

Anonymous User just submitted the survey 'Biodiversity Legislation Review Questionnaire' with the responses below.

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Theme 1: Objects and principles for biodiversity conservation

Check box to view and respond to questions

Should there be an aspirational goal for biodiversity conservation?

Aspirational goals can assist in establishing and maintaining strategic outcomes - if they are diligently adhered to and incorporated into all planning and onground projects. If not, then they simply look classy at the top of a strategic plan or piece of legislation and nothing more. So many aspirational goals are already "out there" in every stream of biodiversity conservation - and most are ignored by government and agencies of implementation.

Given available evidence about the value and state of the environment, are the existing legislative objects still valid? Do the current objects align with international and national frameworks, agreements, laws, obligations? If not, what objects are required?

If Australia cannot maintain, monitor, and progress biodiversity conservation goals using the Objects - appendix 2 of Issues paper - as a valid framework, then our ecosystems are stuffed. How much is government, both state and federal, and industry prepared to encapsulate all these meaningful biodiversity conservation goals into actual onground practical management systems? I quote an imminent ecologist: "Don't just stand there taking up space - DO IT!"

To what extent are the current objects being met?

The Landcare movement, where community has been able to lead biodiversity conservation through local and regional knowledge, has and is meeting a number of the current objects. Other agencies such as CMA/LLS and NPWS are also meeting with lesser success current objects. However, state agencies are being starved of resources such as appropriately experienced staff and annually reducing budgets to be critically effective in the longterm. Landcare depends primarily on volunteerism to maintain its impetus to promote a balanced marriage between primary production and biodiversity conservation - a resource that is literally dying with the death of the current generation of landholders. Re-introduction and channelling of funding to the Green Army will guarantee the death of Landcare sooner rather than later.

Could the objects of the current laws be simplified and integrated? If so, how?

It has been my experience that attempts to "simplify" legislation have been underpinned by governments wanting to play to industry demands - the dollar speaks loudly and will smother

all calls from community for biodiversity conservation until an economic value system is applied to ecosystem services.

Theme 2: Conservation action

Check box to view and respond to questions

Is the current system effective in encouraging landowners to generate public benefits from their land and rewarding them as environmental stewards? Or are current mechanisms too focused on requiring private landowners to protect ecosystem services and biodiversity at their own cost?

The current system has been partly effective in encouraging landowners towards conservation of biodiversity systems, e.g. Conservation Partners and its underpinning voluntary conservation agreements system. I believe private landowners need to maintain a strong sense of ownership and thus desire to protect longterm the biodiversity on their properties without major financial input from government. Some small incentives are sufficient in private stewardship. I have a VCA over my property in NSW and I do not expect government/tax payers to fund my desire to maintain this endangered ecological community for future generations.

Are there elements of the current system for private land conservation that raise impediments (for example, binding nature of agreements and potential loss of production) for individuals who want to manage their land for conservation? If so what are they? What incentives might be effective, efficient and equitable in promoting biodiversity conservation on private land?

With regard to VCA's, increasing the amount of land a property owner can utilise as a home base or for primary production within the conservation area would perhaps help - currently stands at 2 hectares - provided the increased area for private use does not impact on the survivorship or quality of the conservation area.

What should be the role of organisations and bodies, such as the Nature Conservation Trust, in facilitating and managing private land conservation through mechanisms such as conservation and biobanking agreements?

Education of prospective and current landholders involved in private land conservation: regular workshops/field days on new research outcomes and practices, how to monitor ecosystem health, etc. Assistance to monitor and research on private land would also be useful.

How should the government determine priorities for its investment in biodiversity conservation while enabling and encouraging others (e.g. community groups) to contribute to their own biodiversity conservation priorities?

Priority goes to maintaining buffer zones around vital areas such as world heritage and other national parks and conservation zones; maintaining and restoring linkages between major biodiversity corridors and remnant stands; longterm monitoring and research into threatened, endangered flora and fauna and provision of these outcomes to the general public.

How can the effectiveness of conservation programs be monitored and evaluated?

Quality researchers already experienced in key species and ecosystems funded for longterm monitoring and evaluation programs in key biodiversity hotspots - at least 10 years terms for regular feedback of findings to public and agencies.

How should any tradeoffs be assessed?

Biodiversity tradeoffs schemes should be abolished IMMEDIATELY as the many, if not all, examples of tradeoff areas approved for e.g. mining companies to invest in have no resemblance to the biodiversity hotspots that were allowed to be killed off/clear felled. Allowing ocean dredge from Abbotts Point to be dumped at sea near and on the Great Barrier Reef for a pittance of \$660,000 in tradeoff costs is simply CRIMINAL and should not be allowed to happen. If an ecosystem is unique, then it should NOT be destroyed.

To what extent is the system forward looking or dealing with legacy impacts?

Not at all from the experiences and issues I have dealt with professionally in the past 35 years.

To what extent does current practice (rather than the legislation) determine outcomes?

Monitoring and evaluation protocols, where implemented, have been reasonably effective in some agencies such as CMA/LLS/NPWS. The ability of staff to achieve longterm outcomes has often been crushed due to removal of budget and staffing.

Theme 3: Conservation in land use planning

No Answer

How effective are current arrangements at ensuring biodiversity values are identified early and properly considered in strategic planning systems? How can they be improved?

No Answer

How effective are current arrangements for delivering strategic outcomes for biodiversity and enhancing ecosystem services? How can they be improved?

No Answer

How should the effectiveness of strategic planning approaches be monitored and evaluated?

No Answer

Theme 4: Conservation in development approval processes

Check box to view and respond to questions

To what extent has the current framework created inconsistent assessment processes, environmental standards, offset practices and duplicative rules? What can be done to harmonise processes?

The current system is a debacle and every Australian should be hanging their heads in shame watching the industries with dollars to sway local, state and federal governments' assessment processes in approving DA's. Stop pandering to industry and remember that without a healthy ecosystem across ALL of Australia, none of us will survive into the future. There is NO choice to be made: healthy air, water, adequate food production with minimal chemical inputs to maintain a healthy society.

Can we have a single, integrated approach to the approval of all forms of development, including agricultural development, that is proportionate to the risks involved? If yes, should one methodology (or a harmonised methodology) be used to assess all impacts? Does a need remain for some differences in assessment approaches?

NO. Each DA carries its own unique background, outcomes, and methods for management and monitoring.

What are the advantages and disadvantages of the different biodiversity assessment methodologies? Are the rules transparent and consistent? Is the way data is used to underpin decisions transparent? Do the assessment methodologies appropriately accommodate social and economic values?

More transparency in all of the above areas is needed. Data sharing across agencies is vital, instead of leaving it sit in the hands of 1 or 2 departments. More emphasis is needed on assessment methodologies for ECOSYSTEM SERVICES and social values.

Does the regulatory system adequately protect listed threatened species, populations and ecological communities? Is there utility in specifically protecting these entities through the regulatory system?

NO.....if an applicant is seen to possibly provide large piles of cash for a government or city or community, threatened species populations and ecological communities don't rate in the assessment process at all in my experience of 30 years.

Are there other models (international or Australian) that regulate activities impacting on biodiversity that may be relevant to NSW?

Take a look at the models used by IUCN and similar bodies to seek longterm effective monitoring and maintenance of World Heritage systems.

Are there other models (international or Australian) that regulate activities impacting on biodiversity that may be relevant to NSW?

See above. "Operational Guidelines for the Implementation of the World Heritage Convention."

To what extent has the current regulatory system resulted in lost development opportunities and/or prevented innovative land management practices?

No Answer

Some impacts cannot be offset. What are they? Are these appropriately addressed in approval systems? What is the relevance of social and economic benefits of projects in considering these impacts?

While environmental offsets have a role to play in the development approval process, their use is not without controversy as evidenced by the recent Senate inquiry into their failure. Approvals under the NSW Biodiversity Offset Policy give inadequate consideration to issues at district scale, such as locally over-cleared vegetation types. An example of this was a recent NSW State Government decision, where no heed was paid to Coffs Harbour Council's adopted Fine- Scale Vegetation Mapping Strategy and approval was granted to clear significant stands of an already over-cleared vegetation type. It is virtually impossible to offset a mature forest 300–500 years old, which provides critical resources and habitat for a range of threatened biota. World Heritage Areas and national parks contain a disproportionate representation of high-conservation-value habitat. Cumulative small-scale and medium-scale development continues in the areas surrounding these reserves, degrading the zones that are supposed to buffer and protect the property. Continuing development in the buffer zones (and, perhaps under bilateral agreements, within the World Heritage Areas in future?) jeopardises the long-term persistence of the entire ecosystem, like a 'death by a thousand cuts'. Furthermore, no rigorous monitoring of offset areas at state level is occurring, and offsets may encourage little or no effort to be taken to avoid, reduce or mitigate damage to valuable ecosystems. The default option for developers and regulators may become the offset, discarding all other considerations.

How can offsets be more strategically located?

They cant - stop this debacle of a process now before we lose even more key ecosystems.

Are there areas currently regulated that would be better left to self-regulatory codes of practice or accreditation schemes?

None. Self-regulation in any industry or society depends on the individual having a strong sense of "right" and acting upon that instinct at all times - humans mostly don't do this. THus, self-regulation becomes a process of whatever is easiest to do, for whoever pays the most, for the least amount of time invested.

Theme 5: Wildlife management

Check box to view and respond to questions

Have the threats to biodiversity posed by: (a) people taking animals and plants from the wild, (b) feral animals and weeds, and (c) illegally imported species, been effectively managed?

Sometimes, however removing staff and resources from National Parks Services, Customs, and other such environmental defenders is now limiting severely what can be monitored and where.

Has the NPW Act and the supporting policy framework led to a positive change in the welfare of native animals (captive and free-living)? What role if any should the government have in ensuring the welfare of individual native animals – particularly where there are already stand-alone welfare laws such as the Prevention of Cruelty to Animals Act 1979?

Yes, in the main.

Has the NPW Act and the supporting policy framework led to a positive change in the welfare of native animals (captive and free-living)? What role if any should the government have in ensuring the welfare of individual native animals – particularly where there are already stand-alone welfare laws such as the Prevention of Cruelty to Animals Act 1979?

No Answer

Are the provisions for marine mammals effective?

Yes, to the best of my knowledge - with the exception of littoral species which are often plundered by people for food without leaving suitable numbers for the populations to recover and grow.

Is the current framework for wildlife licensing, offences and defences, including those applying to threatened species, easily understood? Is the current licensing system too complex? How can it be improved and simplified to focus on conservation outcomes?

Licensing system is okay. What needs to be done is prosecution of those breaking the law - it needs to be seen to be done, not just listed in a piece of dusty legislation.

Is there currently appropriate regulation for the sustainable use and trade of wildlife?

No - this needs to be tightened. We have lost in recent years most of our alpha male Grey Kangaroos due to this so called "sustainable use". This genetic degradation of the species will cause an imminent collapse of the population in general, one that will not be able to be recovered from.

Theme 6: Information provisions

Check box to view and respond to questions

What information should be generated about the different kinds of value (for example, monetary and intrinsic value) of biodiversity and other natural assets in NSW?

No Answer

What type, quality and frequency of data should be collected about biodiversity? Who should be responsible for such a system?

Too many data fields to list here: draw on our world class scientists to assist with this. The many first class universities and research centres in Australia have much to offer in

monitoring and evaluation of biodiversity - they just need adequate funding to be able to continue to do this, and provide their data in a standard database that Australians can access. Governments need to team with them to lead the way here.

Is current data about biodiversity highly credible and readily accessible? If not, how can quality and access be improved?

Accessibility is poor for general public. New databases are not needed. Integration of existing databases is required.

How effective is the threatened species listing process (including the listing of key threatening processes) in guiding subsequent conservation action?

The process takes too long - a species could be gone before it makes its way through to being classed as Endangered. Seek guidance from our many world class ecologists as to how best to fix this process.

Should threatened species listing decisions be decoupled from decisions on conservation actions (including recovery planning) and regulatory processes?

NO.

To what extent, if any, does having national and state lists of threatened species cause confusion, regulatory burden or duplication of conservation effort? How could national and state lists be rationalised?

No Answer

To what extent is the identification of critical habitat an effective tool for biodiversity conservation? Should we list critical habitat for more species where relevant and useful?

If we don't know the value of different types of habitats, how they integrate into the web of life, then we may as well set fire to the earth now and avoid the waiting for its inevitable death. It is CRITICAL to list CRITICAL habitat at all times - it is always useful. IT IS ALWAYS RELEVANT.

Should private conservation data be collected and if so how?

Yes - and it is in many cases where the private landholders are eager, capable and willing to do so. Conservation Partners - give them back staff and funding to help us do this into the future.

Other comments

No Answer