

BRIEFING NOTE

Proposed changes to NSW biodiversity and land clearing laws – *Draft Biodiversity Conservation Bill 2016* and *Draft Local Land Service Amendment Bill 2016*

Prepared by the Stand Up For Nature Alliance – August 2016

Stand Up For Nature is an alliance of environment, wildlife and heritage groups in support of strong biodiversity and native vegetation laws in NSW. Together we represent tens of thousands of people who want the NSW Government to safeguard the future of our unique wildlife, and our healthy soils and water resources.

Nature Conservation Council of NSW | Total Environment Centre | National Parks Association of NSW | Humane Society International | The Wilderness Society | Colong Foundation for Wilderness | NSW WIRES | Sydney Wildlife | WWF Australia | National Trust | Birdlife Australia

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POSITION OF ENVIRONMENT GROUPS

The NSW Government should withdraw the *Draft Biodiversity Conservation Bill 2016* and *Draft Local Land Services Amendment Bill 2016* and use committed biodiversity conservation funding to improve the current system and support landholders to undertake private land conservation within the current framework.

KEY POLITICAL ISSUES

- i. The reform package is not about biodiversity conservation – the process has been hijacked to deliver political outcomes, but some stakeholders will not be happy until all land-clearing regulation is removed.
- ii. The scientific community has raised significant concerns with the reform package.
- iii. There is significant public concern about the proposed changes. It is not just environment groups that support strong biodiversity laws – farmers, high-profile community members (e.g. Chef Neil Perry), scientists, councils, lead organisations, etc., have raised concerns about the changes.
- iv. The proposed laws are similar to former Queensland Premier Campbell Newman’s land-clearing laws, and there are inadequate safeguards in the legislation to prevent a return to broad-scale land clearing and an increase in carbon emissions.

KEY POLICY ISSUES

1. The lack of targets for biodiversity conservation
2. Increased investment will not compensate for weaker laws and regulation
3. The lack of absolute protections for biodiversity
4. Expansion of Land Clearing Codes and inadequate safeguards
5. Native Vegetation Regulatory Map
6. Biodiversity Assessment Method
7. Monitoring and enforcement
8. The proposed laws contradict existing policy efforts

KEY POLITICAL ISSUES

i. The reform package is not about biodiversity conservation – the process has been hijacked to deliver political outcomes.

- The draft Bills contain few protections for biodiversity and appear designed to facilitate land clearing and development across NSW.
- The key driver behind the review is a political commitment made by the Nationals Party to its constituents to repeal the *Native Vegetation Act 2003*¹. However, on 28 June 2016 the NSW Farmers demanded substantial changes to the draft bills to cut "red tape" further². This confirms the reform process is being driven by an extremist minority with a vested interest in weakened environmental protections. We believe this is not the view of most stakeholders, including farmers and land owners committed to sustainable agricultural practices.
- Rampant native vegetation clearing in Queensland as a result of then Premier Campbell Newman's law changes contributed to the demise of the Newman government. The Baird government is at pains to say it is different, but saying it doesn't make it so. The truth is that these bills will allow a return to broad-scale land clearing. Environment groups, scientists, individuals and politicians will all be watching closely to see the impact of the new laws in NSW.
- The abandonment of the Nationals by NSW Farmers is a clear indication they will not rest until there are minimal responsibilities for environmental protection for farmers.

ii. The reform package has no scientific credibility, with the scientific community raising significant concerns.

- **The Wentworth Group of Concerned Scientists** has warned the package will "substantially weaken existing protections" and that the proposed laws contain major flaws³.
- The **Royal Zoological Society of New South Wales** is "strongly of the opinion that the proposed biodiversity conservation bill is a step backwards for conservation and a step forward for those who view nature and its conservation as an impediment to development"⁴.
- **750 scientists and four scientific societies** recently signed a declaration warning that land-clearing rates in Australia were rising and the NSW Government's plans to cut clearing red tape could put more wildlife at risk⁵.

¹ See www.theland.com.au/story/3369072/native-veg-ace-for-nats/

² *NSW land-clearing laws 'a failure' after even farmers come out in opposition*, Sydney Morning Herald, 28 June 2016, www.smh.com.au/environment/nsw-landclearing-laws-a-failure-after-even-farmers-come-out-in-opposition-20160628-gptf2v.html

³ *NSW farmers stepping up tree felling even before land-clearing laws loosened*, Sydney Morning Herald, 12 June 2016 www.smh.com.au/environment/nsw-farmers-stepping-up-tree-felling-even-before-landclearing-laws-loosened-20160612-gph8m5.html#ixzz4Cwx77vTV

⁴ Royal Zoological Society of New South Wales, *Comment on the NSW Biodiversity Reforms and Draft Biodiversity Legislation*, 3 June 2016

⁵ *Scientists urge tightening of land-clearing laws in Australia*, ABC News, 7 July 2016, www.abc.net.au/news/2016-07-07/scientists-want-tightening-of-land-clearing-laws-australia/7578922; *'Utterly unsustainable': Scientists warn koalas at risk as bulldozers let loose*, Sydney Morning Herald, 7 July 2016, <http://www.smh.com.au/environment/utterly-unsustainable-scientists-warn-koalas-at-risk-as-bulldozers-let-loose-20160707-gq0fjh.html>

- **Professor Hugh Possingham**, a member of the Independent Biodiversity Legislation Review Panel that reviewed the existing legislation, was signatory to the recent scientists' declaration and has said "the new codes allow for habitat loss without compensation to the environment" and "will lead to a loss of the topsoil that provides food for people, declining freshwater quality that provides drinking water to people, and increased chances of species extinction"⁶.
- iii. **There is significant public concern about the proposed changes. It is not just environment groups that support strong biodiversity laws – farmers, high-profile community members (e.g. chef Neil Perry), scientists, councils, lead organisations, etc., have raised concerns about the proposed changes.**
- **We are aware that over 7000 people made a submission during the recent consultation period.** More than 5,400 of these opposed the *Draft Biodiversity Conservation Bill 2016* and *Draft Local Land Services Amendment Bill 2016*, more than the total number of submissions (for and against) lodged in response to the highly controversial *Planning Bill* in 2013, which failed to pass the parliament⁷.
 - **Josh Gilbert** publicly stood down as the Chairman of NSW Young Farmers⁸ because he could not support the organisation's position on land clearing.
 - A number of prominent primary producers have signed a statement expressing concerns that the proposed changes will lead to wide-scale land clearing and land management practices that have no place in modern farming and are not in the interests of long-term sustainable farming⁹. Signatories include **Anika Molesworth, 2015 Young Australian Farmer of the Year; Brian Scarsbrick, CEO of Landcare for 20 years; Michael Hogan, Chair of SoilCare; Charlie Arnott, 2011 Conservation Farmer of the Year; Dr Guy Fitzhardinge AM, grazier; and Sally Ayre-Smith, Director of Organic Marketing Company.**
 - **Chef Neil Perry** has signed an open letter to Premier Baird outlining his concerns with the proposed laws and noting the important role native vegetation has in "capturing carbon, guarding against erosion and salinity in our river systems, not to mention protecting our native wildlife"¹⁰.
 - **Hunter Councils** have submitted that "the Exposure Bills will be unable to achieve adequate levels of biodiversity conservation, and should be significantly modified to address these concerns prior to being introduced to parliament".

⁶ *Farmers divided over changes to NSW land-clearing laws*, ABC News, 17 July 2016

⁷ This was the total number of submissions made by supporters of the Stand Up For Nature alliance, which has been campaigning to retain strong land-clearing controls. It is likely many more submissions opposing the governments proposed changes have been made by people who have not informed SUFN. The government has not yet made public all the submissions received from all sides of the debate. In contrast a total of 4,926 submissions were made in response to the Planning Bill (2013) http://apo.org.au/files/Resource/nsw_white_paper_feedback_report_2013.pdf, p10.

⁸ *Native Veg stoush sees Josh Gilbert resign as NSW Young Farmers chairman*, The Land, 26 January 2016, www.theland.com.au/story/3687480/gilbert-quits-over-native-veg/

⁹ See www.farmingfuture.org.au/media

¹⁰ www.rockpool.com/blog/an-open-letter-to-premier-baird/

- **Western Sydney Regional Organisation of Councils** “is of the opinion that the current reforms represent a serious retrograde step for environmental law and policy in NSW”.
 - **Southern Sydney Regional Organisation of Councils** “strongly urge the NSW Government to review its proposals and to develop an alternative approach that retains existing protections, enhances biodiversity, and is aligned with the principles of ESD”.
 - The **Planning Institute of Australia** submits that given the current state of the *Draft Biodiversity Conservation Bill*, and the lack of Regulations associated with this draft Bill, it is recommended that this legislation be placed on hold until a number of potentially conflicting issues are addressed in more detail.
 - **Centre for Ecosystems Science, UNSW** says the proposed legislation has major weaknesses and would not arrest the unprecedented decline of biodiversity in NSW. “Consequently, the Centre for Ecosystem Science, UNSW Australia cannot support the associated pieces of legislation in their current form.”
 - **The Law Society** has serious concerns about some of the proposed reforms. “There do not appear to be the environmental protections measures that exist in the current regime.”
 - We understand that individual **OEH staff** have made submissions in their personal capacity raising concerns with proposed changes.
- iv. **The proposed laws are strikingly similar to Campbell Newman’s Queensland land-clearing laws, and there are inadequate safeguards in the legislation to prevent a return to broad-scale land clearing or increase in carbon emissions.**

Similarities to Queensland:

- Mr Newman introduced a binary blue/yellow map to underpin Queensland land-clearing laws. A similar map is proposed for NSW. Clearing on “unregulated” land accounted for most of the clearing in Queensland after the changes.
- The increased number of codes, and the type of clearing permitted by those codes, closely reflects the approach taken to vegetation management by the Newman government (e.g. efficiency codes), although NSW proposes two additional codes that Queensland does not have (e.g. Equity Code and Farm Plan Code).
- NSW laws are likely to lead to significant increases in land clearing and subsequent increase in land-based carbon emissions, as was the case in Queensland¹¹.

¹¹ www.theguardian.com/australia-news/2016/feb/29/exclusive-land-clearing-surge-in-qld-set-to-wipe-out-direct-action-gains-report

KEY POLICY ISSUES

1. No objects or targets for biodiversity conservation

- When looking at the proposed objects of the *Draft Biodiversity Conservation Bill* 2016, there is a recognisable shift away from genuine biodiversity conservation to managing biodiversity within a framework of facilitating development and agricultural activities.
- The decision to remove the key objective of “improving or maintaining biodiversity” is a significant backward step. There is no equivalent overarching goal for biodiversity conservation within the proposed legislation.

2. Increased investment will not compensate for weaker laws and regulation

- A key premise of the government’s reform package is increased investment in private land conservation, which will supposedly lead to overall gains in biodiversity conservation. While increased investment in private land conservation is welcomed as a way of supporting landholders who undertake conservation work on their land and contributing to biodiversity protection in NSW, it should not be at the expense of strong biodiversity laws.
- In fact, the Wentworth Group have stated that in the absence of laws to protect native vegetation, the funding for private land conservation amounts to no more than a taxpayer subsidy to clear land¹².
- This is not the first time that government has invested in private-land conservation. When the *Native Vegetation Act* 2003 was introduced, funding was provided for on-ground works to assist farmers to maintain or improve native vegetation for biodiversity, water quality, soil and salinity outcomes, yet when the money ran out, goodwill was lost¹³. That will happen again, but this time there will be no law to stop land clearing.

3. No absolute protection for biodiversity

The reform package fails to provide much-needed protection for biodiversity, in particular environmentally sensitive areas such as threatened species habitat and endangered ecological communities and areas of high conservation value.

For example:

- The Native Vegetation Regulatory Map does not establish areas that are off limits to land clearing. This issue has been raised by the Wentworth Group of Concerned Scientists, who noted a major flaw of the package was the lack of mapping for areas of high conservation value, as recommended by the Independent Biodiversity Legislation Review Panel¹⁴.

¹² Letter from the Wentworth Group of Concerned Scientists to NSW MPs, dated 23 May 2016

¹³ We understand that when the Native Vegetation Act 2003 and Catchment Management Authorities Act 2003 were introduced funding was provided to CMAs to assist farmers to repair the landscape, see Wentworth Group of Concerned Scientists, Submission to Biodiversity Legislation Review Panel, September 2014, <http://wentworthgroup.org/wp-content/uploads/2014/10/Submission-to-Native-Vegetation-Review-Final-September-2014.pdf>

¹⁴ Letter from the Wentworth Group of Concerned Scientists to NSW MPs, dated 23 May 2016

- While there are proposed provisions relating to areas of outstanding biodiversity value, it is unclear how these will operate in practice and whether they will truly protect areas of outstanding biodiversity value.
- The draft Land Clearing Codes allow clearing in environmentally sensitive areas. The self-assessable codes do not restrict clearing of endangered ecological communities or threatened species habitat.
- The self-assessable codes permit broad-scale land clearing. The loss of native vegetation is still the primary threat to species in NSW.
- In the case of clearing that triggers the Biodiversity Assessment Methodology, it is proposed to establish a “red flag” for “serious and irreversible impacts on biodiversity values”, however information on what constitutes “serious and irreversible impacts” is currently missing from the draft BAM. Further, the application of the “serious and irreversible impacts” red flag is discretionary for major projects.
- The *Draft Biodiversity Conservation Bill 2016* contains provisions that allow conservation agreements to be overridden:
 - Clauses 5.18 and 5.19 allow the Minister to terminate a biodiversity stewardship agreement, without the landholder’s consent, in order to facilitate mining and petroleum activities on the site.
 - Clause 5.23(4) allows the Biodiversity Conservation Trust to terminate a conservation agreement, without the consent of the owners of the land, if it “is of the opinion that the agreement is no longer needed for, or is no longer capable of being used to achieve, any purpose for which the agreement was entered into”.
 - Clause 5.23(7) provides that the Environment Minister may direct the Trust to terminate a conservation agreement if a mining or petroleum authority is granted.

4. Expansion of Land Clearing Codes and inadequate safeguards

- The increase in the number of codes, and the type of clearing permitted by those codes, closely resembles the approach taken to vegetation management by the Newman government in Queensland.
- There are inadequate safeguards to prevent a substantial increase in clearing under the codes.
 - Code-based clearing will require either notification or certification with the Local Land Services (LLS), however the LLS cannot reject clearing applications that are consistent with codes. Certification and notification therefore will simply provide mechanisms to monitor how much clearing is occurring.
 - The codes permit broad-scale land clearing: the Equity Code enables landholders to clear up to 500ha every three years—that’s 269 Sydney Crickey Grounds cleared on every eligible property, every three years.
 - Clearing of endangered ecological communities (EECs) is allowed under Land Management Codes.

- Clearing of threatened species habitat under the codes will be permitted if the threatened species present are not “site managed” species in the NSW Saving our Species program. This means that 55% of all threatened species in NSW will be at risk of having habitat cleared under the codes.
- Set-aside requirements are inadequate. Land Management Codes may require set-aside areas to be created to offset the impacts of clearing, however set-aside rules are not as stringent as best practice offsetting requirements. In particular, set-asides need not be of equivalent quality to the area being cleared and may include rehabilitation/revegetation of Category 1 land (i.e., revegetation and rehabilitation can be used as a substitute for remnant vegetation). This violates the principle of “no net loss”. Set-asides also suffer from time-lags: that is to say the replacement of larger trees (such as paddock trees) with smaller ones will not provide similar habitat for many years.
- Cumulative impacts are not adequately managed. There are insufficient safeguards in the codes to prevent multiple applications of the codes and substantial incremental clearing. There are also insufficient mechanisms in place to monitor and limit the wide-spread application of the codes across the landscape.
- Code-based clearing will directly exacerbate Key Threatening Processes, including “clearing of native vegetation”, “loss of hollow-bearing trees” and the “removal of dead wood and trees”.
- Code-based clearing may affect species and ecosystems listed under the Federal *Environment Protection and Biodiversity Conservation Act 1999*, potentially exposing landholders to legal recourse.
- There is still significant discretion for major projects to override biodiversity and native vegetation laws.

5. Native Vegetation Regulatory Map

- Campbell Newman introduced a binary blue/yellow map to underpin Queensland land-clearing laws. A similar map is proposed for NSW. This approach in Queensland led to a significant increase in clearing, much of this accounted for by clearing of high-value regrowth on Category X land (equivalent to Category 1 Unregulated Land in the NSW proposals). We can therefore expect this categorisation to result in a similar pulse of land clearing in NSW.
- One of the goals of the reforms and the Native Vegetation Regulatory (NVR) Map was to create certainty for developers. The failure to include a third category of land in the NVR Map—land off limits to development due to its biodiversity value—has meant there is no certainty of protection for high biodiversity value land. The only certainty this approach provides is that the government will be pressured to approve inappropriate development as developers have been sent a clear message that nothing is off limits. This impression is reinforced by the limited use of red flags in the draft Biodiversity Assessment Methodology and the ability of developers to pay into a fund to offset development if they are unable to find a suitable offset.

- Both the Native Vegetation Regulatory Map and Land Clearing Codes have the perverse outcome of rewarding clearing and moving more land into Category 1 - Unregulated. For example:
 - “Land that has not been lawfully cleared” is to be identified as Category 2, however this is narrowly defined. Land will be considered to be lawful for the purposes of the map unless the clearing has been the subject of compliance actions. Areas of land illegally cleared but not subject to a compliance action will be identified in Category 1.
 - Category 2 land cleared under the efficiency code or farm planning code is converted to Category 1 land, which compromises the integrity of the Native Vegetation Regulation Map and undermines the ability of the map to protect native vegetation.

6. Biodiversity Assessment Method (BAM)

The proposed Biodiversity Assessment Methodology (BAM) is significantly flawed. Many elements of the BAM (particularly those carried over from the NSW Biodiversity Offsets Policy for Major Projects) have been previously criticised by scientists¹⁵.

In particular:

- There is no clear objective to protect biodiversity or achieve net positive outcomes;
- Limits on biodiversity offsetting (‘red flag’ areas) in the Draft BAM are limited and uncertain;
- It allows for variations to “like for like” offsetting;
- It allows the use of supplementary measures (now called “biodiversity conservation actions”) in place of genuine offsets;
- It allows mine site rehabilitation to be attributed as biodiversity offset credits;
- It allows proponents to pay money into an Offsets Fund prior to adequate offsets being identified;
- The *Draft Biodiversity Conservation Bill 2016* and *Draft Local Land Services Amendment Bill 2016* allow for discounting of biodiversity credits;
- The *Draft Biodiversity Conservation Bill 2016* does not protect offsets sites in perpetuity and allows for “offsetting of offsets”;
- It is unlikely that the NSW policy as proposed will meet federal standards.

The Independent Review of the Draft BAM by Gibbons and Eyre raised a number of concerns that have not been resolved¹⁶.

¹⁵ The NSW Scientific Committee has raised particular concerns with the introduction of supplementary measures, advising that ‘the proposal that a proponent can provide funds for supplementary measures that do not involve protecting and managing a site, or by paying into the Fund, is clearly a case of developers being able to buy themselves out of any obligation to protect biodiversity in any meaningful way. This proposal should be rejected. The NSW Scientific Committee has also raised concerns with the use of mine sites to generate biodiversity offsetting credits, concluding that ‘it seems highly unlikely that biodiversity credits could be generated through mine rehabilitation and this proposal should be rejected as impractical unlikely to result in biodiversity conservation or improvement. NSW Scientific Committee Submission on the draft NSW Biodiversity Offsets Policy for Major Projects (www.environment.nsw.gov.au/resources/biodiversity/offsets/66NSWScientificCommittee.pdf)

¹⁶ Gibbons and Eyre (2015) have raised concerns with the inclusion of supplementary measures in the Draft Biodiversity Assessment Methodology. Specifically they advise that

“...the assessment methodology is predicated on a policy that, for proposals that are not deemed red light, a decision to approve/reject a development application will not be determined by the capacity of the impact to be offset. Instead, flexibility in the assessment methodology (e.g., relaxing the credit profile ... and supplementary offset measures where sufficient ecosystem credits cannot be found ... can be invoked when it is difficult for a developer to secure an offset, which is unfortunate. We believe these measures will undermine the intent of offsetting to create a price signal for biodiversity based on supply and demand (i.e., a price that reflects the rarity and capacity for restoration of

7. Monitoring and enforcement

- The proposed changes are likely to have a significant impact on land-clearing rates and biodiversity outcomes, yet the government has been unable to state how much additional land-clearing will occur under these new laws. There are also no clear objectives or targets against which the new laws can be monitored and measured.
- The government has also not determined which agencies will be responsible for the enforcement of the new laws. The government must ensure there is adequate resourcing of Local Land Services and Office of Environment and Heritage to effectively monitor and enforce the new laws.
- A lack of enforcement and compliance by the Newman government drove the increase in land clearing in Queensland. NSW must not make the same mistake.
- Transparency is essential and capacity to quickly respond critical. It is essential there is real-time monitoring of the extent and ecological community impact, and mechanisms in place to adapt laws in response to monitoring and poor environmental outcomes.
- It is impossible to integrate environmental factors in NSW decision-making without clear environmental goals, consistent targets, and good data to guide natural resource management. The draft Bills miss an opportunity to address all three of these gaps.
- The Independent Panel highlighted the under-investment in environmental data in NSW. The Panel called for an extensive environmental monitoring and reporting framework to establish the trends and condition in biodiversity values (Recommendations 30 and 36) i.e., environmental accounts. Neither recommendation is given effect in the draft Bills. Nor is the goal to “improve and share knowledge” of biodiversity and ecosystem services. The term “ecosystem services” is not used or defined anywhere beyond the *Draft Biodiversity Conservation Bill* objects clause or at all in the *Draft Local Land Services Bill*.
- Environmental accounts are an essential tool for conserving biodiversity at a bioregional and state scale – whether by a regional “no net loss or better” test or otherwise. See for example the Wentworth Group of Concerned Scientists’ *Accounting for Nature* pilots.
- To make the environment visible in decision-making and create the right incentives, biodiversity law reforms need to establish:
 - high-level biodiversity conservation and natural resource management goals,
 - more specific targets to be integrated in strategic planning and NRM, and

biodiversity). For example, flexible arrangements in the BAM create an incentive for a developer or their agent to seek relaxation in the credit profile or seek supplementary measures when the offset (or conservation banking) market places a high price on the biodiversity impacted by their proposal (e.g., because the biodiversity being impacted is rare, occurs on land with a high opportunity cost or the impact is difficult to restore). The net effect of which will be a trend towards replacement of biodiversity that costs more to offset with biodiversity that costs less to offset, a reduced incentive to avoid impacts that are costly to offset and a reduced incentive for 3rd parties to establish offsets for these types of biodiversity.”

The NSW Government has provided no justification for allowing variations to like for like’ rules and supplementary measures as part of its biodiversity offsetting framework.

- a set of state and regional environmental accounts to track environmental status and condition; and inform investment, strategic plans and development decisions.

8. The proposed laws contradict existing policy efforts

These reforms are a prime example of the dysfunction that currently exists within and between governments of different tiers. For example:

- They exacerbate known Key Threatening Processes (KTPs): The new laws will exacerbate the key threatening processes “clearing of native vegetation”, “loss of hollow-bearing trees” and the “removal of dead wood and trees” via increased clearing, including broad-scale clearing and clearing of paddock trees and woodland patches. KTPs are identified by the NSW Scientific Committee and are supposed to help the government develop policy that avoids further damage to biodiversity.
- They undermine conservation efforts: Landholders who have committed to managing their properties to ensure conservation outcomes via participation in Landcare, publicly funded paddock tree restoration efforts or the Great Eastern Ranges initiative are being given a message that their efforts to increase the area of native vegetation are no longer valued.
- They remove important legislation to protect farmers: The *NSW State of Environment Report 2015* (SOE) identified the *Native Vegetation Act*, along with the *Soil Conservation Act*, as a key pieces of legislation protecting soils and facilitating land management. The SOE also indicated that soil condition was still in decline across the state. Removing the legislation that protects soils does not serve farmers.
- Clashes with federal legislation: The reforms fail to take into account the Federal *Environment Protection and Biodiversity Conservation Act* (EPBC Act) and the need for landholders to comply with that legislation. Many areas that may be cleared under codes are likely to either be EPBC-listed ecological communities, or habitat for EPBC-listed species. This exhibits a casual disregard for matters of national environmental significance, and wilful ignorance of almost identical reforms in Queensland that made a similar omission in regards the EPBC Act.
- Climate change: These reforms ignore the fact that averted emissions via avoided clearing have been a cornerstone of the Federal Government’s Direct Action policy to reduce Australia’s carbon emissions. In fact, up to the present, the Federal Government has spent \$1.2 billion purchasing avoided emissions from the land sector—including avoided deforestation. The Queensland reforms and the subsequent increase in clearing that has resulted has already undermined much of these taxpayer-funded emissions reductions¹⁷. The striking similarity of the NSW reforms to those of Queensland leads us to expect a similarly dramatic increase in land clearing, and land use based emissions, in NSW.

¹⁷ See, for example, www.theguardian.com/australia-news/2016/feb/29/exclusive-land-clearing-surge-in-qld-set-to-wipe-out-direct-action-gains-report