



Nature Conservation Council

The voice for nature in NSW

To:
Web Master
NSW Bird Atlassers

May 25, 2016

Dear Sir/Madam

I write to you on behalf of Stand Up For Nature¹, an alliance of conservation groups formed to oppose the NSW government's proposed reforms to biodiversity legislation. We believe that the reforms are motivated by a desire to facilitate development at the cost of our shared heritage, and that impacts on biodiversity will be increased, not lessened by the new laws.

Your readers may be interested in a few key examples:

1. **SUPERB PARROTS:** Superb parrots utilise the agricultural landscape, in particular paddock trees, for breeding. Although clearing of isolated paddock trees is already a routine agricultural management activity, the new laws will expand code-based clearing of paddock trees to enable removal of more trees, islands of trees and peninsulas of trees. Unfortunately, the 'offsetting' of 200 year old paddock trees with plantings will not provide suitable habitat for superb parrots—or any other species that requires large hollows—as such hollows take hundreds of years to form. We believe that, perversely, the new laws will accelerate two Key Threatening Processes: the loss of hollow-bearing trees and the removal of dead trees, which will have implications for a huge range of fauna species. In fact, compared to treeless sites, a single paddock tree doubles the number of bird species.
2. **MALLEEFOWL:** Malleefowl habitat in mid-NSW is highly fragmented in areas such as Parkes and West Wyalong. So it's vital that these fragments are preserved. Yet the new regulations will allow code-based clearing of small patches of native vegetation under various codes, including cropping efficiency, that will lead to the loss of such patches. Although set-asides are required, in many cases a valid set-aside includes the management of existing vegetation which still results in a net loss of vegetation. In the west of the state (e.g. Cobar, Ivanhoe) there remain large tracts of native vegetation which includes malleefowl habitat. The new laws will relax land clearing laws through various mechanisms, including the 'equity code': under this code, landholders will apparently be able to clear up to 500ha of native vegetation in a three year period. This will lead to further fragmentation of malleefowl habitat—identified as a 'major limiting factor to halting and reversing the decline of the species.' The new laws therefore undermine efforts that have gone into implementing the malleefowl recovery plan.
3. **PLAINS WANDERER:** The plains wanderer is one of Australia's most threatened species and one of the most unique bird species on earth. Its preferred habitat, lowland native grasslands, are among the most threatened habitats in the Riverina (the species' remaining stronghold) and the species cannot survive where land is converted to crops. The new laws will use a native vegetation regulatory map to map the state into category 1 (already cleared, no regulation applies) and category 2 (regulation applies). However, native grasslands are notoriously hard to map accurately. We are concerned that a failure to accurately map native grasslands will result in grassland being incorrectly categorised and cleared. There are no provisions in the new bills to permit anyone other than landholders from challenging map accuracy. Incidentally, this mapping

difficulty also extends to wetlands with serious implications for ephemeral wetlands in the agricultural zone and the waders those habitats support.

We could go on, but the key issue is that the new laws will increase the rate of land clearing and accelerate the loss of key habitat features such as tree hollows. Clearing habitat is of course the most efficient mechanism to remove birds and any other animals. Clearing also accelerates regional and global climate change, and clearing in NSW will undermine the \$1.2 billion spent by the federal government to purchase emissions via avoided clearing. Ignoring climate change implications for short-term gain is not leadership: it's locking future generations into even more uncertainty and jeopardising regional communities.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Kate Smolski', with a stylized, cursive script.

Kate Smolski
Chief Executive Officer
NSW Nature Conservation Council

ⁱ Member of the Stand Up For Nature Alliance include the NSW Nature Conservation Council, NSW National Parks Association, Total Environment Centre, WWF-Australia, Humane Society International, WIRES, the National Trusts, The Wilderness Society, Sydney Wildlife and others.