ONLINE SUBMISSION DETAILS	
Date Received	28/03/2017
Organisation	Campaspe Shire Council
Postcode	
How do you think we should improve the FFG Act?	The Campaspe Shire Council welcomes the State Government's initiative to review the Flora and Fauna Guarantee Act 1988 (FFG Act) and appreciates the opportunity to provide comment on proposed changes.

The FFG Act was a milestone for biodiversity conservation in 1988, however it no longer reflects the substantial changes in biodiversity protection over recent years. The Consultation Paper has listed 49 potential improvements to the FFG Act under nine topics as well as changes to the structure of the Act. We provide in general support to the improvements listed in the consultation paper, with particular interest in the improvements regarding habitat protection, regulation, compliance and enforcement and accountability and transparency.

The further comments regarding specific improvements are:

  - Habitat protection – support the increase in the regulatory controls and to be the responsibility of DELWP and not Local Government. Local Government does not have the expertise or resources to become responsible for the management of habitat protection under the Planning Scheme.

  -     Strong support for DELWP to take a more prominent role outside of the landuse planning framework to regulate impacts to biodiversity, regardless of tenure of land. This will increase the opportunity for biodiversity impacts on private land being governed by DELWP and not just the clauses 52.16 and 52.17 of the planning schemes under the Planning and Environment Act 1987.

  -     Adopt the Common Assessment Method – using international standards for classifying conservation status of species will make it easier to understand the threatened species and easier to use one comprehensive list rather than the multiple lists that currently exist.

  -     Support amending regulatory controls for protected flora so that flora subject to commercial harvesting and domestic use is regulated separately to any other categories of declared or threatened flora. This provides opportunities for cottage industries with rare and threatened flora which can be an important economic development for rural areas.

  -     Support for the introduction of a tiered suite of enforcement tools including:

    ~ Infringement notices

    ~ Stop work notices

    ~ Remediation notices

    ~ Enforceable undertakings

To be implemented by DELWP, not to be an additional regulatory response for Local Government through the Planning Scheme or other local government system.

  -     Support the focus of the Act to area-based approach to biodiversity planning rather than the current single species objective which is now considered an outdated practice.

We do not support over reliance on modelled values and mapping. Our experience with this approach to native vegetation regulations has demonstrated that a lack of regard for actual circumstances and conditions increases threats and loss of important habitat can occur.

Compliance and enforcement are areas where the current Act has been ineffective. These matters must be improved and clearly articulated in any changes. There is a |

| | role for various stakeholders however we do not support increasing implementation responsibilities for Local government e.g. via planning schemes. It is essential that the State government takes primary responsibility for delivery, compliance and enforcement.

It is our view that proposed changes to the Act should be tested throughout development against the characteristics of a good regulatory system set out in the Victorian Government's guide to regulation. That is, effectiveness, proportionality, flexibility, transparency, consistency, predictability, cooperation and accountability.

Campaspe Shire Council looks forward to having further input to the Act revision and development of supporting documents. |