



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 7 – PLANNING AND ENVIRONMENT

MEDIA RELEASE

REPORT TABLED - BIODIVERSITY CONSERVATION AMENDMENT (BIODIVERSITY OFFSETS SCHEME) BILL 2024

FOR IMMEDIATE RELEASE

11 October 2024

The NSW Legislative Council's Portfolio Committee No. 7 – Planning and Environment tabled its report into the Biodiversity Conservation Amendment (Biodiversity Offsets Scheme) Bill 2024 today.

The bill proposes to amend the Biodiversity Offsets Scheme by increasing transparency and fairness, providing clearer guidance for industry, reducing regulatory burdens for low-risk local development, and requiring the scheme to deliver overall net positive biodiversity outcomes over time.

Committee Chair, Ms Sue Higginson MLC, said: 'Biodiversity plays a vital role in ecosystem stability and resilience. These ecosystems are valuable for our own survival and for the survival of many threatened species that we are watching pivot towards extinction. Several reports have found there are serious failures with the Biodiversity Offsets Scheme in NSW. This inquiry was an opportunity to examine the bill proposed by the NSW Government to amend the scheme and to try and improve the scheme so it can meet its objective of protecting biodiversity in New South Wales.'

The committee heard from a diverse range of stakeholders and found that most stakeholders welcomed reform, and broadly supported the intentions of the bill. In particular, stakeholders endorsed the strengthening of the 'avoid, minimise, offset' hierarchy, that has not protected biodiversity since it was introduced in 2016, and the attempt to transition the scheme to net positive.

Some participants claimed that whilst the bill will go some way to correct the scheme, the bill misses the opportunity to provide more meaningful change and that changes such as implementing 'no-go' zones, enforcing like-for-like offsets, and transitioning to a 'nature positive' approach should be included.

Other stakeholders raised concerns with respect to the lack of clear guidance and support within the provisions of the bill to help guide and inform authorities and proponents, particularly on how to apply the 'avoid, minimise, offset' hierarchy in practice. Stakeholders recommended the provisions of the bill be amended to provide greater guidance, definitions of any new terms and consistent terminology.

Ms Higginson stated that 'the committee is grateful to those who participated in the inquiry and aided the committee in its detailed examination of the bill.'

The committee recommended that the Legislative Council proceed to debate the bill and that concerns raised by stakeholders be addressed during debate in the House.

The committee's report and other inquiry documents can be found on the committee's [website](#).

-ENDS-

For further information please contact Committee Chair, Ms Sue Higginson MLC, on 0428 227 363