

GEELONG GROWTH AREAS STRATEGIC ASSESSMENT



FREQUENTLY ASKED QUESTIONS

What is the Part 10 Strategic Assessment?

The Part 10 Strategic Assessment is an approval pathway under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), which allows for the consideration of multiple Matters of National Environmental Significance (MNES) and/or cumulative impacts to MNES.

It has the capacity to achieve better outcomes for the environment and development through strategic planning across a broader area. Upfront consideration of environmental values and development goals allows for an overarching design and implementation plan which ensures environmental values can be protected and managed in the long-term.

Further information on Strategic Assessments under the EPBC Act can be found here:

<https://www.dcceew.gov.au/environment/epbc/approvals/strategic-assessments>

What are Matters of National Environmental Significance?

The EPBC Act makes sure that 'nationally significant' animals, plants, habitats and places are identified, and any potential negative impacts on them are carefully considered before changes in land use or new developments are approved.

There are nine MNES that come under the EPBC Act:

1. world heritage properties
2. national heritage places
3. wetlands of international importance (listed under the Ramsar Convention)
4. listed threatened species and ecological communities
5. migratory species protected under international agreements
6. Commonwealth marine areas
7. Great Barrier Reef Marine Park
8. nuclear actions (including uranium mines)
9. a water resource, in relation to coal seam gas development and large coal mining development.

Why is the City of Greater Geelong undertaking a Part 10 Strategic Assessment?

The City of the Greater Geelong (the City) has held detailed discussions on the assessment pathways with the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) and the Victorian Department of Energy, Environment and Climate Action (DEECA).

Through these discussions, it was collectively agreed that, based on the scale and complexity of the Northern and Western Geelong Growth Areas (NWGGA) project, the Part 10 Strategic Assessment process provides the best outcomes for the environmental values and stakeholder interests, as well as offering time and administrative efficiencies.

Multiple MNES have been recorded within the assessment area. The Part 10 Strategic Assessment process enables a coordinated approach to understanding the cumulative impacts that may be posed by development.

The Strategic Assessment also allows the City to provide greater certainty to all stakeholders over future development. The City is working closely with DEECA to ensure state processes are run in alignment with the federal approvals.

What is the process for a Part 10 Strategic Assessment?

Following exhibition and finalisation of the Terms of Reference in early 2022, the City has been preparing the draft EPBC Plan and Strategic Assessment Report. The EPBC Plan outlines how the City will approach MNES through conservation management actions and offsets.

Under the EPBC Act, the City is required to exhibit the draft EPBC Plan and Strategic Assessment Report for public comment prior to their finalisation. Once the documents have been finalised, they will be submitted to DAWE for the formal assessment. If approved, the City will then have a series of conditions and requirements which must be met to enable development to commence.

What are the Terms of Reference?

The Terms of Reference provide a framework for how the Strategic Assessment documents will be developed and implemented. While the EPBC Act outlines the requirements for the Strategic Assessment, the Terms of Reference reflect the specific requirements of this assessment.

Are there opportunities for comment?

Yes, there are two formal opportunities for public comment during the Strategic Assessment process.

Public consultation was held on the draft Terms of Reference in early 2022. This process was managed by DCCEEW. Further information can be found on DCCEEW's website:

<https://www.dcceew.gov.au/environment/epbc/approvals/strategic-assessments/geelong-growth-areas>

Following preparation of the draft Strategic Assessment documents, a public exhibition process will be managed by the City for a period of approximately two months. Comments received during this period will be reviewed and considered in the final Strategic Assessment documents.

Where does the mapped information come from?

The City undertook multiple years of on-ground assessments within the Northern and Western Geelong Growth Areas (NWGGA) to determine environmental values and the extent of native vegetation.

For the assessed properties, a report has been prepared and is being used as the basis for the state and federal government approvals. The report has been reviewed by DEECA and DCCEEW to ensure the assessment have met the required state and federal assessment guidelines.

Unsurveyed properties generally include small, fragmented rural residential with a higher percentage of land use for dwellings and driveways. The environment within these unsurveyed areas tends to be more modified or degraded as a result.

The baseline dataset used to provide an indication of potential habitat for threatened species within these unsurveyed areas was developed using over-the-fence observations, historical species records and Habitat Importance Models (HIMs) and EVC modelling.

What do the different areas on the map mean?

The advertised map shows the full scope of the project including the development areas outlined in the Framework Plan, as well as the area needed to upgrade services and roads. The area shown on the map is broader than the project area to allow us to consider direct and indirect impacts to MNES from the project.

Key Development Area – The areas nominated for development under the NWGGA Framework Plan C395.

Transport – Known and potential road upgrades that fall outside of the Key Development Area.

Strategic Assessment Area – the area which needs to be considered under the Part 10 Strategic Assessment which includes all development and associated infrastructure.

Water and Infrastructure – The investigation area for potential upgrades or new alignment for services such as water and electricity, and managing

How are state matters being considered?

The City committed to developing a Biodiversity Conservation Strategy (BCS) as part of the Framework Plan which recently went through a Planning Scheme Amendment (C395). The BCS will be a holistic document which identifies how environmental values will be linked to local, regional, state, and federal plans and policies and will include waterways, and how new communities will incorporate biodiversity through detailed precinct planning.

The BCS will give guidance on environmental matters for any Precinct Structure Plans (PSP) and Native Vegetation Precinct Plans (NVPP) developed for NWGGA. A NVPP provides for the strategic management of native vegetation for a defined area or precinct. A NVPP is established via a planning scheme amendment that incorporates the plan and lists it in the schedule to Clause 52.16.

The State Planning Policy Framework (SPPF) outlines Victoria's policy objectives and strategies relating to the protection and management of native vegetation. Specifically, the following clauses give policy context and inform decision making:

- 12.01 Biodiversity
- 12.04 Significant environment and landscapes
- 13.03 Soil degradation
- 13.05 Bushfire
- 14.02 Water
- 15.03 Heritage (includes Aboriginal cultural heritage)

How does the Strategic Assessment account for the recent rediscovery of the Victorian Grassland Earless Dragon (*Tympanocryptis pinguicolla*)?

An announcement was made in June 2023 about the significant rediscovery of the Victorian Grassland Earless Dragon (VGED). The VGED was previously thought to be extinct, with the last recorded sighting in Victoria in 1969. Updated conservation advice and habitat modelling from DCCEEW notes that the species or species habitat is known or likely to occur within NWGGA.

Consistent with other projects across Victoria, the baseline dataset for the Strategic Assessment recognised that the growth areas support general habitat features preferred by the VGED but did not include targeted surveys, as the species was presumed to be extinct at the time.

The City has also been working with regulators to address gaps and hopes to progress with a targeted surveying effort in summer 2023/24. The final Strategic Assessment documents will respond to the outcomes of this targeted surveying.

What offsets are likely to be required?

Through the detailed ecological assessments, the City has identified areas of native vegetation and threatened species habitat. If any of these areas are proposed for removal through the planning process, the loss will be required to be offset in accordance with the relevant state and/or federal policy requirements. At a state level, general offsets and species offsets may be required.

Through the Part 10 Strategic Assessment the City will develop an Offset Strategy which will outline the commitments and requirements for meeting the federal offsets dependent on the proposed impacts to MNES.

Is it illegal to remove native vegetation?

In Victoria, a permit under the Planning and Environment Act (1987) is generally required from your local Council to remove native vegetation, including native grasslands.

Grasslands and some other endangered vegetation types are also protected under the Commonwealth EPBC Act. Failure to obtain necessary permits can incur heavy penalties.

Please refer to the DEECA Native Vegetation webpage for further information on Victoria's native vegetation:
<https://www.environment.vic.gov.au/native-vegetation/native-vegetation>

What if I want make changes to my property now?

If you are looking to make changes to your property prior to development, a planning permit may be required. Please refer to the below website to get more information about planning permits, when a planning permit is required, and the application process:

<https://www.geelongaustralia.com.au/planning/permit/default.aspx>

Consideration may also need to be given to potential approval requirements under the EPBC Act if known or potential values occur on your land. Please refer to the below EPBC Act website for more information:

<https://www.dcceew.gov.au/environment/epbc/do-you-need-approval>

Glossary

Extent of native vegetation – The area of land covered by a patch and/or a scattered tree, measured in hectares.

General offset – An offset requirement specified in general habitat units to compensate for the biodiversity loss from native vegetation removal.

Native vegetation – Native vegetation is defined in Clause 72 of the Victoria Planning Provisions and all local planning schemes as 'plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses

Planning permit – A planning permit is a legal document that gives permission for a use, development or subdivision on a piece of land.

Species offset – An offset requirement specified in species habitat units to compensate for the impact on a rare or threatened species habitat from native vegetation removal.

References

City of Greater Geelong – Planning Permits

<https://www.geelongaustralia.com.au/planning/permit/default.aspx>

DCCEEW – What does the EPBC Act protect?

<https://www.dcceew.gov.au/environment/epbc/our-role/what-is-protected>

DEECA – Guidelines for the removal, destruction or lopping of native vegetation (2017)

https://www.environment.vic.gov.au/_data/assets/pdf_file/0021/91146/Guidelines-for-the-removal,-destruction-or-lopping-of-native-vegetation,-2017.pdf

DEECA – Time-stamping native vegetation data (2011)

https://www.vgls.vic.gov.au/client/en_AU/search/asset/1147282/