

## Submission to the Review of Native Vegetation Clearing Regulations

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Via email: [nativevegetation.review@delwp.vic.gov.au](mailto:nativevegetation.review@delwp.vic.gov.au)

EEG congratulates this government on its planned improvements to many retrograde changes to environmental laws and regulations under previous governments.

Given that 30% of Victoria's native animals are extinct or threatened with extinction and 44% of our plant species are extinct or threatened with extinction (CSIRO), changes and strong enforcement of clearing regulations is extremely urgent. It is now a grave situation many species and natural environments face due to land clearing, continued logging and planned burning, among others. The very serious impacts from climate change are exacerbating the threats to Victoria's shrinking, original vegetation communities and the species which evolved to rely on them.

EEG believes there must be a **genuine will and determination to increase the areas of the depleted vegetation communities** across the state.

Our comments on the draft regulations are as follows:

- Foremost, the **lack of a functional, up-to-date data base of the state's natural values and species** is a massive barrier to protecting species and communities. The VBA is effectively dysfunction yet it's still being relied on to make decisions on vegetation removal, logging, mining and developments – decisions which can mean additional threats to many fast disappearing species and communities. This is akin to using a broken bucket with many holes in order to carry water to a blaze. If the CFA were to do this it would be an intolerable scandal. Relying on the VBA and other outdated data bases to protect crucial areas is equally as intolerable.
- Recognising, assessing and protecting **remnant vegetation and scattered old trees on a localised level** is crucial. Their value must be

elevated and acknowledged while **protection and enforcement measures strengthened.**

- **Harsher penalties and fines need to be introduced** as in many instances the fines are a cheaper way to clear land than go through the proper channels.
- **Recognising EVCs and communities is also extremely important. Mapping and veg data bases need urgent updating** for an effective protection strategy.
- We would like to see new clearing **regulations written in a very strong, distinct and unambiguous manner.** Where there is any possibility of the regulations being claimed as confusing or vague by those in a position to be inconvenienced by them, it can be guaranteed to be used to avoid compliance. We would welcome clear and strongly worded revisions of all environmental regulations, including these clearing regulations.
- The **'Avoid, Minimise and Offset' approach must have clear definitions and descriptions of when each is to be used.** The loss of ancient Red Gums along the Western Highway last year could have still been lost depending on interpretation of a regulation's wording.
- Far too many government **regulations are rendered worthless** behind a glossy cover and fanfare launch. This is due to many factors: the **loose wording, no accountability** for enforcement, **no funding to properly resource enforcement.** Any improved clearing regulations must also ensure they are effective on the ground and not simply a PR exercise.
- State government **authorities must lead by example;** VicRoads and VicForests being two obvious examples. Local government bodies must also properly weigh up clearing applications. Prioritising vegetation protection over and above development-at-any-cost should be encouraged, possibly financially.
- There must be **almost no exemptions.** The list of situations that would be immune from these regulations is far too long. It provides too many easy loopholes.
- There must be **substantial funding to resource enforcement** of these regulations.
- Those proposing clearing of vegetation can achieve their aims by means other than chainsaws and bulldozers. EEG would **urge the review to also consider the equally destructive effect of arson or poisoning to reduce the conservation values** of an area. This should be viewed as a crime, investigated and where possible, the culprit/s prosecuted.

- It would be **extremely limiting and inadequate to determine the many values a stand of native vegetation holds, by only measuring the threatened species it supports**. Using this measure to determine an area's importance is very poor planning and shows almost no understanding of ecological processes.
- Local government and DELWP are not the appropriate bodies to oversee these regulations. EEG strongly believes vegetation clearing **regulations must be administered by an independent body with no possible conflict of interest**.

We look forward to seeing an effective, independent and well-resourced body to oversee this government's improved and strongly worded native vegetation clearing regulations.

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