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Q1

First name

Margaret

Q2

Last name

Mackinnon

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 **I am representing an NGO or community group.**

What best describes you?

Q7 **South East**

What best describes your main regional interest?

Q8

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

I agree to have my submission published with my name.

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?

1. Operationalise the existing legislation
The most significant action would be to immediately cease clearing of native vegetation, especially Plant Community Types that are 80 percent or more already cleared. This action would be the only valid response to support the NSW Plan for Nature's overarching goal "to leave nature better off than we found it".

Halting land clearing, especially of the critically endangered native grasslands communities, could be achieved immediately if there was a genuine commitment by the government to implement the existing legislation in full. This requires rolling out the tools that, although available for 8 years, have not yet been operationalised, namely, the Native Regulatory Map and the grassy groundcover assessment tool (GGAM). While these remain undelivered, self-assessment by landholders is allowed to continue, and subjective assessments such as "compromised groundcover" that allow clearing under the Land Management Code continue to be deployed, leading to large amounts of 'unallocated' clearing.

Halting land clearing also requires activating and resourcing LLS to deliver the extension and advice that landholders need to interact with the legislative framework. Just as for the tools, the lack of provision on the Monaro of these resources has significantly contributed to excess land clearing. Eight years on from the legislation being handed down, most Monaro landholders remain completely unaware of the legislated constraints on native vegetation management on their land. Those that do know a little about it are largely confused or have an inaccurate understanding of it.

Better mapping of native grasslands and other high biodiversity vegetation types is also needed before the legislation can be fully applied. Remote sensing tools and methodologies to accurately map vegetation types are now readily available within Australia's academic community and the government should immediately adopt these new technologies and deliver them to on-ground decision-makers.

More on-ground assessors are needed in order to provide the necessary information for final decisions on clearing under the legislation's rules.

Most of the above have been recommended under the NSW Plan for Nature. But the problem all along - non-delivery by the government agencies of the tools needed to operationalise the legislation and regulations, despite recommendations made years ago by various bodies (e.g., the NRC, the National Audit Office, the Elton Report, DCCEEW via https://doi.org/10.1016/j.ecolind.2020.106710) - remains. A notable example is the MER which, although identified as a key resource needed to implement the 2016/2017 'biodiversity legislation reforms', appears to be not yet developed. Until the government is prepared to take meaningful action on the recommendations of their own reviews, including the most recent reviews of the BC Act and the LLS Act Part 5A, the tripled rate of land clearing since the 'new' legislation was introduced will only continue.

Further details on the above points are given in our two submissions to the NRC's recent reviews of managing non-woody vegetation and managing CEECs, and in our submissions to the BC Act review and our 'Statement from the Field' to all relevant government agencies of December 2022.

2. Legislative reforms
The 'curve-ball' of African Lovegrass invasion on the Monaro may mean that conservation of the critically endangered Monaro native grasslands can never succeed under the existing legislation. A rapid response tactical team may be needed to devise a solution to this issue. The solution may entail changing the legislation or its regulations. For example, one outcome might be that application of the NVR map is abandoned, with all clearing decisions simply requiring an on-ground assessment using the GGAM. Another might be a recommendation for strategic acquisition of intact CEEC areas into the National Reserve System.

3. Incentives

However, we do not think that legislation alone, or abandoning protection on private land can achieve the goal of conserving the remaining high condition grasslands CEEC. Landholders need to be strongly economically incentivised to retain native grasslands on their land. The challenge for landholders, however, is how to co-manage conservation value native grasslands given the weed incursion by African Lovegrass and current economic drivers. Conversion of a native grassland to an exotic species pasture will raise productivity from 1DSE/ha to 3 DSE/ha, and has become economically viable given recent advances in mechanisation of boom spraying, direct drilling and rock-picking. Furthermore, the cost of controlling African Lovegrass far exceeds any livestock productivity returns on native pastures and so clearing is economically favoured. Since conservation of rare biodiversity is for the public good, but landholders have to pay for it, strong incentives to retain them via biodiversity payment schemes are necessary. See our comments on how this might be achieved in response to the 'the most effective way to further support and enable landholders' question below.

4. Conclusion

The rapid rate of degradation of the Monaro's native grasslands over the past 8 years, obvious to anyone who has recently taken a tour around the Monaro's rural road network, clearly shows that the legislative reforms have not been implemented on the ground. The existing legislation may well be sufficient to achieve its goals but the government has failed to deliver the tools and resources to make it work. This failure is recognised in the response to the legislative reviews given in the NSW Plan for Nature, but many of these recommendations have been made previously to no avail. Furthermore, the current plan recommends even more reviews. These delays in taking action are meanwhile creating 'nature negative' outcomes as land becomes degraded and is cleared. This negative trajectory will be very hard to reverse if urgent action is not taken immediately.

Q10

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

Managing weed invasion of biodiversity conservation areas: -

Protecting native grasslands and other CEECs from degradation is a particular problem on the Monaro where African Lovegrass is rapidly invading areas of high livestock productivity and areas of high conservation value alike. We contend that protecting native groundcover vegetation from being over-run by African Lovegrass is not best achieved through broad-scale chemical clearing of infested areas but through other methods that are based on ecological principles of competition and disturbance avoidance. We advocate management that relies on buffering, strategic low-dose spraying of chemical aimed at reducing weed competitiveness, maintaining ground cover, introduction of other native groundcover species, use of sterile material to occupy spot-sprayed areas and other methods that retain as much native cover as possible. We believe such approaches are much more likely to achieve ecological, as well as economically, sustainable management.

In particular, we suggest that the government immediately invests in replicated trials and demonstrations of using low-dose flupropanate on invasive African Lovegrass in native grassland areas. Bredbo-based Bush Heritage Australia team have used this technique with great success at their Scottsdale Reserve, showing a return of native forbs and grasses to areas previously covered by a dense thatch of African Lovegrass.

We further suggest that the current stance by government agencies against using chemicals at low dose rates to control weeds on the basis that it 'promotes resistance' is highly questionable and outdated in relation to modern thinking on resistance management across many biological systems.

Q11

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

1. Incentives
Provide the primary production landholders with incentives comparable to what might be returned in livestock production returns on converted land and provide these in perpetuity.

Currently, BCT offers very lightweight incentives for these landholders, with amounts well under the price point for a farmer to consider alternative landscape management and to retain native vegetation. BCT are not infiltrating the farming sphere as many landholders are not aware they exist and or are not able to unpick what is on offer from complex choices. They currently have no brochure that spells out all the options, and there is often a 12-month wait on a simple assessment visit for a Voluntary Conservation Agreement. Furthermore, BCT have decided to exclude properties on the Monaro from their revolving fund program. Their outreach activities are ineffective due to poor attendance by Monaro farmers at their ecological/land management events. We suggest they need to be more pro-active by directly targeting landholders, e.g., via letterboxing, door-knocking and delivery of farmer-driven events.

A more effective approach may be to create a new method under the Nature Repair market that targets grasslands of the Monaro and other CEECs found mostly on private tenure land that are considered to be of high priority .

2. Information for landholders
The withholding of the Native Regulatory Map for the Monaro region for 7 years, the lack of effort to inform landholders of the new legislation by government agencies, and the absence of accurate maps for the native grasslands CEEC have all led to an information vacuum that has undoubtedly contributed to the elevated rates of land clearing in recent years. There is an urgent need for an education campaign for landholders on the legislation and there is a similar need for accessible tools that enable landholders to map their farm for native vegetation and plan their enterprise in relation to the legislated constraints. We suggest that the government immediately extend the ACT's accurate grasslands mapping technology using remote sensing to the Monaro and release this in the form of an all-in-one mapping platform that includes all relevant information for decision-making (NVR map, lot boundaries, etc).

Q12

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

1. Mental health
We recognise that mental health issues regarding on-farm biodiversity management against economic sustainability are a reality for farmers but the same is also true for advocates for retaining what is left of unique and precious biodiversity. Watching the loss of native ecosystems and wildlife is soul-destroying.

2. Alignment across jurisdictions
We ask the NSW government to work with the Commonwealth Government to align all threatened ecosystems/species listings. Having Monaro native grasslands listed as a critically endangered ecological community in the Commonwealth biodiversity legislation but not the state's is unworkable.
