

From: **Ministerial Correspondence Mailbox** <Ministerial.Correspondence@>
Date: 5 October 2017 at 16:39
Subject: A reply to your correspondence about the biodiversity reforms – MD17/3387
To:

I refer to your correspondence about the NSW land management and biodiversity conservation reforms. Your email was referred to the Office of Environment and Heritage and I have been asked to reply.

We are committed to strengthening the conservation of biodiversity in NSW. As you may know, the new legislation, including the *Biodiversity Conservation Act 2016*, began on 25 August 2017. These reforms will help us to achieve better environmental outcomes through an integrated, modernised approach to biodiversity conservation and the management of threatened species.

The reforms are supported by an unprecedented investment of \$240 million over five years and \$70 million in each following year for a new private land conservation program, to be delivered by the NSW Biodiversity Conservation Trust. This investment will help protect and conserve biodiversity in the 70 percent of the state which is under private ownership or Crown leasehold. Guided by a biodiversity conservation investment strategy, this funding will protect high conservation value native vegetation and restore biodiversity corridors across the landscape.

The Government is also making a record investment of \$100 million over five years in the Saving our Species program, which aims to secure the future in the wild for as many threatened species as possible. This is in addition to \$10 million from the Environmental Trust for voluntary acquisition of key koala habitats and around \$40 million to be invested in reintroducing locally extinct native animals into remote national parks.

In addition, the NSW Chief Scientist and Engineer provided a report to the government in December 2016, which lays the foundations for preparing a whole-of-government koala strategy for NSW. The report recommends that the koala strategy include actions to protect, rehabilitate and connect koala habitats, as well as a range of measures to manage and reduce threats to koalas. We are now developing this strategy and a statewide map of koala habitat, as recommended by the NSW Chief Scientist and Engineer.

The reforms also introduce more equitable and effective arrangements for managing native vegetation in rural areas. Clearing that expands agricultural enterprises and is permitted under the Land Management Code will require landholders to set aside areas to be managed for conservation in perpetuity.

Sensitive areas such as coastal and Ramsar wetlands, rainforests, old growth forests, core koala habitat, critically endangered ecological communities, and high conservation value grasslands cannot be cleared under the Code. Clearing will also not be permitted in 'areas of outstanding biodiversity value'.

The reforms establish a biodiversity offset scheme that requires developers to avoid and minimise impacts on biodiversity, and to offset any lasting impacts. Like for like offsets must be sought by developers in the first instance. If, after following reasonable steps, they are unable to find a like for like offsets, they will be able to use other conservation measures. As an alternative to undertaking this process themselves, developers will be able to pay into the Biodiversity Conservation Fund managed by the not-for-profit NSW Biodiversity Conservation Trust. Like developers, the Trust will be bound by rules on how it can seek offsets. It will be able to pool offset obligations from multiple developments to make more strategic investments, for example, by establishing larger and more viable offset sites.

The mapping for regulated sensitive land and regulated vulnerable land came into effect on 25 August 2017 and is available on the Map Viewer at www.lmbc.nsw.gov.au/nvrmap. The draft Native Vegetation Regulatory Map, including land designated as category 1 - exempt land and category 2 - regulated land will be released shortly. We expect the regulatory effect of additional categories to come into force early next year. This transitional period allows time for landholders to review the mapping.

The latest information about the reforms, including links to the legislation enacted by Parliament, is available at www.landmanagement.nsw.gov.au. I encourage you to register at that website to receive regular updates and notification of new information and consultation opportunities.

If you have any further questions about this issue, please contact me on 9995 5446 or at tom.celebrezze@environment.nsw.

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Director Biodiversity Policy

