

**Submission
No 15**

**EXAMINATION OF AUDITOR-GENERAL'S PERFORMANCE AUDIT
REPORTS FEBRUARY 2019 - JULY 2019**

Organisation: Department of Planning, Industry and Environment

Date Received: 28 July 2020



Mr Greg Piper MP
Member for Lake Macquarie
Chair
Public Accounts Committee
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000

Dear Mr Piper

Thank you for the opportunity to provide the Public Accounts Committee with a submission outlining the Department of Planning, Industry and Environment's response to the Auditor-General's report *Managing native vegetation*.

The Department accepted the recommendations of the audit report to ensure sufficient systems and processes are in place for monitoring and compliance with native vegetation frameworks. These recommendations have been implemented, noting that recommendations to release unpublished Native Vegetation Regulatory map categories remain subject to Government approval.

I note recommendations 1 to 4 in the audit report are the responsibility of the Department of Regional NSW.

I would like to express my appreciation for the significant work undertaken by the audit team and the opportunity to improve the Department of Planning, Industry and Environment's operations.

If you have any questions about this submission, please do not hesitate to contact [REDACTED]

Yours sincerely

[REDACTED]
Jim Betts
Secretary
Department of Planning, Industry and Environment

Enclosure

28/7/2020

IMPLEMENTATION OF RECOMMENDATIONS

Managing native vegetation

RECOMMENDATION		ACCEPTED OR REJECTED	ACTIONS TO BE TAKEN	DUE DATE	STATUS (completed, on track, delayed) and COMMENT	RESPONSIBILITY (Section of agency responsible for implementation)
5	Implementing a staged release of draft maps Category 1 - Exempt and Category 2 - Regulated land to the public, allowing sufficient time for stakeholder review and input.	Agreed – subject to Government approval	<p>The Department of Planning, Industry and Environment (DPIE) has developed a strategy for implementing a staged release of the remaining map categories Category 1 – Exempt land and Category 2 – Regulated land.</p> <p>The strategy can be implemented once approved by Government.</p> <p>The strategy involves releasing the map in stages to provide a reasonable opportunity for landholders to consider the draft map and to seek a map review before the draft map becomes final.</p>	December 2019	<p>Delayed</p> <p>DPIE is working in collaboration with the Department of Regional NSW on the remaining unpublished map categories Category 1 – Exempt land and Category 2 – Regulated land, including a process to further evaluate the maps.</p>	Environment, Energy and Science Group, DPIE
6	Ensuring adequate resources are in place, during the release of the last two map categories, to process category explanation reports and NVR map reviews, and to update the NVR map.	Agreed	<p>DPIE is reviewing resourcing needed for map releases, map updates and map reviews to ensure sufficient resourcing is in place for effective delivery of these functions.</p>	December 2019	<p>Delayed</p> <p>This action is largely contingent on implementation of recommendation 5. The evaluation process, once implemented, will provide information on resourcing needed for release of the unpublished map categories.</p>	Environment, Energy and Science Group, DPIE

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7	Ensuring staff have sufficient systems and resources to adequately investigate unlawful land clearing and to gauge compliance with the Code, including accurate spatial data on all land clearing approvals.	Agreed	<p>DPIE has made improvements in compliance systems and resourcing:</p> <ul style="list-style-type: none"> an early change monitoring system became operational – this system will provide regular reporting on vegetation changes to facilitate timely detection of and rapid response to unexplained clearing and allow DPIE to more proactively work to minimise environmental harm Native Vegetation Taskforce was established to fast track resolution of cases under the <i>Native Vegetation Act 2003</i> systems and operational guidance are being upgraded for effective case management <p>DPIE is also progressing other mechanisms for ensuring that unlawful clearing is adequately addressed. DPIE will seek additional resourcing to support these measures for future years.</p>	December 2019	<p>Completed</p> <p>DPIE continues to improve the early change monitoring system.</p> <p>The Native Vegetation Taskforce transitioned into a project to resolve outstanding Native Vegetation Act cases in accordance with the August 2019 “Policy for resolving investigations under the now repealed <i>Native Vegetation Act 2003</i>”.</p> <p>DPIE has upgraded the compliance case management system and guidance materials. Further upgrades are underway in a process of continual improvement.</p> <p>Link: Policy for resolving investigations under the now repealed Native Vegetation Act 2003.</p> <p>www.environment.nsw.gov.au/research-and-publications/publications-search/policy-for-resolving-investigations-under-the-now-repealed-native-vegetation-act-2003</p>	Environment, Energy and Science Group, DPIE
8	Continuing to improve systems and processes for monitoring the rate of clearing of woody and non-woody native vegetation.	Agreed	<p>DPIE is continuing to improve systems and processes for monitoring the rate of clearing of woody and non-woody vegetation.</p> <p>Additional resources have been assigned to satellite monitoring in the short term to support the early change monitoring system and to reduce the timeframe for analysing annual satellite monitoring data. This will deliver a more effective monitoring program overall for native vegetation. DPIE will seek</p>	December 2019	<p>Completed</p> <p>DPIE continues to improve systems and processes for monitoring native vegetation and will seek additional resourcing to support an effective program over future years.</p> <p>In May 2020, DPIE published the NSW Biodiversity Outlook Report, which presents the results of the first assessment of the Biodiversity Indicator Program on the status of NSW biodiversity and ecological integrity.</p>	Environment, Energy and Science Group, DPIE

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		<p>additional resourcing to support this initiative over future years.</p> <p>DPIE has developed a Biodiversity Indicator Program, as required under the <i>Biodiversity Conservation Act 2016</i>, intended to report on the status of biodiversity in NSW at the state-wide and regional level, examining long-term effects and short-term trends.</p>		<p>Link: EES Biodiversity Indicator Program</p> <p>www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/biodiversity-indicator-program</p>	
9	Agreed – subject to Government approval	Starting this year, DPIE will be able to regularly report on annualised clearing rates of woody and non-woody vegetation once approved by government.	December 2019	<p>Completed</p> <p>In July 2019, DPIE published data on woody vegetation landcover change in 2017, including land clearing under the <i>Native Vegetation Act 2003</i> and the land management and biodiversity conservation framework (which commenced in August 2017).</p> <p>In June 2020, DPIE published data on woody vegetation change across NSW in 2018. DPIE also published data on woody and non-woody vegetation change on Rural Regulated Land under Part 5A of the <i>Local Land Services Act 2013</i>.</p> <p>Link: EES landcover monitoring and reporting</p> <p>www.environment.nsw.gov.au/topics/animals-and-plants/native-vegetation/landcover-monitoring-and-reporting</p>	Environment, Energy and Science Group, DPIE
10	Agreed	<p>The recommendation is supported.</p> <p>By September 2019, the Biodiversity Conservation Trust (BCT) will review and publish updated information on the BCT's website to accurately describe the processes used to competitively select tender bids and applications for fixed price offers, and the processes used to acquire land using the revolving fund.</p>	September 2019	<p>Completed</p> <p>The BCT has published on its website updated information on processes including the delivery mechanisms of tenders, fixed price offers, and revolving fund and the Assessment Metric used in selecting properties under these mechanisms.</p> <p>Link: BCT's Conservation Management Program</p> <p>www.bct.nsw.gov.au/conservation-management-program</p>	Biodiversity Conservation Trust

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11	The methodology used for tender selection aligns with BCT's investment priorities	<p>Agreed</p>	<p>The recommendation is supported.</p> <p>The BCT queries the pretext for this recommendation: 'the funding provided to each region is not always consistent with these priorities.'</p> <p>The Biodiversity Conservation Trust Investment Strategy (BCIS) made by the Minister guides the BCT's investment in private land conservation by identifying ranked priority investment areas, setting five investment principles, and setting targets for inadequately protected NSW Landscapes and income diversification. Cost-effectiveness is one of the five investment principles guiding the BCT.</p> <p>To meet these various aims, the BCT may fund agreements with differing Biodiversity Value Scores and value-for-money rankings (BVI) across different regions. The various drivers of BCT investment may lead to variable funding outcomes across regions that are nonetheless consistent with the BCIS's priority investment areas, investment principles and targets.</p> <p>The BCT will, by September 2019, publish further and clearer information to show how BCT investment decisions align with the priorities, principles and targets set in the Biodiversity Conservation Investment Strategy.</p>	September 2019	<p>Completed</p> <p>The BCT has published on its website information on how BCT investment decisions align with the priorities, principles and targets set in the BCIS and how tenders are being selected under the Program Implementation Plan for 2019-20 to 2022-23.</p> <p>Links: BCT investment - alignment to BCIS www.bct.nsw.gov.au/sites/default/files/2019-09/BCT%20Investment%20in%20private%20land%20conservation-Sep%202019.pdf</p> <p>Program Implementation Plan www.bct.nsw.gov.au/sites/default/files/2019-09/BCT%20Project%20Implementation%20Plan-CMP_Sept2019_0.pdf</p>	Biodiversity Conservation Trust