

From: [REDACTED]
To: [POLICY Conservation & Development Policy Branch Mailbox](#)
Subject: TRIM: Please strengthen Biodiversity protection processes through the Review
Date: Thursday, 4 September 2014 2:30:49 PM

Dear Biodiversity Review Panel,

Regarding the Issues Paper drafted by the Biodiversity Review Panel.

As a business person with years of practical experience in housing and small-scale sub-divisions, I acknowledge the importance of balancing human wants with ecosystem needs. The environmental protections are necessary, and they need to be clearly stating what is required for sustaining our native Australian species wherever they still exist, or may revive.

The UN has recognised the global dramatic decline in species. NSW is contributing to this trend with destruction of many habitats at an amazing pace. The Review into conservation legislation is an opportunity to reverse it.

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 with public scrutiny must lead to improved environmental outcomes. No more secret deals with shooters and fishers lobby groups. No more concessions on clearing native vegetation without due public process.

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, quantified with hard scientific data.

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,

Duncan Marshall