

ONLINE SUBMISSION DETAILS

Date Received	14/03/2017
Organisation	Melbourne Water
Postcode	
How do you think we should improve the FFG Act?	<p>Thank you for the opportunity to comment on the review of the Flora and Fauna Guarantee Act. Information on the review was circulated to a number of Melbourne Water staff directly involved in biodiversity conservation planning and/or action. The general response was positive. Most agreed the Act was 'not working' to protect Victoria's species and ecological communities due (among other things) to a lack of clarity around roles and responsibilities - such as the question of private land and non-government obligations - and the confused array of environmental legislation (Wildlife Act, EPBC Act, native vegetation clearing regulations, fisheries regulations, forestry regulations, etc., etc.); a lack of enforcement; weak penalties; a lack of Departmental staff; and datasets in the VBA not keep up to date. Therefore, all welcomed this review and the possibility that improvements could be made to better protect Victoria's unique nature.</p> <p>Specific comments received from Melbourne Water staff include</p> <p>(1) Agree that integration of the Wildlife Act, Flora and Fauna Guarantee Act and Vegetation Clearing Regulations into a one-stop-shop assessment would be useful and make the process more implementable. There is overall too much confusion around biodiversity conservation legislation. For example having two lists of protected species/communities - FFG Act listed and the VROTS advisory list - is confusing.</p> <p>(2) A clearly articulated and documented process of assessment, permits and licenses would be helpful. The way in which the EPBC Act has a clearly defined process that is easy to understand is an example that might be followed.</p> <p>(3) The previous objective of the act to 'Guarantee all species survive' is still relevant. We are concerned what we will lose should this objective be dropped. A 'hybrid' approach to biodiversity conservation may be best. Where a landscape approach is the primary view, but then species-specific approaches applied where necessary. There was concern the document states under 'Management Advices' that 'Management advices will be developed for some threatened species or threats that require specific attention. It is expected these will only be needed in limited cases. Criteria will be established to determine when these advices are needed. Management advices will be similar to an action statement' (page 47).</p> <p>(4) There was some support for clarifying the duty/responsibility of public authorities that own or are responsible for land.</p> <p>(5) There was support for the establishment of an independent conservation advisory committee.</p> <p>(6) Support 'Native vegetation Provide the ability for the illegal removal of native vegetation, including on private land, to be enforced under the Act. Section 4.4'</p> <p>(7) Support providing criteria under the Act to define critical habitat, to include broadening the concept of critical habitat to include areas critical for maintaining ecological processes, such as habitat corridors and climate refuges.</p>

(8) Support for 'Modifying the regulatory controls under the Act for critical habitat to require a permit for activities that would 'damage' the habitat (rather than the existing approach, which only requires a permit to take any protected flora within this habitat).

(9) Support placing obligations on private landowners to protect listed species or communities, and not undertake actions that could be detrimental to listed species. This is considered essential if gains are to be made in protecting endangered species.

(10) Emphasis the need for accurate and up-to-date data and maps to allow evaluation of conservation efforts. Therefore an improved VBA, with more timely updates to data, is of great importance. Accessible mapping of protected communities - such as the EPBC Act protected seasonal herbaceous wetlands (freshwater) is critical. Currently wetlands are poorly mapped. Consequently several have been destroyed by developments simply not knowing a wetland was in their construction footprint.

Thank you.
