

POST/EMAIL SUBMISSION DETAILS	
Date Received	07/03/2017
Name	[REDACTED]
Organisation	City of Casey
Email	[REDACTED]
Postcode	3805
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	Local Government
Previous engagement in review?	Info session 2015
	Workshop 2015/16
	Targetted consultation
	SRG
	Written submission to CP?
	Other? Describe
Will changes improve function of regs?	
Reasons	The proposed changes to the draft assessment guidelines and the VPP will, on the whole, help to strengthen and improve the way the regulations work. One concern is that the proposed changes should focus more on the avoidance of vegetation removal through the planning process. Please refer to the submission materials for more details on this.
Implementation issue with proposed changes?	Yes
Reasons	The City of Casey is currently and will be challenged to achieve offsets as close as possible to the site of loss.
Guidelines – guidance or clarification needed?	Yes
Details	It is critical that a clear decision process is available when refusing an application as decisions often come down to unclear interpretation and professional opinion. It is recommended that Clause 12.01-1 be amended to remove the reference to high biodiversity values to instead cover all biodiversity values.
Terms to include in guidelines glossary?	
Details	
Subscribe to e-newsletter?	Yes. Please send information updates to my email address
Other comments	<p>The current wording of many exemptions contained in Clause 52.17-7 need refining to remove ambiguity and misuse. In particular; emergency works, weeds, planted vegetation and fencing.</p> <p>The Bushfire Exemptions (Clause 52.48) are responsible for possibly the largest loss of native vegetation from private</p>

	<p>property – which is not subject to offsetting or compensating the loss. Native vegetation is removed in many cases in general residential areas – with no genuine risk or threat of bushfire.</p> <p>The City of Casey's submission provides comprehensive details in respects of these questions and other points, please ensure it is referred to.</p>
<b>Written submission provided?</b>	Yes –attached

## Contact City of Casey

03 9705 5200

**NRS:** 133 677 (for the deaf, hearing or speech impaired)

**TIS:** 131 450 (Translating and Interpreting Service)

caseycc@casey.vic.gov.au

PO Box 1000  
Narre Warren VIC 3805

**ABN:** ABN 43 320 295 742  
**Ausdoc:** DX 30460 Berwick

## Customer Service Centres

**Cranbourne** – Cranbourne Park Shopping Centre

**Narre Warren** – Civic Centre, Magid Drive

**Narre Warren South** – Amberly Park Shopping Centre



20 January 2017

Review of the native vegetation clearing regulations  
Regulatory Strategy and design  
Department of Environment, Land, Water and Planning  
PO Box 500  
MELBOURNE VIC 8002

### **Review of the native vegetation clearing regulations**

Dear Sir/Madam,

The City of Casey welcomes the opportunity to provide a submission in response to the proposed amendments to the native vegetation clearing regulations and assessment guidelines.

Council recognises the efforts and insights of the Department of Environment, Land, Water and Planning (DELWP) in reviewing the native vegetation clearing regulations and proposed changes to the Victorian Planning Provisions. Council has been actively involved in reviewing the proposed amendments with a variety of stakeholders that have contributed comment to the development of the LGPro Biodiversity Planners Network's submission.

Council officers are generally supportive of the proposed improvements that will lead to greater clarity and a consistent application of the regulations, while working towards the protection of Victoria's biodiversity values.

Having further considered the review of the native vegetation clearing regulations Outcome Report and the draft Native Vegetation Clearing – Assessment Guidelines, the City of Casey would like to provide the following comments and suggestions for consideration to improve the implementation on the native vegetation clearing regulations.

### **Protection of Biodiversity**

The City of Casey recognises the importance of protecting biodiversity values across the landscape. There is an opportunity as part of the review to focus on all levels of biodiversity not just high biodiversity values. There continues to be fragmentation and isolation of biodiversity values at the local and state level when the focus should be on avoidance and protection of all biodiversity values.

There is an opportunity for the review to focus on the avoidance of vegetation through all aspects of the planning process. It is critical that transparency is achieved to ensuring the first priority of all planning phases is to avoid the loss of vegetation..

It is recommended that consolidated policy guidance is included in a policy section of the State Policy Planning Framework. If this was to occur it would assist practitioners, developers and the general public in the application and guidance on vegetation clearing matters. Clause 12.01-1 could be amended to remove reference to *high* biodiversity values and cover all biodiversity values.

*Recommendation:*

- *Require all applications to avoid vegetation impacts*
- *Review clause 12.01 to reflect all biodiversity values by removing reference to 'high' biodiversity values under the heading Strategies and requiring 'all'*

**Permit and Decision Making**

Council officer's are generally supportive of the proposed improvements as highlighted in the native vegetation clearing regulations Outcome Report. These changes should be further supported by providing additional clarity and direction within the Assessment *Guidelines*

A reduction in the *low* risk pathway threshold is supported. Triggers should be supported by evidence to validate thresholds to support retention of healthy ecosystems. This information should be transparent and justifiable to build existing and proposed mapping programs.

The proposed change to a more highly localized habitat map is a positive step in considering the impacts on endangered ecological vegetation communities, wetlands and coastal areas. It is important to ensure a species habitat is captured and included in the states data base in what needs to be a current and relevant mapping system that is easy to navigate and use.

It is critical that all application pathways address opportunities to avoid vegetation loss through considered design responses. To ensure a consistent application of these principles it is recommended that the guidelines are updated to reflect the assessment criteria.

Refusing an application is often down to interpretation and professional opinion. This can cause issues for consultants and applicants, adding additional cost and time to the project. Clear and direct guidance on when an application should be refused is required in the Assessment Guidelines.

*Recommendations*

- *Improve functionality of the Native Vegetation Information Management tool to allow aerial imagery to be used at a property level*
- *Update the Assessment Guidelines to demonstrate the appropriate decision making process when assessing how an applicant has avoided vegetation removal.*
- *Provide a clear decision process for refusal of applications*

**Exemptions**

The City of Casey acknowledges the importance of including exemptions within the planning scheme. The current wording of exemptions needs to be refined to remove any ambiguity and reduce the instances of inappropriate application. In particular consideration should be given the following exemptions:

- Emergency works
- Weeds
- Planted vegetation
- Farming zones
- Fencing

Tracking of permitted clearing utilising the exemptions requires review of current terminology, processing procedures and support from the State Government to enforce and maintain stronger governance, including establishing an approval process.

*Recommendation:*

- *Provide clarity on the intended use of exemptions*
- *Review exemptions and the potential impact due to loss of biodiversity values*
- *Develop a centralized reporting and monitoring process to capture vegetation loss through non permitted clearing and application of exemptions.*

## **Offsets**

Another significant challenge faced by Casey is to achieve offsets as close as possible to site of loss. At a local level this is leading to a significant reduction in vegetation cover within the municipality.

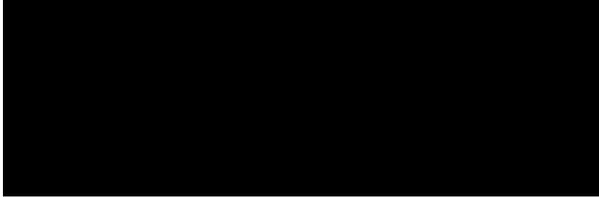
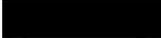
In 2008 it was identified that only 7% of native vegetation was present in the City of Casey. Under the previous native vegetation regulations, the 'Net Gain' approach allowed Council to undertake revegetation management to compensate for the loss of flora within the municipality. During this time Council were able to increase indigenous canopy coverage across the municipality.

Supporting the reintroduction of recruitment and localised offsets will assist Casey to achieve great biodiversity outcomes. Council would be supportive of this principle being reintroduced for all general offsets.

*Recommendation:*

- *Reintroduce recruitment only options for all general offsets*
- *Require intermediate and detailed offsets to be achieved within the municipal boundary or adjoining municipality*
- *Develop a process to achieve specific offsets for sensitive, coastal or endangered Ecological Vegetation Communities*

Thank you for considering the comments and suggestions provided by Council officers, Should you have any questions please contact Council's Team Leader Environment and Heritage on 97055200

  
  
Manager City Planning