

POST/EMAIL SUBMISSION DETAILS		
Date Received	08/03/2017	
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Privacy Options	I am making this submission on behalf of an <b>organisation</b> , 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	
	Workshop 2015/16	Yes
	Targetted consultation	
	SRG	
	Written submission to CP?	Yes
	Other? Describe	
Will changes improve function of regs?	Yes	
Reasons	Yes, for the most part. We have concerns about the proposal to exempt applications in the Basic Assessment Pathway from the 'avoid' and 'minimise' steps - see separate submission.	
Implementation issue with proposed changes?	No	
Reasons		
Guidelines – guidance or clarification needed?	Yes	
Details	Status of 'Basic' applications with regard to 'avoid' and 'minimise'. Need to rationalise species on DELWP advisory lists with FFG & EPBC Acts - see attached	
Terms to include in guidelines glossary?	No	
Details		
Subscribe to e-newsletter?	Yes. Please send information updates to my email address	
Other comments	See separate submission.	
Written submission provided?	Yes – attached	



## **AUSTRALIAN COASTAL SOCIETY – VICTORIAN CHAPTER**

### **REVIEW OF NATIVE VEGETATION CLEARING REGULATIONS – SUMMARY OF PROPOSED AMENDMENTS TO THE VPP & (Draft) ASSESSMENT GUIDELINES**

ACS VIC appreciates the opportunity to provide comment on the outputs of the review of Native Vegetation Clearing Regulations.

#### **General comments**

ACS VIC is generally strongly in favour of the changes proposed and congratulates the review bodies and the Government on achieving a much stronger framework for protection of native vegetation and biodiversity.

In particular, we support:

- placing a greater emphasis on avoiding native vegetation removal - although we note an apparent inconsistency, discussed below, in the treatment of applications in the Basic assessment pathway
- the stress on the role of strategic planning in avoiding or minimising removal of native vegetation
- updating maps to consider additional values of native vegetation, such as endangered Ecological Vegetation Classes, large trees, sensitive wetlands and coastal sites
- recognising the broader values of native vegetation, such as land stability and erosion control, landscape and cultural values, including Aboriginal cultural heritage and practices
- enabling site assessed information to have a greater role in decision making
- ensuring that offsets must protect large trees when they are permitted to be removed
- enabling increased monitoring and reporting on native vegetation losses and offsets.

#### **Specific comments**

##### *Avoid and minimise in the Basic Assessment Pathway*

The outline of proposed changes to Clauses 52.16 and 52.17 of the Victoria Planning Provisions (VPP) (p.7 of the summary of proposed amendments) reads:

*Updating text under the sub-heading Purpose, as follows:*

*Clarify the native vegetation clearing policy, including the need to apply the three*

*step approach of avoid, minimise and offset. Changes are proposed to the wording of the three step approach to support the objectives for native vegetation management outlined in Clause 12.01-2. In line with changes to the objectives in Clause 12.01-2, references in the three steps to 'significant contribution' and 'Victoria's biodiversity' have been deleted. The avoid and minimise steps are to be considered for all native vegetation that is affected by the proposed land use and/or development. The Assessment guidelines clarify how the avoid and minimise steps are to be considered having regard to the biodiversity and other values of native vegetation. It also clarifies that the approach to achieving no net loss requires consideration of each of the three steps in order.*

There is no mention, either in this section or the detailed proposals for changes to VPP clauses 12.01-1, 12.01-2, 52.16 or 52.17 of a different approach being adopted for applications in the Basic assessment pathway. **However, the draft *Native Vegetation Clearing – Assessment guidelines* state in several places that for applications in the 'Basic' stream, the 'avoid' and 'minimise' steps are not necessary in relation to biodiversity, although they may be required for other values of native vegetation.**

This appears to ACS VIC to be an unfortunate and, indeed, unacceptable approach. Avoiding any clearing of native vegetation may not be feasible in some cases, at least not without costs that are disproportionate to the value of the vegetation, but **applicants should still be required to consider whether their development could be located and designed to retain as much native vegetation as possible.**

#### *Rationalisation of status of species of flora and fauna*

The draft Assessment guidelines, in relation to habitat for rare and threatened species, refer to the Advisory Lists maintained by the Department of Environment, Land, Water and Planning. ACS VIC believes that the status of species on these lists should be rationalised with those listed under the *Flora and Fauna Guarantee Act 1988* (and with those under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*).

#### *Other changes*

ACS VIC notes that there are a number of proposed improvements to the system regulating removal of native vegetation that are still listed in the Outcomes report as 'Ongoing improvements'. **We support continuing work on these measures. In particular, we believe that high priority should be given to developing a Planning Practice Note, in partnership with local government, to support strategic planning for native vegetation retention and management.**

Thank you for the opportunity to comment on the Government's proposals.

  
**President, Victorian Chapter, Australian Coastal Society**

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*A Voice for the Coast*