

POST/EMAIL SUBMISSION DETAILS		
Date Received	08/03/2017	
Name	[REDACTED]	
Organisation	Western Port Biosphere Reserve	
Email	[REDACTED]	
Postcode	3915	
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	Environmental/Community group	
Previous engagement in review?	Info session 2015	Yes
	Workshop 2015/16	Yes
	Targetted consultation	
	SRG	
	Written submission to CP?	
Other? Describe		
Will changes improve function of regs?		
Reasons	We consider the proposed improvements will result in more effective regulation. However, what works for rural areas does not necessarily work for peri-urban areas. See attached for clarification.	
Implementation issue with proposed changes?	Yes	
Reasons	See attached	
Guidelines – guidance or clarification needed?	Yes	
Details	Riparian zones do not appear to qualify under ‘Biodiversity value of Native Vegetation’. These zones are especially important in the peri-urban areas where greater run-off filtering is required and, as they are often the only habitat corridors, they require substantial buffers to provide fauna habitat and genetic transfer.	
Terms to include in guidelines glossary?	No	
Details		
Subscribe to e-newsletter?	Yes. Please send information updates to my email address	
Other comments	See attached submission	
Written submission provided?	Yes – attached	

8TH March 2017

Regulatory Strategy and Design
Department of Environment, Land, Water and Planning
PO Box 500
EAST MELBOURNE VIC 8002

Re: REVIEW OF THE NATIVE VEGETATION CLEARING REGULATIONS

To whom it may concern

The Western Port Biosphere Reserve (WPBR) welcomes the opportunity to respond to the Outcomes report of the Review of the native vegetation clearing regulations, released by the Department of Environment, Land, Water and Planning (DELWP) on Thursday 15th December 2016.

The WPBR includes French Island, the Shires of Mornington Peninsula, Cardinia and Bass Coast and the Cities of Casey and Frankston. It contains a mix of landscapes including national and marine parks, rural agriculture and urban-growth areas. A primary objective of WPBR is to achieve a sustainable balance between the goals of conserving biological diversity, promoting sustainable development, and maintaining associated cultural values.

Given the physical characteristics of the land within the WPBR and our close working relationships with the five municipalities mentioned above, our comments are focused on the more peri-urban areas of the Biosphere region.

We believe the implementation of the proposed improvements will result in more effective regulation of native vegetation clearing and achieve the three stated outcomes. We support the strategic focus on planning and are pleased to note that DELWP will work with councils on promoting compliance over enforcement. We also support the development of new materials to improve understanding of the guidelines and the establishment of a native vegetation regulations advisory group.

However, we are disappointed that the proposed amendments to the Victorian Planning Provisions (VPP) do not include a specific focus on the unnecessary vegetation clearing that is depleting and further fragmenting habitats in peri-urban areas. The following highlight areas where we feel improvements could be made.

We support proposed improvement 5, under Permit and Decision Making, to reduce the low risk-based pathway threshold. We feel strongly, however, that a removal threshold of 0.5 hectares is still too high where relatively small patches of native vegetation have high local significance. For example, removal of 0.4 hectares of locally significant vegetation could still be assessed under a 'basic assessment pathway' which is more likely to result in reduced control on clearing. WPBR recommends that the threshold for higher level application requirements be reduced further to 0.2 hectares.

Similarly, proposed improvement 6, the replacement of the native vegetation location risk map with an updated map of localised habitats is supported in principle. We point out, however, that DELWP's mapping is not always accurate at a property-level scale and it is likely that patches of endangered vegetation may not be mapped. WPBR recommends that the new regulations and supporting documents clearly set out that the Responsible Authority can require a site-based assessment in all cases where it considers the mapping is inaccurate.

Regarding the *Native vegetation clearing - assessment guidelines*, it is very disappointing that there is no specific mention of riparian zones in the discussion of biodiversity value of native vegetation. These zones are especially important in the peri-urban areas where greater run-off filtering is required and as they are often the only habitat corridors, they require substantial buffers to provide fauna habitat and genetic transfer.

Although acknowledging that it is not within the scope of this review, WPBR would also like to emphasise the need for a review of the Planning Permit exemptions of Clause 52.48: Bushfire Protection. The 10/30 rule has resulted in landholders of small parcels of land legally clearing their entire properties, regardless of biodiversity value. The number of landholders using this rule has significantly impacted remaining natural habitat in peri-urban areas and resulted in the needless loss of large trees. This will likely continue unabated if the legislation is not amended.

Thank you for considering our submission.

Yours faithfully

A solid black rectangular box used to redact the signature of the Executive Officer.

Executive Officer