

28 March 2017

The Manager
Review of the FFG Act
Regulatory Strategy and Design
Department of Environment, Land, Water and Planning
PO Box 500
EAST MELBOURNE VIC 8002

Dear Sir / Madam

Re: Letter in support of Victorian Farmers Federation position on review of the Flora and Fauna Guarantee Act

I am writing to provide Wine Victoria's position on the Victorian Government's current review of the *Flora and Fauna Guarantee Act 1988* (the Act).

With more than 3,000 vineyards and 250,000 hectares of vines across the state it is clear that members of the wine industry are custodians of a significant portion of rural and regional Victoria.

As the lead authority on this issue Wine Victoria supports the Victorian Farmers Federation (VFF) submission in relation to the review in regard to the identified impacts upon private landowners.

In addition to our broad support for the VFF's position, Wine Victoria wishes to specifically draw the government's attention to two key issues:

1. Shared responsibility for achieving biodiversity outcome:

Further requirements on private land should not be prioritised over the proper management of biodiversity by the Crown. Like the VFF, Wine Victoria is concerned about the responsibility being devolved from crown land managers to private landholders to manage biodiversity.

Winemakers and other private landowners already face onerous conservation and biodiversity requirements. These often carry significant cost implications for the landowner. To illustrate: In October 2016, Paringa Estate in Red Hill South faced costs in excess of \$26,000 for the planning, removal and replanting of eleven native trees.

A 'shared responsibility' for achieving biodiversity outcomes should not result in increased responsibility to the private landholder.

2. Declaring critical habitat and threatened species:

Private landholders should not be restrained from performing activities within the reasonable scope of their livelihoods to compensate for the external impacts of climate change and urbanisation on biodiversity.

The proposal to require the Secretary to *'publish and periodically update habitat importance maps for rare and threatened species which would show the locations of important habitats for these species across the state'* (p.56) is supported. This would provide a single point of updated information for our members.

Wine Victoria further supports in principle that these maps *'would be tested and improved through consultation with landowners, the Scientific Advisory Committee and the community'* to inform final declarations of critical habitat. Wine Victoria seeks further clarity on how this would work in practice – including what studies would be conducted as part of that process. The attached case study of the Craiglee vineyard and the impact of the growling grass frog overlay highlights the need for decisions of this nature to be based on robust, scientific data.

In addition, Wine Victoria submits the development of a single, comprehensive list of threatened species and communities in Victoria, which includes nationally threatened species would streamline the current listing process and minimise duplication and/or inconsistencies, but notes that, like the VFF, this is conditional on the strategy not adding quantities of trigger species under the Act.

The following potential changes to the Act are of particular concern to Wine Victoria; namely,

- a) *The retained ability to declare species that are not threatened as 'protected'*. Like the VFF, Wine Victoria submits these declarations must be based on robust, scientific knowledge and would seek further detail on how a species deemed threatened at a national level, but not a state level, would be treated; and
- b) Broadening *'the concept of critical habitat to include areas critical for maintaining ecological processes, such as habitat corridors and climate refuges'* (p.55) is not supported. Like the VFF, Wine Victoria submits that enabling the functioning role of habitats (e.g. water filtration) to become a criterion for protection could have significant adverse effects on private landowners' businesses.

Wine Victoria does not support potential changes (page 50) regarding the establishment of statewide biodiversity targets to *'drive and guide conservation action for species and habitats across public and private land, including by private landowners'*. As stated previously, decisions around conservation action and protection (such as changes to the Act and activities around land management practices associated with planned burns) have wide-reaching implications for winemakers so should be based on robust, scientific data.

As premium, cooler areas of the wine industry continue to expand due to increased demand, it is the view of Wine Victoria that these wine businesses should not face increased regulatory red tape and costs to manage biodiversity requirements. Government support that facilitates productivity and innovation in the wine sector will assist in meeting government objectives for better environment protection and more productive landscapes in rural and regional Victoria.

If you wish to discuss these matters further, please don't hesitate to contact myself or Wine Victoria [REDACTED]

Kind regards,

[REDACTED]
Damien Sheehan
Chair – Wine Victoria

