Review of the Native Vegetation Clearing Regulations: Consultation Paper

Comments by [Redacted Name Sub] [redacted]

I agree with Environmental Justice Australia that "the consultation paper has a continued strong emphasis on offsetting as a technique for native vegetation management, in the absence of compelling evidence that offsetting is sufficient in practice or in principle to achieve native vegetation management objectives. Use of ‘market’ schemes for offset delivery is also a central feature of existing and proposed arrangements."

**No net loss** — An outcome where a particular gain in the contribution to Victoria’s biodiversity is equivalent to an associated loss in the contribution to Victoria’s biodiversity from permitted clearing.

**Offset** — Protection and management (including revegetation) of native vegetation at a site to generate a gain in the contribution that native vegetation makes to Victoria’s biodiversity. An offset is used to compensate for the loss to Victoria’s biodiversity from the removal of native vegetation.

**Offset market** — A system which facilitates trade of native vegetation credits between parties requiring offsets and third party suppliers of offsets.

These assume that knowledge of the permitted cleared area vegetation is complete, that knowledge of the permitted cleared area fauna is complete, that the offset area provides similar geography & climate, that the offsetting person / company has access to the same plants, and that someone is going to care for the area until it reaches maturity.

**Two recent past experiences have demonstrated that “the experts” / park rangers have NOT had intimate knowledge of the area to be cleared. One instance was in eastern Victoria and the other was in the Wombat State Forest. In both cases the loggers stopped operations on their discovery of a threatened specie.**

DELPWP will provide consolidated guidance to inform decision making about native vegetation removal. This may include a reference to the importance of biodiversity and strategic planning, identify priorities for protection of native vegetation, details on how biodiversity and other matters in Clause 52.17 are considered when deciding a permit, the intent of the exemptions, and compliance and enforcement.

Australian native vegetation is hugely complex and variegated compared to simple European forests. At [redacted] only had to reinstate farming land with topsoil, subsoil and base stratas and ensure that some pits held water.

**DELPWP representatives did not even criticize for bulldozing jumbled soil reserves into some pits. Some rehabilitated pits will struggle to support grazing; they will never again be cropped.**

Worse still are tailings pits that contain elements not allowed to contaminate aquifers. *These pits are SUPPOSED to hold rainfall but some don’t. Again the government man at meetings remained silent and failed to even ask where the contaminated water was disappearing to.*

At Stawell a dried tailings dam beside the town has been photographed shedding clouds of dust that may be contaminated with arsenic.

So much for compliance and enforcement.

“There is greater emphasis on clearing and offsetting native vegetation rather than avoiding its removal. Removal of ‘like-for-like’ criteria in the relationship between vegetation types cleared and where offsetting (compensatory actions) were to occur. “ Environmental Justice Australia.

You need to convince everyone and me that offsetting is as good as preserving.
“Extensive provision for exemption from the clearing regulation, including by public authorities who have tended to operate under separate rules.” Environmental Justice Australia

This has been demonstrated by VicRoads' clearing for duplicating the Western Highway.

Mature trees away from the existing highway known to locals to provide habitat to several species including the protected powerful owl have been cleared. Who can put a price on an 800 year old red gum except to say that it is irreplaceable?

Can it be guaranteed that the offset gums will be protected for half that time?

It turns out that there are lignotuber red gums north of the Great Divide and non lignotuber red gums south of the Great Divide. Are VicRoads' saplings of the appropriate type?

Every time VicRoads was asked the number of mature trees removed for a section of the new highway it increased until it was quadrupled the original 200.

“Losses of native vegetation in circumstances where native vegetation clearing regulations do not apply (such as through exemptions) can be significant, such as in logging operations, post-fire ‘salvage’, bushfire management, and clearing on Crown lands such as roadsides.” Environmental Justice Australia

In the Grampians near Halls Gap controlled burns are of 2 to 5 acres.

In the Grampians in Victoria Valley 2,000 acres was controlled burnt during the 3 days between Easter Monday and A.N.Z.A.C. Friday of school holidays. The only reason 000 wasn't inundated with worried tourist reports reporting massive flames was the lack of mobile phone cover. A licensed seed gatherer bemoaned not having collected seeds prior to the burn because there was only bare ground after.

I've been told by Parks officers that no dead animals have been found after a controlled burn. I suggest that is because the heat generated by a 2,000 acre fire burning in from the edges totally consumes everything.

In the Grampians, a former C.F.A. Senior officer, proudly pointed out a controlled burn area near Roses Gap where the fire had meandered through and thinned the undergrowth without causing much damage to the trees.

Three years before the 2014 Polhners Rd. northern Grampians bushfire 200 acres on one side of Flat Rock Rd. was controlled burnt. The ground was left as bare grey sand with large black vertical sticks. I challenge anyone who doesn't know what side was controlled burnt to look at Flat Rock Rd and pick the wild fire side. In what way has the controlled burn site preserved anything? In this area and another controlled burn area below Mt. Zero (which escaped the bushfire) one cannot find one large tree or one hollow tree. How does this preserve Australian fauna?

There have been past mistakes which most of us hope will never be repeated. Even today the Government probably would not be able to prevent a mathematically ignorant farmer cutting down his tree to prove that it was the tallest tree in Australia.
It was within the last 40 years that one of Victoria's richest fossil sites was discovered and destroyed by road building.

I have some personal concerns.

1. Victoria is down to 1% of native grass. On my 7 hectare property I have at least 3 native grasses although the tall spear grass seems to have considerably diminished due to me mowing it (nervous neighbours as it got to 1½ metres), drought and invasion of African veld grass.

2. Now the council has a fire officer who wants all grasses mowed to 10 c.ms. Who will advise me how to preserve the grasses?

3. Ten years ago many koalas had to be removed from the Framlingham State Park as they were starving. This had never occurred before as the koalas had been able to use roadside reserves to find food over a wider area. Will the reviewed native vegetation clearing regulations restore the koalas' food sources along roadsides?

4. Clearing as logging will still be allowed. A charity shop in Orbost has a magnificent counter. It is a slice of a mountain ash. Such a tree was not seen during 2 days driving around Erinundra Park. We did find nasty large patches of blackberry.

5. In the Grampians the only huge red gums I have found are gnarled or have a short trunk below their wondrous canopies.

6. Are Victorian national parks going to follow Tasmania's example and have a sign at car parks pointing to "the big tree"?

7. Will the reviewed regulations request that the Australian Defence Force air wing have the capability to defend national parks from bushfires?

I have heard of bush blocks, some are 40 acres, that councils have allowed to be subdivided but are refusing building permits. These properties have neighbours who have cleared ⅔. The people wanting to build value the bush and want only to clear 1 or 2 acres but putting 38 acres in trust for nature doesn't help. The people are wanting to build on a bush block 2 hours from Melbourne because they can't afford to buy a house in suburban Melbourne.

Yours sincerely