

Media release

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Henry Review of NSW nature legislation was scathing – Biodiversity Council urges NSW Government to embrace major reform

The NSW Biodiversity Conservation Act was just reviewed by former Federal Treasury Secretary Ken Henry AO, who painted an alarming picture and found that without really major reform only half of NSW threatened species are expected to survive in 100 years.

The Biodiversity Council urges the NSW Government to undertake the major reform needed to adequately protect nature in NSW, including the full adoption of the 58 recommendations of the Henry Review.

The Biodiversity Council, was founded by 11 Australian universities, and brings together experts including Indigenous Knowledge holders to promote evidence-based solutions to Australia's biodiversity crisis.

Biodiversity Council member Dr Kate Umbers from Western Sydney University said, "Our biodiversity is our life support and we are jeopardising its security at our peril. Therefore, I look forward with hope to seeing the NSW government take on these recommendations and make visionary changes to biodiversity conservation in NSW."

The independent review of the NSW legislation found that 'the diversity and quality of ecosystems is not being maintained. And, that there is also a worrying lack of work to help ecosystems to adapt to change to meet the needs of future generations.

The review found that existing legislation is deficient and that the current Act which is intended to protect nature is actively being undermined by other NSW legislation and is failing to tackle major threats to nature, such as land clearing and logging.

Biodiversity Council Board Member Associate Professor Bradley Moggridge from The University of Canberra is a proud Murri from the Kamilaroi Nation who recognises that the review acknowledges Aboriginal peoples knowledge and connection to land, water and biodiversity that must underpin nature positive approach.

The review recommends better engagement with Aboriginal people, "this is not new, NSW seems to be constantly failing Aboriginal people when it comes to biodiversity and natural resource management in general.

"Also not new is that Aboriginal people are still poorly represented on bodies with influence in the management and recovery of species.

"NSW has a great opportunity to do this right, engage Aboriginal people through all pillars upfront, making it co-designed to develop the recovery and protection of biodiversity. Appoint Aboriginal people to bodies of influence, and expand the Aboriginal Ranger Program."

"Finally consider a representative Voice for Country - an Aboriginal Biodiversity Commissioner."

The Biodiversity Council was established to connect Australian communities and decision-makers with knowledge and solutions to protect our unique biodiversity. It was founded by 11 universities including its host the University of Melbourne, with support from The Ian Potter Foundation, The Ross Trust, Trawalla Foundation, The Rendere Trust, Isaacson Davis Foundation, Coniston Charitable Trust and Angela Whitbread.



James Trezise, Policy and Innovation Lead at the Biodiversity Council said that the trajectory for nature under current legislation should alarm every person in NSW as human health, our food and our economy all depend on nature.

“Core to the necessary reforms is strengthening the Act and ensuring that the environmental legislation has primacy, or teeth, when it comes to environmental protection. For too long environmental considerations have played second fiddle to the pressure from development interests.

“Ensuring that the environment minister has the power to protect ecological assets and habitats that are at risk of irreversible loss is critical.

“There will also need to be a major culture shift within NSW government agencies to be braver and bolder when it comes to protecting the state's incredible environment.

“Australia is currently a hotch-potch of broken environmental legislation. As Federal environmental legislation is also currently being reviewed there is a golden opportunity to align these reforms and deliver a more harmonised and effective system.

“Australia agreed to the global biodiversity framework in December last year. We strongly support the recommendation that the NSW legislation should align with the goals and targets in that framework.”

Biodiversity Council member Prof Lesley Hughes from Macquarie University said “The extraordinary climate change impacts we are now seeing worldwide make the case for reform even more urgent.

“Escalating severe climate events will continue to stress our ecosystems and we need to ensure that these ecosystems are in the best possible shape so as to be as resilient as possible for the challenges of the next few decades.”

Biodiversity Council Co-Chief Councillor Prof Hugh Possingham from The University of Queensland is an internationally recognised expert in conservation science and prioritisation who was on the expert panel that advised the News South Wales Government about the 2016 legislation and helped to design the New South Wales Government's Saving Our Species Program.

“We went into the 2016 review of legislation with a promise that it would result in a net gain for biodiversity, that didn't happen,” Prof Possingham said.

“Save our Species is an outstanding and scientifically rigorous threatened species recovery program, but it does not have enough funding.”

“Past and present habitat destruction is still the biggest threat to biodiversity. Until that is reversed, extinctions will continue at this unprecedented rate.”

“If QLD and NSW can't get their deforestation under control we risk losing international agricultural markets. Increasingly, buyers from overseas want nature positive agricultural products”

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