

SUBMISSION REGARDING BIODIVERSITY LEGISLATION REVIEW 2014

To: Biodiversity Legislation Review
Po Box A290
Sydney South NSW 1232

Re: SUBMISSION REGARDING BIODIVERSITY LEGISLATION REVIEW 2014

Dear Independent Review Panel for Biodiversity Legislation Review

I write to express support for the independent review of biodiversity legislation in NSW, but there needs to be major strengthening of legislation in NSW to better protect biodiversity into the future.

Protection of native flora and fauna is fundamentally important to me, my lifestyle, my family, my heritage and my future. It is immeasurably important for NSW and Australia, and we have a great opportunity now to enhance current laws to ensure our biodiversity is better protected in our wonderful state. Communities, government and industry have an enormous responsibility to protect our unique native flora and fauna, and legislation is the key to this process. While I support a review of legislation, I strongly encourage NSW Government to enhance current legislation to better protect native flora and fauna in NSW.

With this in mind, I strongly oppose changes to the Native Vegetation Act which will ultimately allow farmers to clear more land, and I strongly oppose any action to relax laws regarding the conservation of biodiversity for increased development in urban/rural regions of NSW. The recent changes to bushfire asset protection practices around homes allowing clearing of native vegetation has been a demonstration of poor planning for biodiversity protection.

Sustainability means living within ones means, and Australia has the worst history of biodiversity conservation in the world. A major enhancement to biodiversity conservation legislation is required to increase the protection of native flora and fauna, ecosystems and biological communities into the future.

1. Our track record with biodiversity conservation in NSW and Australia is appalling and legislation MUST continue to protect and conserve biodiversity, to a stronger degree than has been the case – The review must support a strengthening of biodiversity protection, not weaken of biodiversity protection laws.
2. We must strengthen existing biodiversity and conservation legislation including the provisions of the Native Vegetation Act 2003 and the NSW Threatened Species Conservation Act 1995.
3. There must be a clear commitment from NSW Government to develop and implement legislation to improve biodiversity and environmental outcomes.
4. There must be a clear legislative commitment to end broad-scale land clearing across NSW. The NSW Government must ensure there is a commitment to not-net-loss of native vegetation across the state.
5. Legislation must increase penalties for not protecting biodiversity. Our current legislation is too weak and penalties are far too lenient.

6. Land clearing laws should be extended so that extractive industries like mining, as well as forestry, agriculture and urban development adhere to the same policy of improving or maintaining environmental and biodiversity outcomes.
7. Science must determine decision-making not political or economic agendas. Biodiversity conservation must be based on substantial biodiversity monitoring and intensive assessments, not quick-and-dirty desktop exercises which continue to fail in identifying and protecting native flora and fauna.
8. Biodiversity off-sets need to be better regulated and enforced where development is approved in biodiversity areas. Biodiversity offsetting is fundamental and must be strengthened, not weakened. I have seen all too often in local government and in extraction industries where proponents promise biodiversity offsets to increase the likelihood of State Government approvals, but then show no commitment to actually delivering on those promises. This must stop immediately. NSW government must strongly enforce requirements and conditions when biodiversity offsetting is undertaken.
9. The role of the Independent Scientific Committee under the NSW Threatened Species Conservation Act should be retained and listing must continue to be based on the professional scientific advice of the NSW Scientific Committee.
10. In NSW, up to 90% of native vegetation has been cleared for agriculture, development and extraction industries. Enough is enough! Too much land has been cleared, and there is sufficient land for agriculture to produce food and fibre for Australian's into the future – The NSW Government should increase support for existing primary production industries to increase the productivity of existing farming land, not just clearing more land for farming. Legislation must prevent all further land clearing in NSW.
11. Education and enforcement of legislation is critical. If legislation is changed, it is the responsibility of the NSW Government to ensure that changes to legislation are understood, and are strictly enforced.

Thank you for an opportunity to comment about this critically important issue.

Sincerely

[Redacted signature]

[Redacted contact information]

4 September, 2014