

POST/EMAIL SUBMISSION DETAILS	
Date Received	01/02/2017
Name	██████████
Organisation	
Email	██████████
Postcode	3437
Privacy Options	I am making this submission as an individual . I request my submission be published anonymously including only my postcode
Privacy Statement Correct?	Yes
Privacy Collection Notice Read?	Yes
Submission Type	Individual
Previous engagement in review?	Info session 2015
	Workshop 2015/16
	Targetted consultation
	SRG
	Written submission to CP?
	Other? Describe
Will changes improve function of regs?	
Reasons	No I feel that it can be misinterpreted and a “co-regulatory” response to illegal clearing will not be effective
Implementation issue with proposed changes?	Yes
Reasons	Unprecedented “lopping, destruction, removal of native vegetation
Guidelines – guidance or clarification needed?	Yes
Details	Planning provisions and assessment guidelines are long and difficult to interpretate. (refer attached letter)
Terms to include in guidelines glossary?	
Details	
Subscribe to e-newsletter?	Yes. Please send information updates to my email address
Other comments	Refer attached letter, “Regulatory system changes”
Written submission provided?	Yes – separate document

REGULATORY SYSTEM CHANGES

Review of the native vegetation clearing regulations – summary of proposed amendments to the Victoria Planning Provisions

Native vegetation clearing – Assessment guidelines replacing: Permitted clearing of Native vegetation, I believe the proposed guidelines are not reflective of the need to protect and conserve Victoria's high biodiversity value, it's coastal areas, it's Flora and fauna and the impacts from development and consequent land use.

The following is a summary of my objections to the changes to clauses 12.01 Biodiversity, 52.16 Native vegetation precinct plan, 52.17 Native vegetation and referrals. Native vegetation there needs to be clarification of aspects in the said clauses such as "Basic Intermediate and detailed and offset requirements" with additional assessment guidelines in addition to the planning provisions there is clearly areas of misinterpretation and confusion.

Clause 12.01 biodiversity

Proposed changes are allowing for more impacts of land use and development, why has significant contribution and Victoria's biodiversity been deleted as I feel that Victoria has significant contribution in regards to it's biodiversity this has been replaced with avoid and minimise. "Minimising" impacts on listed species and communities with "strategic planning" should that not be preventing and as stated in your outline of proposed amendments to Victoria Planning Provisions "strategic planning to avoid and minimise" our focus needs to be on preventing not avoiding or minimising. What amendments will be made to strategies such as "Regional Catchment Strategy"? I feel more clarity as to what actually will be amended is necessary as it is open to misinterpretation..

How much subdivision, planning will be allowed, who makes that decision and will the community be involved in these decisions? Are councils such as Hume Council, Bendigo Council and Department of Environment, Land, Water and Planning, Mining Industry etc concerned about Native vegetation and it's management" (clause 12.02-2 Native vegetation management) or more about development, mining and subdivision?.

"Removal, destruction and lopping of native vegetation "are aggressive and destructive means of protecting Victoria's native vegetation. (clause 12.02-2) how does that result in "No net loss" to native vegetation. Removing the 'Vital contribution made by the biodiversity resulting from Victoria's native vegetation" is Victoria's vital contribution from the native vegetation no longer important. It's important to be aware of all impacts from permitted clearing but is it necessary to remove "vital contribution".

Clause 52.16 Native vegetation precinct plan and Clause 52.17 Native vegetation

"Modifying Offset requirements to remove detail in the clauses as it is included in the Assessment guidelines" detail should remain in the clauses as the Assessment guidelines are just that a guideline, we want to prevent illegal clearing and misinterpretation of the clauses and they should be specific as to what is allowed in the "removal, destruction or lopping of native vegetation".

Why are we allowing "Transitional arrangements for planning permits" the amendments to clauses are proposed are they not, how can they involve 'new provisions' in planning permits that are not effective now?

A clause is used to “consider” the removal, destruction or lopping of native vegetation does that incorporate “no net loss” to Victoria’s native vegetation and biodiversity will the Native Vegetation Precinct Plan be made public.

“Clause 52.17 contains a list of 34 exemptions targeting specific activities, situations or industries and 52.16 contains approximately half of the exemptions listed in Clause 52.17” the exemptions undermine the purpose of the proposal to prevent clearing of native vegetation and protect Victoria’s fauna and flora, native vegetation and native species which result from the impacts of land clearing and development.

Allowing the addition of Conservation work exemptions, changes in application of the Crown land exemption and the Utility installations exemption will further add to the loss of biodiversity. Clause 52.17 for example by removing the clause “ground fuel within 30 meters of a building” and allowing 0.5 hectares of land to be cleared as a threshold has a huge impact on biodiversity as more lopping, removal and destruction occurs
The changes to exemptions will increase land use and development it does not allow for ‘no net loss’ to biodiversity.

Five years is not enough time for renewal of areas that have been “destroyed, lopped and removed”. (clause 52.16) . I feel that the requirement to obtain a permit to remove, destroy or lop native vegetation is open to conjecture and as there are no repercussions for abusing the requirements “co-regulatory approach” areas of native vegetation for mineral exploration, land maintenance , land management, harvesting for timber production, new buildings and works in the farming zone and rural activity zone will be unprecedented. Who determines “desirable revegetation”, the clearing of native vegetation for “Personal use” (heating, cooking etc) exemption how will it be monitored:.

How many large trees will be allowed to be removed, offset “at least one large tree” this needs to be specific. “small scattered tree 10 meter radius” should that not be a large scattered tree. provision to remove specific offset requirements for clearing sites and to add specific credit at “offset sites under certain circumstances” This policy needs clarification before implementation and is open was stated again and again to misinterpretation.
How long will the credit registers and offset registers be kept and is this public knowledge or again easily altered.

“Crown land offsets may be purchased by third parties” Please explain and for what use, under who’s authority? What is an “offset market” How do you offset Victoria’s biodiversity and to what?

“Exemptions on public land” why do we need to make an exemption when the land is left for the public use. Formulas a set of exemptions, purposes and principles???

I feel that the entire proposal is open to misinterpretation. The looser Victorian biodiversity and Victoria’s coastal areas. “Lopped, destroyed and removed” are clearly what the Victorian government are aiming for. “Preventing illegal clearing by promotion compliance” “co-regulatory approach” will not return areas that have been illegally cleared and with no reprisals anyone can do what they want. This is not a planning provision that will have “no net loss” to Victorian biodiversity”.