



*Sustain. Invest. Protect.*

A new approach to  
land management and  
conservation in NSW

## Native Plants and Animals

New regulations, tools and products that set out how the *Biodiversity Conservation Act 2016* and *Local Land Services Amendment Act 2016* will operate are currently on exhibition.

They provide greater detail about the criteria for listing species, protecting areas of outstanding biodiversity and managing wildlife interactions.

### Investing in threatened species

Outcomes are already being delivered through a \$100 million investment in the Saving our Species program to conserve threatened species in NSW.

### Listing threatened plants and animals

The *Biodiversity Conservation Act 2016* (BC Act) modernises the process for listing threatened plants and animals. It aligns threat categories with international best practice and provides greater coordination between Australian jurisdictions.

The draft Biodiversity Conservation (BC) Regulation prescribes listing criteria for threatened plants and animals which align with standards developed by the International Union for Conservation of Nature (IUCN).

The draft BC Regulation provides for populations to be listed as a species in certain circumstances. Endangered populations currently listed under the *Threatened Species Conservation Act 1995* will be carried over to the BC Act. The Threatened Species Scientific Committee will review listings and determine when changes to listings are necessary.

### Areas of outstanding biodiversity value

The BC Act gives the Minister for the Environment the power to declare Areas Of Outstanding Biodiversity Value (AOBVs). AOBVs are special areas that contain irreplaceable biodiversity values that are important to the whole of NSW, Australia or globally.

AOBVs will be a priority for investment in private land conservation. Existing areas of declared critical habitat under the *Threatened Species Conservation Act 1995* will become AOBVs when the BC Act commences.

The draft BC Regulation establishes the criteria for AOBVs. The proposed criteria have been designed to identify the most valuable sites for biodiversity conservation in NSW.

## Managing wildlife interactions

The BC Act establishes a new risk-based approach to managing wildlife interactions through a tiered framework. Certain interactions with wildlife (such as harming animals) will continue to be criminalised, however some actions may be permitted explicitly through the draft BC Regulation (i.e. low risk activities), through an adopted code of practice (i.e. moderate risk activities) or through a biodiversity conservation licence (i.e. high risk activities). Importantly, the Act carries over the existing protections afforded to native animals and plants and significantly increases penalties for non-compliance.

The new risk-based framework will focus government resources on compliance and enforcement for higher risk activities, and provide a greater focus on education, particularly in response to emerging new issues in wildlife interactions.

The draft BC Regulation sets out details around marine mammal interactions, licences and codes of practice, additional defences and penalty notice amounts.

## Codes of practice and licences

Initial targeted consultation on potential wildlife codes of practice has been undertaken with stakeholders. Codes of practice that are developed in the future will be publicly exhibited before coming into effect.

There will be a range of activities that will be licensed under the BC Act. The draft BC Regulation does not prescribe classes of licences. This ensures there is flexibility to tailor licences to respond to emerging issues.

Further consultation will be undertaken by the Office of Environment and Heritage (OEH) on proposed changes to existing wildlife licence classes and conditions and proposals for licensing fees, and on proposed codes of practice.

## Accreditation scheme for wildlife rehabilitation providers

Wildlife carers provide important and specialised care and treatment for injured and sick native animals and an important service to the community. The OEH will work together with the wildlife rehabilitation providers through an intensive consultation process to develop a new wildlife carer accreditation scheme for providers. It is expected the accreditation scheme will commence in late 2018.

## More information

Additional detail on the exhibited products, tools and Regulations are provided in the supplementary information and stakeholders may wish to consider these when making a submission.

## Have your say

We want to hear from you about the proposed Regulations for protecting native plants and animals and managing wildlife interactions. You can have your say online at <http://landmanagement.nsw.gov.au/haveyoursay/> or send your written submission to: Land Management and Biodiversity Conservation Reforms Office of Environment and Heritage PO Box A290 Sydney South NSW 1232. **Submissions close on 21 June.**

