

**Submission
No 24**

**INQUIRY INTO LOCAL LAND SERVICES AMENDMENT
(MISCELLANEOUS) BILL 2020**

Organisation: Bellinghen Environment Centre Inc. (BEC)

Date Received: 5 February 2021

BEC RESPONSE TO LLS BILL

The Bellingen Environment Centre (BEC) has been actively involved in working with all levels of government for the past thirty years to improve the SEPP protecting Koalas and held grave concerns about the weakness of the protections contained within the SEPP 2019.

BEC expressed grave concern about the amendments to the Koala SEPP 2019 which needed to be strengthened and not weakened to create effective legislation to protect our internationally valuable Koala Colony which runs between Red Rock and Nambucca Heads.

The active involvement of the BEC providing on the ground evidence and scientifically proven information about Koalas over the past thirty years has led us to the conclusion that dual consent between the owner of a property and Local Government will provide the necessary checks and balances to reach our desired outcome of protecting Koala from extinction.

The Bellingen Shire Council is one of the six local government areas in NSW that has an approved Koala Plan which took five years of preparation and collaboration between the Council and the community before it was approved by the NSW Government in July 2015.

During the preparation of the plan there was minimal objection from private Landholders and the majority supported the plan and were keen to participate. Private Landholders may certainly be positively disposed towards "Guardianship incentives from the NSW Government

It is imperative that the process for approval for development requires Independent Ecological assessment before consent is given for development by Local government.

The system for approval by LLS for removal of trees from Private Property does not require any on ground inspection. An application is most frequently approved using LIDAR and can be obtained on the same day as the application. There is frequently no local knowledge about the land in question and its environmental and social values.

The main responsibility for ensuring the protection of Koalas on private land is left to the owner of the property and the value of this method is shown to be worthless in terms of Koala Protection.

Neighbours of members of the community who may have concerns about the presence of Koalas and the removal of trees are only able to receive the name and address and no other information about the development.

Land Clearing has caused 37.000 hectares were approved to be cleared 2018-19 which is 13 times the annual average rate prior to changes in 2016/17. Additionally in 2019/20 there was a loss of 10.000 Koalas from Bushfires.

Koalas need connectivity and BEC has witnessed firsthand the fragmentation of Prime Koala habitat through the construction of the Pacific Highway. Offsets cannot replace connectivity. BEC has seen that offsets are frequently poor quality habitat which is entirely unsuitable for Koalas.

People who are actively working to protect Koalas across the North East Coast have already contributed their expertise and scientific evidence to the "NSW Upper House Inquiry about Koalas and their Welfare" and they were shocked and saddened to find the 42 recommendations from a cross party forum of Parliamentarians were recently rejected by the NSW Government.

The main messages from the Upper House Report were about the retention and protection of what remains of our Native Forests on both Private and Public Forests.

The LLS Miscellaneous Bill sought to remove what inadequate Koala protections remained in the SEPP 2019 rules.

BEC asks the question? How can the community have any trust or respect in a government who has put individual capital gain over Environmental Protection and Societal Value?

All development on Private Land and Public Land should have independent ecological assessment.

BEC believes that there can be no effective outcome for the protection of Koalas on Private Land or Public Land without consent from Local Council.

Local councils are the closest tier of government to the community and are the only system of governance that can monitor and regulate development.

BEC asks the question? How can the community continue to have any trust or respect in a government who has put individual capital gain over Environmental Protection and Societal Value?

The people took to the streets over the LLS Miscellaneous Bill and if there is no real action to preserve the habitat of Koalas voters will once again let it be known that we as a Nation want this iconic species and its habitat preserved for the future.