

Natural Resources Commission Report on Land Management

30 March 2020

The NSW Government has received the Commission's report, [Land management and biodiversity conservation reforms, final advice on a response to the policy review point](#).

The NSW Government's response to the report recommendations:

Recommendations	Government response
<p>1. If the implementation of the Native Vegetation Regulatory (NVR) Map remains a NSW Government priority, Environment, Energy and Science Group (EES) implement a staged release of the Native Vegetation Regulatory Map:</p> <p>1.1 The first stage should involve the immediate release of all categories of the map for woody vegetation-dominant landscapes on a region-by-region basis. This needs to be supported by processes to improve map accuracy, including a process to resolve disagreements on map accuracy that remain following EES's normal appeal process that is overseen by an independent body.</p> <p>1.2 The second stage should involve the release of all categories of the map for native grassland-dominant landscapes, once there is more confidence in the accuracy of the mapping of native grassland.</p>	Noted
<p>2. The NSW Government strengthen compliance frameworks by:</p> <p>2.1 Reviewing the roles, responsibilities and resourcing for monitoring and enforcing compliance with certifications and notifications to clear and set asides under the Land Management (Native Vegetation) Code.</p>	<p>Supported</p> <p>LLS will review the roles, responsibilities and resourcing for monitoring and compliance with certificates and notifications.</p>

Recommendations

Government response

2.2 Developing clear processes to monitor and report on compliance with certifications and notifications to clear and set asides under the Land Management (Native Vegetation) Code. Monitoring and reporting processes should be developed with consideration of best practice principles, including ensuring monitoring can identify incidents of non-compliance and compliance risks in a timely way.

Supported

LLS will consider and develop appropriate processes to monitor and report on compliance with certifications and notifications under the Land Management (Native Vegetation) Code

2.3 Reviewing the drivers of high rates of unexplained clearing and address identified issues.

Supported

EES and LLS will work collaboratively to identify and review drivers of unexplained clearing and address identified issues.

2.4 Developing processes to ensure six monthly monitoring and reporting of unexplained clearing as part of the trigger framework.

Supported

Government supports the development of a process to allow for the monitoring of unexplained clearing.

3. The NSW Government undertake an immediate review of Part 3 (pasture expansion) of the Land Management (Native Vegetation) Code to address risks to biodiversity values state-wide resulting from high rates of certifications and notifications to clear under this part of the Code.

Supported in principle

A review of Part 3 (pasture expansion) of the Land Management (Native Vegetation Code) will be included in the three year review.

Recommendations

Government response

4. The NSW Government replace the existing policy review trigger with the immediate implementation of the Commission's proposed trigger framework.

Trigger 1: Policy implementation: That all core policies of the reform are operational within 18 months of commencement of reforms

- Land Management (Native Vegetation) Code
- NVR Map
- Biodiversity Conservation Investment Strategy
- Private Land Conservation Agreements
- Single measure of assessing biodiversity value under the Biodiversity Offsets Scheme
- Coordinated reform specific Monitoring, evaluation and reporting (MER) framework

Trigger 2: Compliance: Annual areas of unexplained clearing should not exceed pre-reform average (6,350 ha/annum) (EES[lead]/LLS)

Trigger 3: Biodiversity - state wide: Annualised combined area of set asides and conservation agreements is less than two times the area approved for clearing (certification and notifications under Parts 3-6 of the code) (LLS/BCT).

Trigger 4: Biodiversity – regional: Using a 'traffic-light' risk rating system, LLS regional risk to biodiversity from clearing under the reforms exceeds 'high risk' thresholds: The risk rating system considers the area of land approved to be cleared and area of set asides in each LLS region. (LLS)

Trigger 5: Socioeconomic: State-wide investment in conservation agreements falls below 80% of budget (BCT)

Trigger 6: Code clearing: Reported for consideration without threshold – cumulative area approved to clear under Parts 3 – 6 of the code by ha (LLS)

Supported in principle

A new trigger framework will be considered by the Ministers responsible for the Biodiversity Conservation Act and the Local Land Services Act

Recommendations

Government response

5. The Environment, Energy and Science Group, Local Land Services and the Biodiversity Conservation Trust provide a quarterly report on the status of triggers to the Cluster Ministers Group for the Planning, Industry and Environment Cluster.

Supported in principle

Six monthly reporting on triggers and other key indicators will be provided to a Departmental governance group that will be established to oversee implementation of the LMBC reforms and report to Ministers responsible for the Biodiversity Conservation Act and the Local Land Services Act (see response to recommendation 8).

6. Previous reporting on triggers to Cabinet is replaced by reporting on an annual or exceptional basis if thresholds are exceeded to ensure Cabinet remains informed.

Noted

See response to 5.

7. If a coordinated, reform specific MER program remains a NSW government priority, the NSW Government implement an overarching MER framework within six months that is informed by the Commission's proposed MER framework so that sufficient data is collected to inform the three- and five-year reviews to the best possible extent.

Supported in principle

The Government supports sufficient monitoring to occur to enable reporting to be done in response to recommendation 5 above.

Recommendations

Government response

8. The Secretary of the Planning, Industry and Environment Cluster establish an overarching steering committee (with independent Chair) comprised of relevant agencies to oversee coordination and implementation across the whole reform, including:

- the implementation of the trigger and MER frameworks
- alignment of strategic priorities, including conservation investment
- responses to emerging issues
- landholder engagement and capacity building
- data and information sharing.

Supported in principle

The Department will establish a governance group to oversee the LMBC reforms and report to the Ministers responsible for the Biodiversity Conservation Act and the Local Land Services Act. The group will:

- monitor key risks
- oversee the three-year review of the reforms
- prepare for the five-year statutory review of the Biodiversity Conservation Act 2016 and Part 5A of the Local Land Services Act 2013.

Terms of Reference will be finalised by the governance group for Ministers' consideration and approval.

Recommendations

Government response

8.1 The steering committee should have an independent chair appointed by the Secretary (such as a representative of the Secretary's Office).

Not supported

The governance group will be co-chaired by the Coordinator General, Environment, Energy and Science and Coordinator General, Regions, Industry, Agriculture and Resources and report directly to the Ministers responsible for the Biodiversity Conservation Act and the Local Land Services Act.

9. As part of the three-year review, the NSW government should consider:

Supported

9.1 Barriers to landholder engagement with the native vegetation panel. This review should include the role and responsibilities of the Panel under the Local Land Services Act 2013 and potential opportunities to increase the options available to the NV panel to assist with applications that fall outside of the Code.

A review of the barriers to landholder engagement with the Native Vegetation Panel (including issues relating to the Biodiversity Offsets Scheme) will be included in the three-year review.

9.2 Whether adequate processes are in place for agencies and the broader community to nominate areas to be recommended by EES for declaration as an Area of Outstanding Biodiversity Value (AOBV).

Noted

Other news

13 March 2021

New green links at Western Sydney Parklands

The works include a landmark yellow crossing over the Eastern Creek, known as the Northern Bridge, connecting to the 2.3km Hearts Crossing Loop, which is part of the wider 60km Western Sydney Parklands walking and cycling network.



12 March 2021

\$7 million funding to ensure everyone can play

Minister for Planning and Public Spaces Rob Stokes said regional NSW councils will benefit from over \$3.65 million in funding for 15 new projects and six upgraded play spaces in round three of the Everyone Can Play grants program.



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We pay respect to the Traditional Custodians and First Peoples of NSW, and acknowledge their continued connection to their country and culture.

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