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Subject: Submission to Natural Resource Commission Review of Habitat Protection Laws

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Submission to Natural Resource Commission Review of Habitat Protection Laws

From: [REDACTED] Convenor, South East Region Conservation Alliance (SERCA) Inc.

Private land logging and land clearing has been on the rise in south east NSW in recent years and it is becoming increasingly clear that current legislative mechanisms are not adequate to deal with this. SERCA has a particular concern about the impacts of industrial native forest logging and woodchipping. As State Forests have been degraded over decades of intensive logging, the industry is looking to private land to augment wood supply and the issues addressed here are a growing concern. Some specific points that we recommend:

1. Replace the current self-approval laws with clear and meaningful

approval pathways that aim to protect habitat and reduce land clearing.

The current land management framework relies on landholders conducting a self-assessment to decide whether or not they can clear their land.

These provisions, set out in the Local Land Services Act 2013 and the Land Management (Native Vegetation Code) 2018, have been completely ineffective at regulating habitat clearing and have increased the misuse of land. Since these laws were enacted in 2017, the rate of land clearing on private property has tripled. Code-based land clearing laws, based on self-assessment, must be removed.

2. Scale-up incentives for landholders to protect existing and regrowth vegetation on their land. The trigger for protecting vulnerable and sensitive land is too narrow and out of date, and should be expanded to capture a wider range of environmentally sensitive areas. The current system enables destructive behaviour and disadvantages the many land stewards wishing to deliver for nature. We need a system that holds bad actors to account and helps landowners value and protect biodiversity effectively in the face of a changing climate.

3. Introduce incentives for landholders to protect and restore regrowth forests and bushlands. Research has found that regrown forests can provide valuable habitat and food for species after an average of 15 years. Some species, such the koala, could use regrowth as young as nine years old. In contrast, some species, such as the greater glider, need much older mature forests – demonstrating the need to retain both young and old forests. Under current rules in NSW, land cleared before 1990 is exempt from regulation. This is contrary to the latest ecological science and should be changed.

4. Accompany land clearing reforms with a clear communications and engagement plan. Laws cannot work unless landholders are aware of them,

understand them and know how to apply them and face consequences for breaching them. Similarly, any positive financial incentives that aim to retain and manage native vegetation must be easy for landholders to engage with and participate in.

5. Develop a one-stop web platform for landowners including a finalised and enforceable vegetation regulatory map. Information needs to be easy to access so that landowners can understand the law and do the right thing.

6. Increase the staff force required to reach landowners to deliver conservation impact. Expand core staffing of the Biodiversity Conservation Trust and Local Land Services. These are the key agencies that provide on-property advice to landholders and can help accelerate the roll-out and scale-up of conservation initiatives