Baw Baw Shire Council Comments on Native Vegetation Clearing Regulations Consultation Paper

9 May 2016

General Comments

• Baw Baw Shire Council is supportive of the review of the Native Vegetation Clearing Regulations presented in the Consultation Paper.
  
  o The extent of consultation has been good,

  o The 29 proposed improvements areas listed under the six key themes (1. Clearing policy, 2. Permit process and decision making, 3. Biodiversity tools and offset rules, 4. Offset delivery, 5. Exemptions, 6. Compliance & Enforcement) will deliver a much improved regulatory system provided that the forthcoming details on implementation strategy and tools are meaningful, affordable and practical,

  o The concurrent review of the States Biodiversity Strategy and legislation (Protecting Victoria’s Environment –Biodiversity 2036; Flora and Fauna Guarantee Act 1988) with the review of the Regulations is considered invaluable to ensure alignment of strategy, policy and provision objectives,

  o Council continues to support the use of over-the-counter native vegetation offsets schemes with existing management and governance arrangements. It also supports the Consultation Paper’s proposal to require that all third party offsets are registered on the State Native Vegetation Credit Register and meet its standards for securing offsets.

• Private land native forest timber harvesting and application of the clearing regulations has not been addressed within the Discussion Paper. To date, private land native forest permit applications within the Baw Baw Shire have been unsuccessful due to most applications being ranked as high risk and requiring ‘specific’ vegetation offsets. A requirement for permit holders to purchase ‘specific’ vegetation offsets is likely to result in many native forest timber harvesting proposals being unviable due to cost and inability to source the vegetation offsets.

  o Baw Baw Shire Council has met with DELWP Policy Branch to discuss opportunities to address the current limitation imposed by the current clearing regulations. DELWP has indicated that there are opportunities align the requirements for private land native forest timber harvesting with that of public land native forest timber harvesting undertaken by VicForests.

  o Aligning private and Crown land native forest timber harvesting is supported by Council as it will result in outcomes that were achieved under the former Native Vegetation Framework regulations where vegetation offsets were achieved by permit holders through onsite protection of biodiversity values using existing threatened species and communities management prescriptions (identified in Forest Management Plans) and the satisfactory regeneration of the forest using an on-title encumbrance for the life of the regeneration activities.