

Introduction

The Goulburn Broken Local Government Biodiversity Reference Group (GBLGBRG) welcomes the State Government's initiative to review the Flora and Fauna Guarantee Act 1988 and appreciates the opportunity to provide comment on proposed changes.

The GBLGBRG has considerable experience and interest in implementation of biodiversity conservation initiatives and native vegetation regulations. It has operated in the Goulburn Broken Catchment for over ten years with the purpose of fostering continuous improvement in local government and agency responses to native vegetation and biodiversity responsibilities and issues. Partners include environment and planning practitioners from eight LGAs, Goulburn Broken CMA, North-East Region CFA, VicRoads and others.

Comment

Goulburn Broken Local Government Biodiversity Reference Group (GBLGBRG) appreciates the FFG Act was a milestone for biodiversity conservation in 1988, however it no longer reflects the substantial changes, increased understanding, urgent pressure for action and developments in biodiversity protection over recent years. In reality, implementation of the Act has largely failed to adequately contribute to biodiversity conservation.

This review is a great opportunity to update the Act to deal with contemporary and emerging issues. The result must reflect best practice in biodiversity protection, provide clear objectives that can be simply conveyed, achieved and measured.

The GBLGBRG generally supports the proposed objectives, principles and need for the proposed improvements however we would like to see a simpler and clearer summary of the intent, objectives and implementation framework of the proposed Act.

We support a landscape, cross tenure approach to biodiversity conservation that also ensures threatened species survival is adequately addressed. We also support the adoption of a common assessment method which includes using recognised international standards for classifying the conservation status of species and habitats. Development of a comprehensive list under the Act and retiring advisory lists is an important reform.

We do not support over reliance on modelled values, mapping etc. Our experience with this approach to native vegetation regulations has demonstrated that a lack of regard for actual circumstances and conditions increases threats and loss of important habitat can occur.

Compliance and enforcement are areas where the current Act has been ineffective. These matters must be improved and clearly articulated in any changes. There is a role for various stakeholders however we do not support increasing implementation responsibilities for Local government e.g. via planning schemes. It is essential that the State government takes primary responsibility for delivery, compliance and enforcement.

It is our view that proposed changes to the Act should be tested throughout development against the characteristics of a good regulatory system set out in the Victorian Government's guide to regulation. That is, effectiveness, proportionality, flexibility, transparency, consistency, predictability, cooperation and accountability.

Goulburn Broken Local Government Biodiversity Reference Group (GBLGBRG) submission to the Flora and Fauna Guarantee Act 1988 consultation paper, 16 March 2017

The GBLGBRG look forward to having further input as the revised Act and supporting documents are developed.

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Chair GBLGBRG

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