
Appendix one – Response from agency

Response from Department of Climate Change, Energy, the Environment and Water



Department of Climate Change, Energy, the Environment and Water

R014-514572727-4259
ED24/94

Mr Bola Oyetunji
Auditor-General for New South Wales
GPO Box 12
SYDNEY NSW 2001

By email: mail@audit.nsw.gov.au;

Dear Mr Oyetunji

Thank you for the opportunity to respond to the Performance Audit – Threatened Species and ecological communities.

I welcome the report's findings and recommendations. The audit recommendations will contribute to improving the Department of Climate Change, Energy, the Environment and Water's performance in delivering outcomes to support threatened species and ecological communities.

Enclosed is a copy of the department's response to the report's recommendations. The department is supportive of all recommendations.

On 17 July 2024, the NSW Government released the NSW Plan for Nature, which is the response to the statutory reviews of the *Biodiversity Conservation Act 2016* and the *Local Land Services Act 2013*. The NSW Plan for Nature recognises that additional effort must be directed into proactive landscape-scale biodiversity protection, restoration and management. Timeframes for specific actions within the NSW Plan for Nature are being determined. As such, recommendations three to five may not be delivered by the specified timeframes.

I thank the audit team for the significant work they have undertaken and their professional and collaborative approach to working with the department. If you have any further questions, please contact Ms Mia Garrido, Executive Director, Office of the Secretary, on _____ or at _____

Yours sincerely

A handwritten signature in black ink, appearing to read 'Anthony Lean'.

Anthony Lean
Secretary

13 August 2024

Enclosure

cc: The Hon Penny Sharpe MLC
The Hon Daniel Mookhey MLC

Audit recommendations: Department of Climate Change, Energy, the Environment and Water response

Recommendation	Response	Further information
<p>By February 2025, to address gaps in the Saving our Species program, the Department of Climate Change, Energy, Environment and Water should:</p> <p>1. ensure compliance with legislation relating to:</p> <ul style="list-style-type: none"> a) public reporting on the five-year review of the outcomes and effectiveness of Saving our Species b) development of a program-level framework to document the rationale and priorities for implementing Saving our Species strategies and allocating funding across all management streams c) development of Saving our Species conservation strategies within two years of listing of threatened species or ecological communities. 	Support	<p>The Department of Climate Change, Energy, the Environment and Water (DCCEEW) has been working to address gaps in the Saving our Species program and ensure compliance with legislative requirements under the <i>Biodiversity Conservation Act 2016</i>.</p> <p>The five-year review of the program will be published on DCCEEW's website in 2024. This review report should be read in conjunction with the independent review report of the <i>Biodiversity Conservation Act 2016</i> and the NSW Government's response to that report, NSW Plan for Nature. Both documents recommend improvements to the program.</p> <p>The 'Saving our Species: a framework for setting priorities' is now published on DCCEEW's website. This report fulfils the program's legislative requirements under section 4.36(1)(b) of the <i>Biodiversity Conservation Act 2016</i>. This requirement was previously met through the Saving our Species Technical report and management stream frameworks.</p> <p>DCCEEW is working to finalise Saving our Species conservation strategies for all listed entities. As at July 2024, strategies have been adopted for 1058 entities, including 128 strategies adopted in July from public exhibitions in April and May 2024. DCCEEW is transitioning some strategies made under the <i>Threatened Species Conservation Act 1995</i> and the remaining 32 Priorities Action Statement strategies are planned to be adopted before February 2025.</p>
<p>By February 2025, to address gaps in the Saving our Species program, the Department of Climate Change, Energy, Environment and Water should:</p>	Support	<p>Core Saving our Species program documentation such as the 'Saving our Species Implementation Plan 2021-2026' and the 'Saving our Species: a framework for setting priorities' are now finalised and being implemented.</p> <p>DCCEEW will develop a program business continuity plan, including consideration of climate-related risks. Considerable work is underway</p>

Recommendation	Response	Further information
<p>2. strengthen Saving our Species program governance and oversight to:</p> <ul style="list-style-type: none"> a) ensure that core program documentation is prepared, finalised and implemented in a timely manner b) ensure identified gaps in program risk management are addressed with respect to climate-related risks and developing a program business continuity plan c) resolve program interdependency risks and improve alignment between DCCEEW programs. 		<p>that will inform the integration of climate-related risk into threatened species recovery planning. The impacts of climate change on species and ecosystems will also be considered in developing a new NSW Nature Strategy.</p> <p>DCCEEW recognises the need to address program interdependencies and is working to improve alignment of DCCEEW threatened species programs, including alignment of programs across different land tenures to achieve long-term, sustainable nature repair.</p>
<p>By February 2025, to address gaps in the Saving our Species program, the Department of Climate Change, Energy, Environment and Water should:</p> <p>3. develop a plan for Saving our Species to address risks associated with incomplete or out of date conservation strategies, as well as identifying trigger points for species not under management or those exposed to new threats.</p>	Support	<p>By February 2025, DCCEEW will complete conservation strategies for all entities listed prior to February 2023. This includes updating 32 strategies made under the previous legislation.</p> <p>DCCEEW recognises the need to strengthen processes to identify trigger points for assessing the need for a conservation strategy or review to address new threats. Under the NSW Plan for Nature, DCCEEW will improve reporting on the status and trajectory of listed entities. This reporting will help inform conservation planning.</p> <p>The NSW Government has set an ambitious agenda to significantly improve environmental outcomes for the benefit of current and future generations. Timeframes for specific actions within the NSW Plan for Nature are being determined. As such, the recommendation is supported but it may not be delivered by February 2025.</p>
<p>By August 2025, to improve departmental coordination for the delivery of threatened species outcomes, the Department of</p>	Support	<p>DCCEEW recognises the need to support coordination and alignment of threatened species efforts across DCCEEW and the NSW Government as a whole.</p>

Recommendation	Response	Further information
<p>Climate Change, Energy, Environment and Water should:</p> <p>4. develop and start to implement a long-term framework seeking to coordinate and align threatened species efforts across DCCEEW. This framework should:</p> <ul style="list-style-type: none"> a. formalise a shared goal and principles of alignment across programs, and articulate the role of each program/activity in relation to an overall goal b. establish and formalise associated governance to deliver the framework c. establish data governance and performance frameworks to support consolidation of data and performance information across programs d. evaluate options for information sharing to collate relevant actions and priorities of other entities delivering threatened species activities. <p>5. expand activities to improve coordination of DCCEEW's programs with other parts of government delivering activities that impact on outcomes for threatened species and ecological communities.</p>		<p>As part of the DCCEEW Strategic Plan, DCCEEW will shortly commence work to explore the feasibility of a landscape-based investment framework to protect and restore biodiversity.</p> <p>Under the NSW Plan for Nature, key priorities include developing and implementing a NSW Nature Strategy, improving species and ecosystem programs, and improving and upgrading biodiversity data gathering and management.</p> <p>The implementation of the NSW Plan for Nature will include processes to improve collaboration and alignment, governance, and information and data sharing.</p> <p>As part of this process, DCCEEW will strengthen formal coordination with other parts of government delivering activities that impact on outcomes for threatened species and ecological communities. As noted above, timeframes for specific actions within the NSW Plan for Nature are being determined. As such, the recommendations are supported but they may not be delivered by August 2025.</p>