

**Submission from the Victorian Catchment Management Council on  
*Review of the Flora and Fauna Guarantee Act 1988 Consultation Paper*  
released in February 2017**

14 March 2017

Thank you for the opportunity to comment on the *Review of the Flora and Fauna Guarantee Act 1988 Consultation Paper* released in February 2017. In providing this input to the consultation paper, the Victorian Catchment Management Council (Council) focusses on advising on matters relating to the condition and management of land and water resources and integrated catchment management, as described in its functions in *the Catchment and Land Protection Act 1994*.

Council supports the review of the *Flora and Fauna Guarantee Act 1988* as part of the government's broader long term plan to ensure the strong protection of important biodiversity and improving the protection of biodiversity through developing the overarching *Protecting Victoria's Environment – Biodiversity 2036* (Biodiversity Plan), reviewing the *Flora and Fauna Guarantee Act 1988* and the review of the native vegetation clearing regulations.

Council makes the following comments in relation to specific issues identified in a review of this consultation paper.

**Key issues**

**Our Catchments Our Communities Strategy**

As a key part of the initiatives being introduced by the Victorian State Government and the primary statewide integrated catchment management strategy, the *Our Catchments Our Communities - Integrated Catchment Management in Victoria 2016–19* should be integral to this review and listed within the major reforms and initiatives relevant to biodiversity. The *Our Catchments Our Communities* strategy supports and aligns well with the rationale and improvements to the *Flora and Fauna Guarantee Act 1988* outlined in this paper.

**Regional Partnerships, Catchment Management Authorities and collaboration**

The incorporation of regional partners, such as Catchment Management Authorities (CMA) is absent. These statutory authorities are the key partners in the broader catchment management framework and provide integrated and coordinated on ground biodiversity protection through their Regional Catchment Strategies. These strategies are developed as a statutory requirement of the *Catchment and Land Protection Act 1994*, Part 4, Div. 1, Sec. 23, 24 (2) and must assess the land and water resources, assess the nature, causes, extent and severity of land degradation and identify areas for priority attention, and identify objectives for the quality of the land and water resources of the catchments in the region. These strategies,

coordinated by the CMAs on behalf of their regional communities, are inherently linked to the protection of biodiversity and provide a powerful tool to enable integrated landscape or area based biodiversity actions on both public and private land. Substantial federal funding is used by the CMAs to implement actions to address biodiversity priorities identified in their Regional Catchment Strategies.

The review of this Act should enshrine and enhance community relationships and maximise the collaboration of regional bodies. There is an opportunity to build a strong alignment with the existing regionally based CMAs, with their established reputations in project management and successful delivery and in fostering community relationships, to ensure successful outcomes for biodiversity.

Other regional authorities like Parks Victoria have an important role as stewards of biodiversity on public land. This role should also be recognised, to ensure that such stewardship of large parts of the state is not diminished.

### **Species vs habitat approaches**

There appears to be an inconsistent approach to the listing and protection of threatened species, communities and threatening process. Requiring the publication of conservation advice and priority actions for each listing retains the existing approach and is inconsistent with the endorsement of a landscape or critical habitat approach. This review of the *Flora and Fauna Guarantee Act 1988* is an opportunity to streamline the Listing and associated Action Statement processes to provide an integrated, efficient approach to protect endangered species, communities and address threatening process.

### **Independent advice and scrutiny**

Any independent authority that provides advice to the Minister(s) on biodiversity and environmental change will require appropriate skills and resourcing. This may sit well with an existing body like the Victorian Catchment Management Council, to eliminate the need to create a new statutory authority, but careful consideration will be needed to ensure that transitional arrangements are in place and that real value is added to the process.

### **Resources**

Actions that are required to be taken in the reviewed Act must be costed. Secure and substantial resourcing will be critical to ensure that these actions and regulatory controls are established and maintained.

If you wish for clarification on any of these comments, please contact [REDACTED]

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