

POST/EMAIL SUBMISSION DETAILS	
Date Received	16/01/2017
Name	[REDACTED]
Organisation	Save Tootgarook Swamp
Email	[REDACTED]
Postcode	3940
Privacy Options	I am making this submission on behalf of an organisation, and understand that it may be published and will include the name of the organisation unless otherwise requested
Privacy Statement Correct?	Yes
Privacy Collection Notice Read?	Yes
Submission Type	Environment/Community Group
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	<p>There seems to big improvement over the previous guidelines and structure, logic and reasoning, and we are very happy with the inclusion of wetlands in the guidelines. The renaming of the Location A,B,C is good as it changes the perception of low risk, to information that is to be provided.</p> <p>There are other issues outside the guidelines though are directly linked to them, such as the Victorian Biodiversity Atlas data, and Wetlands delineation. An example such as Boneo Swamp or Tootgarook Swamp (70250) the swamp is larger than the mapped extent by DELWP, Mornington Peninsula Shire and Melbourne Water have stated that the wetland is actually 650Ha (page 28 of 217 figure 2-1 <a href="http://www.savetootgarookswamp.org/uploads/1/7/4/3/17433307/2015_tootgarook_wetland_ramsar_nomination_feasibility_study_m._south_a._costen_bmt_wbm_.pdf">http://www.savetootgarookswamp.org/uploads/1/7/4/3/17433307/2015_tootgarook_wetland_ramsar_nomination_feasibility_study_m._south_a._costen_bmt_wbm_.pdf</a>) compared to 320Ha contained in the Biodiversity Interactive Map. I notice that there is the Victorian Wetland Inventory Edit Tool is there a plan to enable adjusting of the mapped wetland extent?</p> <p>The VBA database is poorly maintained, sluggish, difficult to upload to, and complex. An easy to use web portal or app needs to be developed, it is extremely likely that because of the cumbersomeness of the existing system that data is not being entered.</p> <p>If a threatened species has recently expanded it's range, without an assessment no one knows it is there, if a desktop study is only undertaken no one knows it is there. Ground assessments should not be avoided in areas of likely hood that a species could occur.</p>
Implementation issue with proposed changes?	Yes
Reasons	<p>Dispersed Habitat- Some rare and threatened species, may use dispersed habitat for example Australasian Bittern, though this can be limited within the modeled habitat. VCAT stated the following in a recent case (Watermark Village Pty Ltd v Mornington Peninsula SC [2016] VCAT 1853) in paragraph 73 of VCAT REFERENCE NO. P2704/2015, PERMIT APPLICATION NO. P14/1202 <a href="http://www.austlii.edu.au/au/cases/vic/VCAT/2016/1853.html">http://www.austlii.edu.au/au/cases/vic/VCAT/2016/1853.html</a></p>

	<p>73. This evidence highlights that the Tall Marsh EVC including the area nominated for clearing is critical habitat for the Australasian Bittern and that the subject land is one of three priority habitats, being described as core range and nationally significant critical habitat. The Tall Marsh itself is listed as an endangered EVC in the Gippsland Plain Bioregion. Notwithstanding all of this evidence, the habitat importance map underpinning the NVIM system indicates a range of modelled habitat for the Australasian Bittern to be in the order of one to five million hectares. This range seems contradictory to the evidence before us of limited actual functional habitat for this species and the high priority placed on the Tootgarook Swamp. A failure to recognise the reports of limited available habitat for this species again gives us cause for concern about the modelled level of species specific proportional impacts.</p>
<b>Guidelines – guidance or clarification needed?</b>	Yes
<b>Details</b>	<p>We have been involved with a number of VCAT cases, it seems that on site surveys for fauna are something that is liked to be skipped, by applicants, we have presented data of threatened fauna on site, because it is not contained in the ecological reports of applicants.</p> <p>This concerns us as this happens when threatened species are on site too, as it is not taken into account how minimisation strategies could be developed and occur as part of recommendations for proposal, or the proposal altered, on even aid in the design process of the proposal, essentially ending up with a systematic failure of the three step approach, as there is no Avoid, Minimise is not occurring and Offsets are being skipped to.</p> <p>What ends up occurring is just a likely-hood of occurrence on site from desktop data from the VBA which is not up to date.</p>
<b>Terms to include in guidelines glossary?</b>	Yes
<b>Details</b>	Prefer the previous definition of Avoid – Avoiding removing any native vegetation when undertaking a use or development. This can be either by not permitting or not going ahead with the use or development, or locating it elsewhere so that removing native vegetation is not required.
<b>Subscribe to e-newsletter?</b>	Yes. Please send information updates to my email address
<b>Other comments</b>	
<b>Written submission provided?</b>	