

From: [REDACTED]
To: [POLICY Conservation & Development Policy Branch Mailbox](#)
Subject: TRIM: Biodiversity Review submission - keep enviro protections strong!
Date: Sunday, 7 September 2014 7:22:47 AM

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. NSW is contributing to this trend and the Review into conservation legislation is an opportunity to reverse it.

The Maules Creek Coal mine owned by Whitehaven Coal in the Leard State Forest is an example of how our EPBC and Threatened Species Acts are failing to hold weight in protecting the Leard State Forest from senseless development. The forest is home to 390 plus species 34 of which are threatened... I write to you on Sunday - Threatened Species day... A day to remember that extinction is forever, yet we are seeing critically endangered white box gum woodland destroyed in the Leard unless Whitehaven Coal are stopped in their tracks by ongoing protests and blockading. 244 people have now been arrested trying to protect that forest and that figure will rise because the community believe that they need to protect this biodiverse place like our environmental laws should!

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 protections are not enough

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. At the Maules creek mine it is appalling as the offset areas are not like for like and there is mounting scientific evidence through the Maules Creek Community Council to prove it.

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,
Emma Wasson