

**Dept of Land, Water , Environment and Planning
Review of the Flora, Fauna Guarantee Act 1988**

Dear Sir/Madam

I am writing to you regarding the review of the **Flora and Fauna Protection Act** which is up for review.

I feel very strongly that the act needs to be strengthened in order to save the unique animals and plants that are found in Victoria.

We are so lucky to have to have our Victoria a collection of animals found nowhere else in the world including the adorable Lead beaters possum. Many others which, though found elsewhere in Australia, are hanging onto survival by a thread.

The last 200 years has seen many of our animals and plants gone forever, and whilst we have large national parks and other areas which support those that remain, they are not enough. As our population grows, there is pressure being put on the remaining parts of Victoria which hum with birds, insects, fungi and animals. National parks are not enough to maintain our threatened species of birds and animals, we need other parts of our state to be left to support these communities.

As Victorians, we are fortunate to have academics and other experts working in this field who are passionate and have identified those parts of Victoria that need our protection. We are the custodians. We can make the laws that ensure these places are left for our children, their children and forever.

But in order to protect these places, we need laws, strong laws which are enforced. This means we need a dedicated body to ensure their enforcement so that anyone with a 'good reason' is not allowed to break them. Whether that be Vic Roads, Vic Forestry or any other government department or commercial interests.

We need to draft legislation so we are confident that our grasslands, bush and forests are maintained, strong laws whose success is evident years to come. We need laws so when we see them being broken, there are paths for legal recourse. Or if that is too late and damage has been done, then legal requirements enforced for restoring the wild places.

When asked what his greatest accomplishment was as Australia's Prime Minister, Bob Hawke replied saving Antarctica from mining under a 50 Year agreement. As Parliamentarians, you have the opportunity to make laws which can also leave a legacy you can be proud of. Laws that save our precious bushes, trees and animals.

Please ensure the laws that protect Victoria's amazing natural world are drafted, implemented and enforced.

Yours sincerely,



Submission for Review of Flora and Fauna Guarantee Act 2017

I would like to see the Flora and Fauna Guarantee Act reviewed, improved and strengthened so that it is able to do what is designed to do – protect our wild places and their inhabitants.

Up until now, Public organisations and the Private S have been able to skirt around the Act with provisions that make it easy for them to ignore the aims of the act which are to protect our threatened animals and plants.

I have read the proposal from Environmental Justice Australia as to the requirements for a robust FFG Act and I am in agreement with their proposal. Please refer to their 5 point plan that they have proposed. In summary to me this includes:

- A very robust legislative framework to govern the biodiversity strategy including that it needs to be updated every five years and that it should be working towards 20-year biodiversity targets;
- The threatened species provisions retained and overhauled so as to significantly improve their capability to protect threatened species and reverse trajectories of decline and risk. This includes: • the processes around listing and preparing action statements needs to be streamlined and made easier and more efficient to administer whilst still maintaining a high standard; •the Ministerial Orders granting exemptions to application of the FFG Act (in relation to forestry for example) need to amended; and •the tools available to the government to protect species – like the designation of critical habitat – need to be updated and become mandatory.
- Maintaining a role of Commissioner for Environmental Sustainability, Scientific advisory committee and a compliance and enforcement entity
- Landscape-scale conservation and ecological restoration •Review Victorian conservation and restoration strategy every 5 years (alongside State of Environment Reporting) and report on progress towards meeting targets •Make recommendations for updating and adapting conservation and restoration strategy
- Threatened species management •Undertake strategic listings and audits of listed threatened species • Consider public nominations for listing and make recommendations to Minister (which then becomes the basis of a 'listing' statement) •Prepare and regularly review action statements
- Private sector accountability •Monitor private sector compliance with the FFG Act and undertake enforcement proceedings
Environmental justice provisions need to be incorporated into the FFG Act. This includes:
 - creating a new entity to monitor compliance and enforce the provisions of the FFG Act;
 - an effective enforcement regime that includes a scale of penalties for non-compliance including sufficiently dissuasive fines and community service orders, as well as options for criminal prosecutions for serious offences;
 - the incorporation of access to justice mechanisms which enable communities to challenge decisions through the courts and for this not to be financially prohibitive; and
 - environmental information made accessible.

In keeping with the above recommendations from EJA, I believe very strongly that we need a 'Nature Cop' in order to ensure these laws are adhered to. We know that there is no point having laws that are not enforced. Nature has no voice, so this role is even more crucial.

I am happy to discuss any of the above further if required and I trust that the Parliament will do what is right by our state which will enrich everyone.

Yours Sincerely

