Further submission on:

THE REVIEW OF THE NATIVE VEGETATION CLEARING REGULATIONS

Introductory remarks

I previously attended a community workshop in Ballarat where there was an opportunity to contribute ideas that could be incorporated into the revision of the Native Vegetation Clearance Regulations. As a practicing environmental scientist specialising in invertebrate systematics and ecology, I was glad to be able to contribute.

I received the revised document recently (2016) and was glad to see that a number of the contributions made at the workshop I attended have been incorporated into the new document. However, there were several strong, well supported submissions that have not been fully addressed. As a consequence, I bring them to your attention below, in the hopes that they can be incorporated into the final version.

1. There has been inadequate attention given to protecting endangered invertebrates. I could only find one mention of them in the revised document that only said that information is lacking. Native invertebrates contribute numerous ecosystem services which are well documented and, moreover, they integrate environmental variables in different ways to plants and vertebrates. As a consequence, many species have limited distributions, i.e. are short range endemics, an order of magnitude more species than do plants or vertebrates. So, on many fronts their protection is of vital importance in regulations pertaining to clearing of native vegetation.

I should like to see the invertebrates listed in the Fauna and Flora Guarantee list incorporated into the regulations. Species on this list should be considered in assessments of every application for native vegetation clearing. Ideally, a survey for endangered and vulnerable species should be carried out by ground surveys. If any are present, offsets proposed should also be surveyed for these species. Furthermore, habitats for invertebrates such as rotten logs, stones, rocks, pools, should be introduced into the offset.

2. Concern was expressed at the workshop I attended on the large areas of native vegetation that was being illegally cleared that has been and is taking place. Several members, including myself, suggested penalties for this activity should be commensurate with the increased value the land owner may receive say over the following five years. It seems, from the revised document, that this issue has not been addressed adequately. I
urge to substantially increase penalties for illegal clearing in order to provide a barrier to this illegal activity.

3. The response to a refusal to allow clearing has only been (p 25), to make the criteria for decisions made easier to understand instead of increasing the number of reasons for refusing clearing and strengthened. I suggest that the method used to assess the conservation value of native vegetation is far too restricted and somewhat weak. For instance it must include consideration of invertebrates and not just plants. Invertebrate species of conservation significance can persist and survive on quite small areas of native vegetation even when weeds are present. So areas assessed of the lowest conservation value on maps or on vegetation assessments might, in fact, harbour listed invertebrates. It seems that the lowest value native vegetation land has been dismissed incorrectly as not worthy of retaining.

4. Reliance on maps alone to assess conservation of land is clearly inadequate for assessing value of invertebrate fauna.

5. Unfortunately, an exaggerated high risk of the danger of native tree fall has led to some damaging policies. The result has been that decisions to fell native trees has been have been incorrectly assessed. The decision by VICROADS to remove trees beside roads and straighten the road itself in the mistaken belief that this will reduce road fatalities’ is a case in point. It has been suggested that straighter roads lacking well grown vegetation along the verge increases the danger of road deaths. But these kinds of road result in faster driving and increased susceptibility to falling asleep. Roadside vegetation is often of high conservation value. I would recommend that the review includes a requirement for VICROADS to provide properly collected statistics on fatalities the caused by roadside trees compared to those on straight roads. VICROADS should also be required to do this work before applying for tree clearing and be obliged to abide by tree clearing regulations before any action is undertaken along roads.

6. I understand from a land owner holding offset land that the cost of maintaining the offset is well above the amount provided by the developer. This problem should be addressed and costs be more correctly assessed and applied.

7. I am disappointed in the emphasis in the review on streamlining the process of applications for clearing native vegetation. Once land is cleared, it cannot be restored to its former state and we are sadly lacking in many areas of Victoria, especially south of Ballarat, in remnant native vegetation. In streamlining applications, a complete and detailed assessment may not be the result as some issues may be overlooked.

8. p 37, the use of the term ‘significant’ covers a multitude of sins and is a ‘moveable feast’. A much more specific term must be used here.