

28 October 2024

The Hon. Sonya Kilkenny  
Minister for Planning  
Level 20, 1 Spring Street  
Melbourne VIC 3000  
By email: [sonya.kilkenny@parliament.vic.gov.au](mailto:sonya.kilkenny@parliament.vic.gov.au)

Dear Minister Kilkenny,

Thank you for meeting with the Victorian Greenhouse Alliances (VGAs) on 5 September 2024. As we discussed then, we believe there are strong opportunities for the Alliances and our member councils to work with you and the Victorian Government to operationalise key joint objectives to reform Victoria's planning system for a safe climate and resilient communities.

In response to your request, we invite you to consider the key outcomes outlined below, which the Alliances recommend should be actioned through Plan for Victoria in the first two years of the plan. Our recommendations are drawn from the award-winning report, *Climate Change and Planning in Victoria (CCPV)*. This report was authored for the Alliances (VGAs and the Council Alliance for a Sustainable Built Environment – CASBE) in 2021 by Hansen Partnership in consultation with over 30 council planning and elected local government professionals, making the recommendations fully ground-truthed and relevant to today's sustainable Victorian planning environment.

### **Foundation Outcome: Establish a regular Planning and Sustainability Engagement Forum with VGAs and CASBE**

We recognise that achieving key outcomes will require strong leadership and strategic guidance from the Victorian Government, and implementation guidance from all levels of government. Planning needs to be done differently to mitigate and adapt to the impacts of climate change, and we believe that councils can and should be meaningfully engaged to develop responses to these complex issues. Accordingly, we propose that a formal engagement forum be established, comprising councillors representing the Alliances, yourself and key Government decision-makers. These forums should be held regularly to ensure that important live issues are brought to your attention in a timely manner, that councillors are informed to converse articulately about state and local governments' shared priorities and that the outcomes below are negotiated with maximum effectiveness and speed.

Our recommended action outcomes are as follows:

### **Action outcome 1: Authorise for exhibition the Elevating ESD Targets Amendment, and Gazette Stage 2 of the Victorian ESD Roadmap as soon as possible.**

These approvals are essential because of the fundamental role the Planning Scheme plays in guiding decision-makers and its weight as statutory law. The planning scheme amendment would allow councils to continue to demonstrate leadership in climate action. This outcome was identified in CCPV as a priority initiative as follows:

*Initiative 25 (CCPV). Include a Particular Provision/s that articulates mandatory minimum standards of Environmentally Sustainable Design in key areas such as energy efficiency, green infrastructure, electric vehicle readiness, etc.*



## **Action outcome 2: Support councils to administer monitoring, compliance and enforcement in the delivery of ESD related actions, and in the protection of existing natural urban and regional assets.**

One of the most challenging aspects of the planning system for councils is that, once a permit has been issued, there is generally very little monitoring or enforcement due in great part to a lack of resources. Ultimately, this means that ESD potential is often not translated into practice. As highlighted in the 2022 VAGO report, *Offsetting Native Vegetation Loss on Private Land*, lack of investment in monitoring and enforcement is also contributing to unsustainable rates of biodiversity and vegetation loss from clearing on private land. The CCPV identified a number of potential initiatives to support positive change in this area:

*Initiative 41 (CCPV). Improve post-approval monitoring and review processes in relation to Environmentally Sustainable Design (ESD) outcomes.*

*Initiative 40 (CCPV). Work with [DTP] and the Victorian Civil and Administrative Tribunal (VCAT) to provide information or training for VCAT Planning & Environment List members on their role in delivering climate responsive outcomes.*

*Initiative 28 (CCPV). Review and identify opportunities for greater recognition of relevant State policy in areas such as biodiversity to be represented spatially through Regional Growth Plans and to be specifically referenced as relevant regional policy (e.g. Protecting Victoria's Environment – Biodiversity 2037 – "Identify future reserve system priorities through strategic land-use planning").*

*Initiative 29 (CCPV). Support the identification of key habitat corridors as part of regional planning processes to ensure these are recognised and mapped within relevant Planning Schemes to support decision-makers.*

## **Action outcome 3: Produce statewide guidelines for the incorporation of climate data into planning amendments, as well as training for council officers and councillors.**

These actions are important to ensure that the planning scheme and its application of controls are consistent with the scientific evidence base and best practice. This outcome was identified in CCPV as through a number of priority initiatives as follows:*Initiative 14 (CCPV): Update all references to benchmarks to reflect a 100-year cycle (e.g. rather than plan for 2100, plan for 2125) and update relevant interim benchmarks (2040 to 2070).*

*Initiative 37 (CCPV). Update all coastal inundation data to align with scientific projections contained in the Sixth Assessment Report prepared by the Intergovernmental Panel on Climate Change (IPCC), having regard for any local variations identified through relevant Local Coastal Hazard Assessments.*

*Initiative 39 (CCPV). Undertake a Statewide review and update of all relevant flood mapping to align with the most recent Rainfall & Runoff projections prepared by the CSIRO and which reflect anticipated patterns of rainfall as a result of climate change.*

## **Action outcome 4: Produce policies to (a) provide direction and transition/retreat options for transition away from and prevention of development in high-risk areas impacted by climate-related hazards including sea level rise, flooding and bushfires, and (b) maintain productive land into the future.**

Unsustainable settlement patterns must be arrested and transformed in existing, growth and greenfield areas across Victoria. This does require a long view of planning for Victoria, and resistance by entrenched interests will need to be addressed, but a united approach with local government is achievable. It is important that the State support councils to support and work with communities on a just transition and retreat, where that is necessary. The CCPV report identified a number of initiatives on how the planning scheme can support resilience and transition.



*Initiative 7 (CCPV). Establish principles, processes and the most appropriate mechanisms (i.e Public Acquisition Overlay, land swap) to ensure there is a sound basis for equitable and strategic relocation in areas of unmitigated risk, and to allow this process to begin early.*

*Initiative 13 (CCPV). Include a specific strategy to avoid new development in areas subject to coastal hazards at Clause 11.03-4S Coastal settlement (as per Clause 13.02).*

*Initiative 15 (CCPV). Identify and protect agricultural land that will remain highly productive under climate change scenarios in relevant regional plans and associated policy and mapping at Clause 14.01.*

*Initiative 30 (CCPV). Advocate for the creation of new Planning Overlay to address coastal erosion and application of the Overlay to affected land.*

*Initiative 31 (CCPV). Undertake further updates to the Land Subject to Inundation Overlay and the Floodway Overlay to ensure they are fit for purpose in guiding planning decisions in areas subject to coastal hazards.*

*Initiative 33 (CCPV). Update Victorian Planning Provisions to include land use triggers for sensitive uses in flood prone areas*

### **Victorian Greenhouse Alliances, CASBE and contacts**

- Barwon South-West Climate Alliance (BSWCA), Sue Phillips, Executive Officer, [sue.phillips@bswca.org](mailto:sue.phillips@bswca.org)
  - City of Greater Geelong
  - Golden Plains Shire
  - Surf Coast Shire
  - Borough of Queenscliffe
  - Colac Otway Shire
  - Warrnambool City Council
  
- Central Victorian Greenhouse Alliance (CVGA), Annika Kearton, Chief Executive Officer, [ceo@cvga.org.au](mailto:ceo@cvga.org.au)
  - Ararat Rural City Council
  - Ballarat City Council
  - Buloke Shire Council
  - Central Goldfields Shire Council
  - Gannawarra Shire Council
  - Greater Bendigo City Council
  - Hepburn Shire Council
  - Loddon Shire Council
  - Macedon Ranges Shire Council
  - Mildura Rural City Council
  - Mount Alexander Shire Council
  - Pyrenees Shire Council
  - Swan Hill Rural City Council
  
- Eastern Alliance for Greenhouse Action (EAGA), Scott McKenry, Executive Officer, [scott.mckenry@maroondah.vic.gov.au](mailto:scott.mckenry@maroondah.vic.gov.au)
  - City of Boroondara



- Glen Eira City Council
- City of Knox
- Maroondah City Council
- Monash City Council
- Stonnington City Council
- Whitehorse City Council
- Yarra Ranges Council
- Gippsland Alliance for Climate Action (GACA), Tiffany Harrison, Coordinator, [tiffany.harrison@gccn.org.au](mailto:tiffany.harrison@gccn.org.au)
  - Baw Baw Shire Council
  - East Gippsland Shire Council
  - Latrobe City Council
  - South Gippsland Shire Council
  - Wellington Shire Council
- Goulburn Murray Climate Alliance (GMCA), Carole Hammond, Executive Officer, [eo@gmca.org.au](mailto:eo@gmca.org.au)
  - Alpine Shire Council
  - Benalla Rural City Council
  - Campaspe Shire Council
  - Greater Shepparton City Council
  - Indigo Shire Council
  - Mansfield Shire Council
  - Mitchell Shire Council
  - Moira Shire Council
  - Murrindindi Shire Council
  - Towong Shire Council
  - Strathbogie Shire Council
  - Wangaratta Rural City Council
  - Wodonga City Council
  - Alpine Resorts Victoria
  - Goulburn Broken Catchment Management Authority
  - North East Catchment Management Authority
- Northern Alliance for Greenhouse Action (NAGA), Dean Thomson, Executive Officer, [dean@naga.org.au](mailto:dean@naga.org.au)
  - Banyule City Council
  - City of Darebin
  - Hume City Council
  - Manningham City Council
  - City of Melbourne
  - Merri-bek City Council
  - Nillumbik Shire Council
  - City of Whittlesea
  - City of Yarra
- South East Councils Climate Change Alliance (SECCCA), Helen Steel, Chief Executive Officer, [hsteel@seccca.org.au](mailto:hsteel@seccca.org.au)
  - Bass Coast Shire Council



- Bayside City Council
- Cardinia Shire Council
- City of Casey
- Greater Dandenong City Council
- Mornington Peninsula Shire Council
- City of Kingston
- City of Port Phillip
- Western Alliance for Greenhouse Action (WAGA) Fran MacDonald, Executive Officer, [franm@brimbank.vic.gov.au](mailto:franm@brimbank.vic.gov.au)
  - Brimbank City Council
  - Maribyrnong City Council
  - Hobsons Bay City Council
  - Melton City Council
  - Moonee Valley City Council
  - Moorabool Shire Council
  - Wyndham City Council
- Council Alliance for a Sustainable Built Environment (CASBE) Natasha Palich, Executive Officer, [NPalich@mav.asn.au](mailto:NPalich@mav.asn.au)
  - City of Ballarat
  - Banyule City Council
  - Bass Coast Shire Council
  - Bayside City Council
  - City of Boroondara
  - Brimbank City Council
  - Cardinia Shire Council
  - City of Darebin
  - East Gippsland Shire Council
  - Frankston City Council
  - City of Glen Eira
  - City of Greater Bendigo
  - Greater Dandenong City Council
  - City of Greater Geelong
  - Hepburn Shire Council
  - Hobsons Bay City Council
  - Hume City Council
  - Indigo Shire Council
  - City of Kingston
  - Knox City Council
  - Manningham City Council
  - Maribyrnong City Council
  - Maroondah City Council
  - City of Melbourne
  - City of Melton
  - Merri-bek City Council
  - Mitchell Shire Council
  - City of Monash
  - City of Moonee Valley



- Mornington Peninsula Shire Council
- Mount Alexander Shire Council
- Murrindindi Shire Council
- City of Port Phillip
- Stonnington City Council
- Strathbogie Shire Council
- Warrnambool City Council
- Whitehorse City Council
- City of Whittlesea
- City of Wodonga
- Wyndham City Council
- City of Yarra
- Yarra Ranges Council

*This letter has been approved by the Alliance officers but has not have been formally considered by individual Alliance members. The submission does not necessarily represent the views of all members.*

