

From: [REDACTED]
To: [POLICY Conservation & Development Policy Branch Mailbox](#)
Subject: TRIM: Biodiversity Review submission
Date: Thursday, 4 September 2014 5:39:00 PM

Dear Biodiversity Review Panel,

I am writing to comment on the Issues Paper drafted by the Biodiversity Review Panel.

The UN decade on biodiversity, which began in 2011, recognises the global challenge posed by the dramatic decline in species.

We are currently in a global mass extinction period equal to that of the extinction of Dinosaurs. This is driven by human development. NSW is contributing to this trend and the Review into conservation legislation is an opportunity to reverse it.

As an ecological consultant I work with NSW environmental legislation and with all its processes, I have found that it still lacks protection for our biodiversity. In every case biodiversity is often the loser and the developer is the winner. Over time I can see the quality, extent and distribution of native flora and fauna habitat becoming lesser each year. Eventually more and more species, populations and ecological communities will be added to the threatened list. Existing protections are not enough.

Offsetting and rehabilitation of ecosystems as a result for a development does not give any gains to native biodiversity. Sometimes offset sites need to be developed and approval is given to move offset somewhere else. If this happened for the next 200 years we would be left with degraded landscapes with nothing more than a memory of the term 'pristine'. I can see our future biodiversity loss as a 'death by a 1000 cuts'.

The Review must set a clear goal to reserve the decline in biodiversity and restore ecosystem function across NSW. Below is an overview of significant issues that must be addressed by the Review.

Existing biodiversity and conservation laws, including the Native Vegetation Act 2003 and Threatened Species Conservation Act 1995, must be maintained and strengthened. This includes a clear commitment to end broad-scale land clearing across NSW, and a commitment to 'no net loss' of native vegetation.

The existing framework of conservation legislation has slowed biodiversity loss, but it is not enough to stop species' decline.

Objective decision making must lead to improved environmental outcomes.

The principle of "improving or maintaining" environmental outcomes should be retained, and extended so that it applies to all development activities.

Decisions must be based on objective science-based decision making criteria (e.g. Environment Outcomes Assessment Methodology under the NV Act), and discretionary decision making should be very limited.

Biodiversity offsetting must be done well.

The purpose of offsetting is to ensure that any development that affects biodiversity leads to an overall improvement for wildlife and species. It is important that rules around biodiversity offsetting reflect this key principle.

Where development is approved that significantly impacts native flora or fauna, the 'like for like' offsetting principle is fundamental and must not be weakened.

Retain the Independent Scientific Committee.

The role of the Independent Scientific Committee under the Threatened Species Conservation Act, to decide which species are threatened and deserve special protection, should be retained. Listing of threatened species must continue to be based on the professional advice of the Scientific

Committee.

Summary

This review provides a once in a decade opportunity for improving our conservation and biodiversity legislation for posterity. It is absolutely critical that we use this opportunity by taking an evidenced based and scientific approach with a goal towards improving biodiversity across New South Wales.

Yours sincerely,
Jonathan Carr