# [***Councils warn of surge in land clearing, biodiversity loss under NSW laws***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:67B5-J541-JBJ7-N4JS-00000-00&context=1516831)

The Age (Melbourne, Australia) - Online

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**Length:** 560 words

**Highlight:** Local Government NSW says native vegetation laws are causing an increase in land clearing and ***biodiversity*** ***loss*** in rural and regional areas.

**Body**

Local councils have seized on a review of NSW's native vegetation laws to warn they have triggered a steep increase in land clearing and ***loss*** of ***biodiversity*** in rural and regional areas.

The state government is undertaking a statutory review of parts of the Local Land Services Act, which include provision for landholders to manage native vegetation on their property in some areas, and offences and penalties for carrying out illegal clearing.

[*Link to Image*](https://static.ffx.io/images/$zoom_0.154%2C$multiply_1.0582%2C$ratio_1.5%2C$width_756%2C$x_0%2C$y_0/t_crop_custom/q_86%2Cf_auto/12866886b5a41b814f807130e884cf917ff2491f)

Wolter Peeters.

Local Government NSW, which represents the state's 128 councils, said the current laws did not meet the environmental interests of the state, and were at odds with principles of ecologically sustainable development.

"Councils are continuing to observe widespread land clearing and ***biodiversity*** ***loss*** under the Local Land Services Act," the organisation said in a draft submission in December.

The submission said government data showed land clearing had increased since the NSW Coalition loosened land clearing and ***biodiversity*** protection laws in 2017.

"The NSW State of the Environment 2021 report found that clearing of woody vegetation increased to an annual average of 35,000 hectares between 2017 and 2019, up from 13,000 hectares between 2009 and 2015.

"The rate of clearing for non-woody vegetation such as shrubs and grasses was even higher," the submission said.

The submission said the laws did not require a "robust" assessment of impacts on ***biodiversity*** values, and allowed the clearing of native vegetation which would otherwise trigger the ***Biodiversity*** Offsets Scheme (BOS).

The offsets scheme is intended to compensate for environmental destruction caused by development elsewhere.

Local Government NSW said some landholders were using the laws to clear vegetation on their properties before they submitted a development application, to avoid the offsets scheme, or to reduce the offset requirement.

"Councils are aware that some landholders are clearing beyond allowable activities without obtaining approval from Local Land Services, preferring to risk a fine, as it is cheaper than entering the ***Biodiversity*** Offsets Scheme when development is the intended outcome.

"In other instances, proponents have unknowingly cleared in excess of what the legislation permits due to an incorrect understanding of their land's zoning," the submission said.

The organisation said there appeared to be a lack of monitoring, evaluating, and reporting of the cumulative ***biodiversity*** impacts of clearing.

It made 21 recommendations to improve the legislation, including changes to tighten definitions and requirements, improve guidance and mapping, and strengthen compliance and enforcement.

The government's rural land management agency, Local Land Services, is helping Agriculture Minister Dugald Saunders carry out the review of the native vegetation laws, with an independent expert advisory panel.

The government said the review was "an important opportunity to identify aspects of the native vegetation provisions in the Local Land Services Act that are working well, any issues, and whether any changes are needed to improve land management outcomes for landholders, the community and the environment".

A report is due to be tabled in the NSW parliament in August.

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**Graphic**

Councils say native vegetation laws should be tightened to ease widespread land clearing in rural NSW.

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