



**VNPA Submission to the Victorian
Governments Review:
*Native Vegetation Clearing Regulations –
Phase 3***

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1. Native Vegetation in Victoria: Policy Context

Victoria has cleared a greater percentage of its native vegetation than any other state in Australia (Productivity Commission 2003). In just 150 years, we've lost more than half our native bushland, 44% of our native plants - and more than 30% of our animals are now either extinct or threatened with extinction (Victoria Naturally Alliance 2012). On private land, the figure is far worse, with more than 80% of native vegetation cleared.

In 2002, the Victorian Department of Sustainability and Environment (DSE) estimated that over 9,900 Habitat Hectares were still being cleared each year, yet In spite of significant regulatory changes since 2002, a lack of monitoring, auditing and enforcement means that the true rate and extent of native vegetation clearance across Victoria remains largely unknown.

The currently proposed amendments to the *Victoria Planning Provisions (VPP)* and *Draft Assessment Guidelines* do not provide sufficient detail to enable fully informed comment, and importantly, a number of key associated documents have not also been released for comment. The proposed changes are essentially minor tweaks, while improvements will do very little to alter the functionality of the existing regulations, nor lead to significantly better governance or protections of threatened species and ecosystems.

[Departmental reporting](#) show that the highest rate of clearance of remnant native vegetation is on Public Land, yet the proposed changes do not provide any clear method for improving this (lack of) Governance. From the information provided, it is clear DELWP will still be largely relying on estimates and voluntary reporting from various Departments, Authorities and service providers to provide information, rather than on a transparent process for quantifying and monitoring rates of native vegetation clearance, with an Independent regulator in place to fairly assess proposals and ensure compliance and strategic goals are being met.

The focus on modelling to ensure No Net Loss of native vegetation in Victoria is insufficient, and needs to ensure that a Net Gain is achieved, particularly in the face of uncertainty around the actual benefits achieved through existing offsetting arrangements. This is all-the-more important, given it appears that the Government is looking towards creating a framework for offsetting on Crown land, which without clear and robust governance arrangements, this could be seen as simply being a fundraising exercise, where there are existing statutory requirements in place for land management and biodiversity protection.

There is a worrying use of the term 'Significant New Permanent Clearing' used in the Outcomes Report (Proposed Improvement 21), which is misleading at best. Implicit in the terms use is that there is also 'Temporary clearing', which doesn't require assessment for offsetting, such as in the logging of our remnant Native Vegetation. Temporary clearing would be used where the raft of other existing exemptions and back-room 'agreements' don't give sufficient wriggle room avoid public scrutiny of native vegetation clearance. The concept of Temporary Clearing needs to be removed, and the same rules applied to everyone, to ensure a fair and transparent process. Failing removal, the concept should be referred for independent scientific review, perhaps by DELWP biodiversity scientific reference group or similar.

Key Points

- Public Authorities are one of largest clearers of native vegetation in the state
- At no point to regulations state how, or what, biodiversity will actually be protected.
- Insufficient detail has been provided for comment, particularly regarding key documents
- 'Net gain' must be primary objective - 'Gains' need to be observable, on the ground
- No evidence to show offsetting is achieving required 'Gains'
- No such thing as Temporary Clearing – concept needs to be removed.

2. Missing Details and Documents

Significantly further information is required in order to allow true consultation, including the provision of the following key documents on how the regulations will function:

1. *Implementation Program* – timing of provision of many of the below documents
2. *Assessment Handbook – Native Vegetation Clearing*
3. *Monitoring and Assessment Strategy: Rates of Clearance, Reporting, Targets*
4. *Compliance and Enforcement Strategy: Staff, Funding, Penalties, Media etc.*
5. Details around Establishment of an Independent Regulator: Members, Function and Responsibilities
6. Details around Public Consultation and finalising of requirements, wording and reporting on Exemptions, MoUs, Agreements, Codes of Practice, etc.
7. Offset Sites – Process and circumstances for adding Specific Credits

In spite of the lack of detailed information provided, the VNPA has identified a number of key areas where further improvements need to be made to the regulations, to ensure the regulations can achieve its stated aim of *Sensibly Protecting Sensitive Vegetation*, through improved governance.

3. Measurable Targets

As part of the current reforms, a wider review of interstate and international policy approaches and options for vegetation management is required.

Published, peer-review of models, clear guidelines on how often models are to be reviewed to incorporate new data, and details of any targeted surveys to inform/improve modelling accuracy.

Using measures such as a contribution to Statewide Biodiversity is currently unmeasurable, and therefore there will be no way to determine the success, or otherwise, of the regulations.

Without measurable targets and regular monitoring and public reporting, there is no real way to ensure that this policy will be able to achieve its aims of No Net Loss, let alone determine if sensitive vegetation has been sensibly protected.

Key Points

- Clear and Measurable targets for 'Gains' in biodiversity are required
- Monitoring and Assessment Strategy needs to be developed before regulatory changes

4. The ‘Black Box’ Species Model

We know the [current modelling is not perfect](#), and documents provided by DELWP give no indication as to if, when, or how, data will be maintained and modelling updated to reflect changes over time. This means that our environment will continue to be short-changed in the name of efficiency.

This lack of transparency requires the public to place a huge amount of trust in experts behind closed doors, in spite of [serious flaws identified in the current system](#). Independent peer-reviewed publication of DELWP’s modelling is urgently required, if we are to have any faith in the model’s appropriateness, and therefore have any trust in the efficacy of the proposed changes to the regulations.

As far as the VNPA are aware, the modelling at the foundation of environmental management in Victoria, has not yet been published and subject to peer-review, yet it is being used to determine the significance of vegetation within these regulations, as well as inform ‘strategic’ planning for all native vegetation, threatened species and environmental planning across the state. Further information was sought from DELWP in preparing this response, however no response has been received.

Given that we know there are significant limitations to the model’s accuracy, it is a serious failing that the identified presence of a threatened species onsite is unable to alter the assessment pathway, let alone stop clearing. As we understand it threatened species information can only be used, if a habitat model does not exist (basically only insects). If a habitat model exists then the model must be used, even if there are records of a threatened species. This is in our view, a flawed approach.

Furthermore, Local Government Authorities are not allowed to require detailed survey, and even if a threatened species is known to occur on a clearance site, its presence is unable to alter the assessment pathway.

Example of system failing:

Dr. A.B. Smith happens to be visiting a small site, where they are providing environmental and planning advice. As it is a small site, it is able to be assessed using the ‘basic pathway’, meaning no important threatened species habitat is modelled as present.

While onsite, Dr. Smith identifies a large population of a threatened species, records it and notifies DELWP. However, as the species’ habitat importance model shows the site not to be important, its presence is unable to be incorporated into the planning permit process using the proposed Assessment Guidelines.

The threatened species’ habitat remains unprotected, and can therefore be cleared without even needing to provide a legitimisation of the avoidance.

Significant and ongoing investment into ecological data collection and research is required. This needs dedicated funding and reporting, including updating modelled habitats, Biodiversity Value Scores and EVC conservation significance ratings.

Currently, Victorians now rely solely on VCAT, instead of the support and direction of DELWP in order [to make the right decisions to protect our threatened species](#). We know Golden Sun Moths live in noxious Serrated Tussock, Striped Legless-lizards in Wild Oats and Swamp Skinks in weedy pasture grasses, yet there is no mechanism for these threatened species to be protected on private land in the current regulations, or other Acts.

Where it is known or likely to support threatened species, the modelling and regulations need to be able to include non-native vegetation, or other habitat (i.e. industrial structures, rocky outcrops, stony rises) as well.

There are indications that new technology, may open up the capacity for habitat loss through conversion and an unprecedented scale, especially in rocky landscapes.

<http://www.weeklytimesnow.com.au/machine/crop-gear/the-reefinator-is-turning-unusable-rocky-outcrops-into-arable-soil/news-story/17b3859a86db035068ffc7153c67b88b>



Figure 1 New Rocky Habitat Crushing Farming Technology ([The Weekly Times](#))

Key Points

- Modelling needs to be published and subject to Peer-Reviewed
- Need a mechanism to ensure threatened species habitat is protected, regardless of modelling
- Non-native habitat or non-vegetation habitats for threatened species also needs to be protected and modelling updated
- Need to ensure regular data collection and modelling updates to reflect changes over time

5. 'Other Values' of Native Vegetation

Native vegetation is not just a home for animals, it provides a whole range of services to our communities, including clean water, protecting soils, storing carbon, helping with pollination and providing people with inspiration and interest in the landscape.

Various studies have identified that these services are worth many millions of dollars, which are not adequately addressed by the current Guidelines. The below table is one such example of a values study:

Collateral benefit	Estimate of value (2002)
Dryland salinity	\$110 per ha per year
Soil erosion	\$10 per ha per year
Carbon sink	\$1,400 per ha bushland
Clean water	\$230m per year
River salinity	\$46m per year
Water regulation	Road damage - \$45m pa
Pollination	\$1b per year
Tourism	\$6.6b per year total
River recreation	\$259,200 per 10 km river
Landscape aesthetics	\$226,800 per 10,000 ha

Source: Possingham et. al. 2002

[Find out more](#)

While the VNPA welcome the proposed changes to the Victoria Planning Provisions, to now allow for the consideration of some 'Other values' in the Planning Permit assessment process, but the extent to which these Other Values can be used to prevent inappropriate clearance is not made clear in the Guidelines provided.

The value of Scattered Trees also should be factored into this policy to further highlight 'other values' provided by vegetation, using an accepted standard, such as the [Burnley Method currently used by Melbourne City Council](#), among others.

Key Points:

- Detailed and informative guidelines on how other values are considered by the Responsible Authority - which will then also inform VCAT decisions - must be provided.
- A clear framework for assessing Other Values needs to be developed and peer-reviewed

6. Independent Regulator

The VNPA has consistently argued for the establishment of an Independent Regulator, who is singularly responsible for the function and administration of native vegetation regulations. This is all the more important, given the growing use of Exemptions and inter-departmental agreements relying solely on self-regulation through non-specific Codes Of Practice etc., in lieu of the established and transparent process required of everyday Victorians.

The VNPA's calls for an Independent Regulator echo the recommendations of the Victorian Competition and Efficiency Commission's (VCEC) 2009 report, which stated that *"...a fundamental reform of present organisational arrangements is necessary to help drive long-term improvement in this area of [native vegetation] regulation"*. In order to *"achieve a clearer separation between the high-level policy and the regulatory functions, the Commission is proposing that a Native Vegetation Regulator (NVR) be established with responsibility for undertaking the technical assessment of proposals to clear and offset native vegetation"*.

Key Points:

- High risk of conflict-of-interest in the development of Exemptions and Agreements between departments and authorities and the application of these regulations.
- The establishment of an Independent Regulator is urgently required

7. Real Change is still required.

Very little has fundamentally changed to the functions of the existing Native Vegetation Clearing Regulations, which, when introduced in 2013, led to a joint statement 105 ecologists and scientists as well as 70 community-based environment groups from across Victoria standing together in 2013 to express their concern that insufficient regulations would lead to more land clearing and damage threatened species habitat. Their [joint statement](#) called on the State Government to start again, to create a system that protects the environment for all Victorians.

It is understood that over 90% of current applications currently received follow the Low Risk-based Assessment Pathway. While the naming of the assessment pathways have changed, it is considered unlikely that there will be a significant shift in the number of referred applications. Our native vegetation is a statewide asset, already under significant pressure. Allowing for 90% of applications to avoid an onsite assessment is flawed and does not show the responsible leadership required of the Government.

Key Points:

- More, not less, site assessments should be required, or at least be able to be requested by referral authorities.
- Clear guidelines and limitations must be provided, to ensure that significant native vegetation is protected, not merely documented as present, before permits granted and consequently destroyed.

Appendix 1 – VNPA Response to Proposed Improvements from Outcomes Report’s VPP Changes

Proposed Change	DELWP Comment	VNPA Comment
Native Vegetation Clearing Policy		
<p>Proposed Improvement 1: Clarify that the primary focus of the regulations is to ensure avoidance of native vegetation removal where possible.</p>	<p>Implemented by the following objectives in the SPPF:</p> <ul style="list-style-type: none"> • Ensure appropriate consideration of impacts from the removal, destruction or lopping of native vegetation. • Ensure permitted clearing of native vegetation results in no net loss to biodiversity. Clarifying the three step approach in the purpose to Clauses 52.16 and 52.17: • Avoid the removal, destruction or lopping of native vegetation. • Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided. • Provide an offset if a permit is granted to remove, destroy or lop native vegetation. This includes an increased focus on avoiding and minimising in areas where the values of the native vegetation are high, and where these values can be maintained in the future. 	<p>Changes all sound effective, however lack real meaning:</p> <p>No guidelines provided about what is/isn't appropriate.</p> <p>Further guidance may be within <i>Assessment Handbook</i>, but this has not yet been released for viewing/comment.</p> <p>No Net Less is insufficient, needs to return to Net Gain if regulations are to have any meaningful impact</p> <p>Avoidance is the primary objective, however 90% of applications do not need to demonstrate avoidance, as clearance is <0.5ha.</p>
<p>Proposed improvement 2: Consolidate comprehensive policy guidance for native vegetation removal.</p>	<p>Implemented through the Assessment guidelines that detail which impacts on biodiversity and other values of native vegetation are to be considered in the different assessment pathways.</p>	<p>Guidelines do state which impacts are to be considered, but provide no clear policy guidelines on how these will be considered.</p> <p>Clear thresholds and limitations on clearing are vital, in order to ensure a level playing field, and to ensure that council decisions can be appropriately upheld at VCAT.</p>
Permit and Decision Making		
<p>Proposed improvement 3: Reduce the low risk-based pathway threshold.</p>	<p>Implemented by adopting a clearing threshold of 0.5 hectares to determine assessment pathway as detailed in the Assessment guidelines.</p> <p>The assessment pathway for an application is determined based on extent, the presence of large trees, sensitive wetlands and coastal areas, rare or threatened species habitat and endangered EVCs.</p>	<p>Largely supported, however, as per Proposed Improvement 2, clear threshold and limitation guidelines are required for referral authorities.</p>
<p>Proposed improvement 6: Replace the Native vegetation location risk map with an updated map of highly localised habitats.</p>	<p>Implemented by replacing the location risk map with a location map that is described in the Assessment guidelines. It identifies areas based on their importance using mapped biodiversity values, including highly localised habitats, rare or threatened species habitat, endangered EVCs, and sensitive wetlands and coastal areas.</p>	<p>No substantive change from the existing situation.</p> <p>Good to include other values such as wetlands, coastal areas and Endangered EVCs, however process remains heavily reliant on modelled data instead of detailed site assessments.</p> <p>Even if a threatened species is observed onsite in the Basic Pathway, it is unable to influence the assessment pathway.</p>

Proposed Change	DELWP Comment	VNPA Comment
<p>Proposed improvement 7: Require an avoid and minimisation statement for all applications and consider this in decision making.</p>	<p>Implemented by amending the application requirements in Clauses 52.16 and 52.17 to require an avoid and minimisation statement.</p> <p>The Assessment guidelines provide details on the values of native vegetation and how and when impacts on these values should be avoided and minimised to ensure proportionality. They also outline what is an acceptable avoid and minimisation statement, and specify that avoidance of biodiversity impacts is not required for applications in the Basic Assessment Pathway.</p> <p>More information on how to prepare this statement will be included in guidance material for applicants.</p>	<p>Not requiring a statement in Basic Assessment Pathway makes a mockery of this Proposed Improvement – these are likely to make up 90% of permit applications!</p>
<p>Proposed improvement 8: Require an offset strategy for all applications and consider this in decision making.</p>	<p>Implemented by amending the application requirements in Clauses 52.16 and 52.17 to include the requirement for an offset statement for all applications.</p> <p>The Assessment guidelines outline that this statement would briefly describe how the offset will be secured <i>e.g.</i> by purchasing an available credit or establishing a new offset site.</p> <p>More information on how to prepare this statement will be included in guidance material for applicants.</p>	<p>Good improvement - Supported.</p>
<p>Proposed improvement 9: Change to two pathways – a “lower assessment pathway” and a “higher assessment pathway”.</p>	<p>Not implemented.</p> <p>Two pathways were investigated, but to ensure that the assessment effort is commensurate with impacts on the values of native vegetation, three new assessment pathways were developed (Basic, Intermediate and Detailed). These are described in the Assessment guidelines.</p>	<p>No substantial change from the existing 3 pathways, just minor threshold tweaks and another name changing exercise.</p>
<p>Proposed improvement 10: Provide clearer guidance on when to refuse an application to remove native vegetation.</p>	<p>Implemented by including requirements on how impacts on the values of native are to be assessed in the different assessment pathways in the Assessment guidelines.</p> <p>Further information will be provided in the Assessment handbook for responsible and referral authorities.</p>	<p>This has been barely, if at all, been implemented.</p> <p>The Assessment Handbook has not yet been produced.</p> <p>Significantly clearer guidelines are required for Referral Authorities than what is in provided in the existing draft changes to the Victoria Planning Provisions and the Assessment Guidelines.</p> <p>Defined thresholds for what is, and is not, allowed to be cleared must be provided.</p>

Proposed Change	DELWP Comment	VNPA Comment
<p>Proposed improvement 11: Include a decision guideline that allows councils to consider locally important biodiversity when assessing applications.</p>	<p>Implemented by including within the Assessment guidelines (and to be included in the Assessment handbook) that consideration must be given to the local and state planning policy frameworks.</p> <p>A new decision guideline has not been included in Clauses 52.16 and 52.17 as this requirement is already included in Clause 65 and duplication was not considered good regulatory practice.</p>	<p>The Assessment Handbook has not yet been produced.</p> <p>No clear guidelines on how the consideration of locally important biodiversity will be able to be used to refuse a permit within the Guidelines.</p> <p>Guidelines need to be strengthened and clarified to ensure protection, not merely identification, of important local values.</p>
<p>Biodiversity information tools used in decision making and offset rules</p>		
<p>Proposed improvement 12: Allow habitat characteristic information collected at the site to be used to supplement the maps of a species habitat in the permit application process and for offset sites.</p>	<p>Implemented by providing for site information to be used to supplement mapped habitat assessments as detailed in the Assessment guidelines.</p> <p>This provision can be used to remove specific offset requirements for clearing sites and to add specific credits at offset sites under certain circumstances.</p> <p>Detail of how and when this can be done and the approval process will be included in the Assessment handbook and guidance for applicants.</p>	<p>Assessment Handbook has not yet been produced.</p> <p>Support the ability to add specific credits at offset sites – however detail on when and how this could happen also needs to be provided for comment before changes are implemented.</p>
<p>Proposed improvement 14: Place greater emphasis on key areas of habitat for dispersed species in decision making and offset requirements.</p>	<p>Implemented by including more important areas of dispersed species habitat in the location map and including these areas in the specific-general offset test to determine when specific offsets are required.</p>	<p>Generally supportive, however all the information is contained within the Black Box model, preventing informed and critical analysis.</p> <p>Peer-review of Modelling required.</p>
<p>Proposed improvement 15: Differentiate between the biodiversity value of scattered trees for use in decision making and offset requirement determination.</p>	<p>Implemented in Clauses 52.16 and 52.17 and Assessment guidelines.</p> <p>Scattered trees are divided into two size classes, small and large. A small scattered tree is assigned a standard extent defined by a circle with a 10 metre radius and a large scattered tree is assigned a standard extent defined by a circle with a 15 metre radius.</p> <p>In addition, clearing of large trees is used to determine the assessment pathway of an application. This is considered in decision making and when removal of native vegetation is permitted the secured offset must also contain at least one large tree for each large tree removed.</p>	<p>Generally supportive.</p> <p>The proportionally higher significance of Large Old Trees as biodiversity 'islands' in heavily cleared landscapes also needs to be explicitly considered.</p>
<p>Exemptions</p>		

Proposed Change	DELWP Comment	VNPA Comment
<p>Proposed improvement 22: Clarify wording of exemptions</p>	<p>Implemented by updating the exemptions included in Clauses 52.16 and 52.17.</p> <p>Main changes include text revisions to improve clarity, amendment of the Utilities exemption and the introduction of a new Conservation work exemption.</p>	<p>Insufficient consultation and clarity.</p> <p>Need urgent consultation around need for, not merely wording of, existing and proposed new exemptions, with regular review by an independent panel.</p> <p>Recognise the appeal of the proposed Conservation Work exemption, however any plan should be made publicly available, and effectiveness of such plans reviewed by independent panel.</p>
Offset Delivery		
<p>Proposed improvement 16: Increase the use and functionality of the Credit Register.</p>	<p>Implement by clarifying the roles and responsibilities for participants, increasing the information recorded in the Credit Register and making this available to councils, offset purchasers, offset providers and government investment programs. This includes:</p> <ul style="list-style-type: none"> • increasing supply of offsets by registering potential sites before they are established so that offset providers do not incur the costs of setting up an offset site before they have a buyer • linking offset and permit information for greater transparency • recording first party offsets. 	<p>Generally supportive, and long-overdue governance improvements.</p> <p>Existing Offset Sites should also require public signage, to help ensure stewardship and community awareness.</p>
<p>Proposed improvement 17: Support the development of the market for low-availability offsets.</p>	<p>Implement by working with conservation groups (including Trust for Nature) and other stakeholders to develop programs that identify potential offset providers, initially focused on offset types or locations with low availability.</p> <p>Improve external access to species information to support identification of potential specific offsets.</p> <p>Increase use of over the counter agreements.</p> <p>Undertake a native vegetation offset market review to identify opportunities to improve its operation. This will be done in conjunction with the Department of Treasury and Finance and the Department of Economic Development, Jobs, Transport and Resources and in consultation with relevant stakeholders.</p>	<p>COMMENT REQUIRED</p> <p>Unsure what 'improve external access to species information' means?</p> <p>Level of Ecological effectiveness also needs to be included in Offset Market Review, before any more substantive investment or changes takes place.</p> <p>Greater certainty in offsets is required, for example, Melbourne Urban Development Plan recently had significant negative financial impacts on private land offset market, reducing business confidence in investment.</p> <p>VNPA would welcome the opportunity for inclusion as a stakeholder in this consultation process.</p>
<p>Proposed improvement 18: Require that all third party offsets are registered on the Credit Register and meet its standards, including standards for securing the offset.</p>	<p>Implement by requiring all third party offsets to be registered on the Credit Register, in order to track the trading and use of credits and so that the payment to the offset provider will be linked to the delivery of the offset management plan.</p>	<p>Generally supportive.</p>

Proposed Change	DELWP Comment	VNPA Comment
<p>Proposed improvement 19: Redesign the revegetation standards to ensure desirable revegetation can occur.</p>	<p>Implement by revising the revegetation standards so they encourage desirable revegetation by:</p> <ul style="list-style-type: none"> • modifying gain scoring to encourage revegetation in sites with scattered trees so these become patches • encouraging revegetation in areas well connected to remnant vegetation. 	<p>Generally supportive, noting no clear information provided on what hasn't worked with existing standards</p> <p>Further modifying gain scoring will likely lead to greater confusion, less transparency, and therefore undermine confidence in due process and the offset market generally.</p> <p>Nationwide Standards recently produced – perhaps these could/should be used?</p>
<p>Proposed improvement 20: Create a framework for offsetting on Crown land.</p>	<p>Implement by preparing a Crown land offsetting policy that includes:</p> <ul style="list-style-type: none"> • eligibility criteria • in-perpetuity security arrangements • 'additionally' measures that ensure the management actions are in addition to the statutory requirements for the management of the land. <p>Consideration will be given to potential impacts on the existing offset market and circumstances under which Crown land offsets may be purchased by third parties.</p>	<p>There is a great degree of community scepticism about this proposal; many see it as a potential revenue raising exercise for government land managers.</p> <p>It is a significant shift, need must be clearly demonstrated and the threshold for 'additionality' must be set a very high bar.</p> <p>Detailed Stakeholder / Public Consultation required</p>
<p>Compliance and Enforcement</p>		
<p>Proposed improvement 25: Develop a compliance and enforcement strategy.</p>	<p>Implement by preparing a risk-based compliance and enforcement strategy for councils to inform their compliance activities and including the development of compliance plans. The strategy will address education and behaviour change, enforcement tools, and identify roles and responsibilities.</p> <p>The strategy will provide guidance to allow compliance activities to be scaled depending on the resources of the regulator so that a focus is maintained on key compliance and enforcement risks.</p>	<p>This vital strategy needs to be reviewed and in place before changes to the regulations take place.</p> <p>Compliance and enforcement is the most important element in ensuring effective regulation.</p> <p>Referral Authorities are already under significant financial stress from rate-capping, particularly rural councils, who have a the most significant vegetation, the smallest rates base, and the highest pressure from illegal clearance and non-compliance.</p> <p>Dedicated funding and resources for regional and rural Victorian Councils need to be determined as an integral part of this strategy.</p>

Proposed Change	DELWP Comment	VNPA Comment
<p>Proposed improvement 26: Provide guidance and support materials for compliance and enforcement activities.</p>	<p>DELWP in collaboration with councils will identify and develop key guidance and support material to build required skills and capabilities to assist the delivery of compliance and enforcement programs.</p> <p>This includes how to focus efforts based on risk, select the best compliance approach, collect information to assist in monitoring and enforcement, and develop appropriate responses to illegal clearing.</p>	<p>Needs to be reviewed before regulation changes take place. Otherwise, generally supportive.</p>
<p>Proposed improvement 27: Improve information gathering for compliance and enforcement.</p>	<p>DELWP will work with councils to gather and report on the level and drivers of illegal clearing and non-compliance with permit conditions (including the requirement to provide offsets).</p>	<p>Ensure that remote-sensing can be, and is, used to determine changes in the extent of vegetation, and support enforcement action.</p>
<p>Proposed improvement 28: Promote co-regulatory support.</p>	<p>DELWP to work with councils, the Commonwealth Government and other relevant agencies to develop a co-operative approach to address non-compliance with the regulations, with a focus on activities that have significant impacts on biodiversity.</p>	<p>In principal supportive, however no information provided on what this means.</p>
<p>Proposed improvement 29: Review the overarching compliance and enforcement framework.</p>	<p>DELWP will seek opportunities through existing reviews to strengthen compliance and enforcement frameworks, and provide information on the effectiveness of the existing framework to support any decision on a broader regulatory review.</p>	<p>Broader regulatory review is already urgently required.</p> <p>VNPA is aware of a number of other stakeholders who would be able to provide informative input into any such review.</p>