

#54

COMPLETE

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Q1

First name
Imogen

Q2

Last name
Gay

Q3

Email
[REDACTED]

Q4 Yes
Can we contact you about your submission (if needed)?

Q5 Yes
Can we add your email to our mailing list for occasional updates on this topic?

Q6 None of the above (I have a general interest in the topic).
What best describes you?

Q7 Greater Sydney
What best describes your main regional interest?

Q8

I agree to have my submission published with my name.

Your submission may be published. If you do not want your personal details or responses published, please tell us here.

Q9

What do you consider is the most significant action(s) we can undertake to protect and restore biodiversity and ecosystem function on private lands?

The most significant action for protecting biodiversity and ecosystem function on private lands is to substantially reduce the powers of landowners to make judgement calls on the quality and value of native vegetation to clear. The Land Management (Native Vegetation) Code 2018, under the Local Land Services Act 2013, presently empowers landholders to self-assess clearing, providing "greater flexibility and discretion to efficiently undertake low risk management activities". Under this system, it is assumed that landholders are adequately informed about conservation principles and practices to make a sound judgement on whether the clearing is low-risk or "not likely to result in the substantial long-term decline in the structure and composition of native vegetation". This is particularly important in respect to broader ecosystem function and the importance of vegetation corridors across properties, which may not be considered when assessing a portion of vegetation in isolation.

Whilst the ability for landholders to make decisions regarding their own property is a right that should be enshrined, it should not take precedence over state environmental protection laws. I propose safeguarding native vegetation on private land by reinstating Government oversight over all land clearing activities and establishing an approvals process that places the responsibility of assessment back on suitably qualified Government-appointed assessors.

Q10

How can we further improve soil, water and vegetation management to protect and restore biodiversity while delivering sustainable economic outcomes?

With land clearing rates tripling since 2017, private land that may contain native regrowth should be given greater consideration under the approvals scheme. Private land previously used for agriculture may have naturally regenerated over time and could contain regrown forests and woodlands that may provide valuable habitat and food sources for threatened species if over 15 years old. If land cleared before 1990 remains exempt from land clearing regulations, it will jeopardise ecological communities that are reestablishing on unproductive private land and undermine any efforts to further improve soil, water and vegetation where economic uses aren't viable. Furthermore, restored native vegetation is vulnerable to clearing under the existing laws, with one of the 'allowable activities' for landholders being the clearing of "planted native vegetation, provided it has not been planted with the assistance of public funds". This exemption leaves restoration work undertaken by volunteers and environmentally-focused landowners susceptible to transfer of ownership and changes in land use. In order to improve the management of soil, water and vegetation on private land, no form of native vegetation should be exempt from a comprehensive assessment of retention value, whether naturally regenerated or planted with private funds. This is key for the restoration of biodiversity, not simply the protection.

I recommend removing 'planted native vegetation' from the list of allowable activities for landowners and removing 'Land cleared of native vegetation as at 1 January 1990' from the criteria of exempt land.

Q11

What do you consider is the most effective way to further support and enable landholders to deliver sustainable land management and production outcomes?

The most effective way to support and enable landholders to act sustainably is to incentivise the protection of native vegetation, which inherently increases its value. The Biodiversity Conservation Act 2016, its framework, and the Biodiversity Offsets Scheme should be examined, improved and broadened in partnership with the Land Management (Native Vegetation) Code 2018, under the Local Land Services Act 2013 to increase the volume of land entered into conservation agreements rather than cleared. Over the long-term, protection of regrowth and existing vegetation is more cost-effective, efficient and productive for biodiversity than planting. Incentives should be supported by a strong education campaign with genuine engagement from landholders. Awareness of the scientific foundations of a 'pro-conservation' regulatory system would encourage landholder compliance by enhancing awareness of the benefits to land production, the economy, biodiversity, communities, and future generations. Once reforms are implemented, clear communication must be prioritised so that the majority of landowners understand the new regulations. Improving the accessibility of information and the availability of suitably qualified experts will ensure that wilful ignorance and deliberate non-compliance is discouraged.

Especially under current laws, where the removal of vegetation is permitted as long as the landowner does not "knowingly harm an animal or damage the habitat of an animal that is a threatened species or part of a threatened ecological community," the protection of flora and fauna is effectively left to ignorance or lack of awareness.

Particularly in the present circumstances where the removal of is allowed so long as the landowner does not "knowingly harm an animal or damage the habitat of an animal that is a threatened species or part of a threatened ecological community", which leaves the protection of flora and fauna up to naivety.

Q12

Is there any other information about this topic you would like to share with us?

I urge the NSW Government to act on reforms as quickly as possible to prevent further needless destruction of natural values on private land across the state.
