity across highly fragmented landscapes is a key ecological function that will be increasingly compromised by the proposed changes to the regulation.

HEL proposes that the mining industry should be managed by the same set of rules that occur under the existing regulations of the Act.

Instead of weakening the regulation, HEL proposes that it be strengthened by:

1. Including the 7 part test in the Code of Practice for Private Native Forestry (PNF) to demonstrate that activities will improve or maintain environmental outcomes
2. Implementing consistent infrastructure buffer distances across the state. There has been no rationale given for the widths in the current regulations. These are not demonstrable 'minimum extent necessary' for activities such as fencing and pipeline construction.
3. Requiring that all activities conducted as RAMAs be reported to the relevant Catchment Management Authority (CMA) to enable a clear and measurable understanding of clearing activities across catchments.
4. Protecting regrowth of native vegetation as part of a natural resource management plan from RAMAs
5. More substantial penalties for infringement of the current and proposed strengthened regulations
6. Considering landscape scale values and the cumulative impact of incremental loss of paddock trees and small clumps.
7. Considering impacts such as loss of mosaics within vegetation types and incremental loss of vegetation in different landscape formations eg river flats, midslopes and hilltops in the EOAM.
8. Fully protecting any offset outcomes in perpetuity through a conservation agreement that is included on the property title.
9. Defining regional biodiversity values for each CMA region such as relative abundance, percentage remaining of vegetation type and percent remaining vegetation by area.

Yours sincerely

A handwritten signature in black ink that reads "Jan Davis". The signature is written in a cursive, flowing style.

Jan Davis  
President