

1.5 ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT (ESD) MEMBERSHIPS AND POLICY DEVELOPMENT TOWARDS CARBON NEUTRAL IN PLANNING SCHEMES PROJECT

(NS:SH:PP:OM: F17-1442)

Responsible Director: Peter Panagakos

RECOMMENDATION

That Council:

1. *Resolves to continue membership of the Council Alliance for a Sustainable Built Environment (CASBE) through signing a three year Memorandum of Understanding with the Municipal Association of Victoria (MAV).*
2. *Delegates authority to the Chief Executive Officer to sign the Memorandum of Understanding to formalise the membership over its three year term.*
3. *Notes that becoming a member of CASBE will enable Council access to the Built Environment Sustainability Scorecard (BESS) tool to enable Environmentally Sustainable Design assessments of planning applications, in compliance with the Environmentally Sustainable Development Policy of the Monash Planning Scheme.*
4. *That officers write to the Moreland City Council to advise that Monash City Council supports their initiative in undertaking of Stage 2 revision of the Environmental Development Policy (ESD2.0), to address and achieve zero carbon (carbon neutrality impacts) in the planning scheme and look forward to being informed of its progress but is unable at this time to actively collaborate through either financial or resource support.*
5. *That officers update Council of the progress of the project through the Environmental Advisory Committee.*

INTRODUCTION

The purpose of this report is to address three matters related to environmentally sustainable development in Monash.

1. enter into a new three year Memorandum of Understanding (MoU) with the Municipal Association of Victoria (MAV) for membership of the Council Alliance for a Sustainable Built Environment (CASBE)

2. membership will allow Council access to the Built Environment Sustainability Scorecard (BESS) tool, an assessment tool for planning developments
3. respond to a request to partner with Moreland City Council to create version 2 of the Environmental Development Policy (ESD2.0)

BACKGROUND

On 29 September 2016, the Minister for Planning approved Amendment C113 to the Monash Planning Scheme which introduced an Environmentally Sustainable Development (ESD) Policy. The policy requires certain types of planning applications to be accompanied by information which demonstrates how relevant ESD policy objectives will be achieved within the development proposed.

The Policy states that an ESD assessment must be submitted with a residential development of 3 or more dwellings; and non-residential developments of more than 500 square metres of floor area. The degree of information intensifies as the development scale increases. CASBE has collaborated with over 22 council members to successfully have this policy in place, using the CASBE template.

At the 27 June 2017 Council meeting, Council resolved to become a member of CASBE and entered a 3 year MoU with the MAV. The MoU expires on 30 June 2020 and a new MoU needs to be entered into to continue the membership from 2020-2023 (Attachment A). Access to the BESS tool, is only available through CASBE membership. This is most relevant for the assessment of 3 or more dwelling developments which is approximately a third of multi-dwelling planning applications received.

Moreland City Council has approached CASBE council members to provide an update on the progress on creating version 2.0 of the Environmental Sustainable Development (ESD) Local Planning Policy, which includes actions to encourage carbon neutrality in the planning scheme. It has also invited member councils to participate in the development of the ESD 2.0. (Attachment B)

DISCUSSION

CASBE membership and access to the BESS assessment tool

The ESD Policy requires that applicants complete an ESD assessment using suitable assessment tools, or an appropriate alternative assessment method to demonstrate that their development has the design potential to achieve the relevant environmental performance outcomes.

BESS is an online tool that supports planners to undertake a consistent approach to assessment, and is listed as an example tool in the policy. In order to gain access to BESS, Council is required to sign a three year MoU

with the MAV to become a member of CASBE (2020-2023). Benefits of CASBE membership can be found in Attachment C, and BESS features are described in Attachment D.

The CASBE network provides the opportunity for planners to share and learn from other councils in regard to implementing the ESD policy. The membership therefore provides professional development opportunities for the planning unit. Membership with CASBE also provides the benefit of access to training on the modules of BESS, STORM (a calculator used to design small residential, commercial and industrial developments, ensuring they achieve the stormwater treatment objectives required by state and local government planning provisions) and other relevant assessment tools.

To date, training has been provided to the planning unit on the BESS tool by Organica. Online access is also available to refresh skills and for those joining the planning unit. Free training offered by CASBE is also available to members.

It would be reasonable to say that planners have adequate skill in how to use the BESS tool to assess ESD components of an application and accordingly there is a benefit in continuing access to this tool.

Moreland City Council invitation to member councils to participate in the development of the ESD 2.0.

Moreland City Council is a lead council of the ESD policy development. In August 2018, Moreland passed a motion to update the policy to incorporate a zero carbon (carbon neutral) commitment in their planning scheme to address climate change, and approached CASBE members to support the development of ESD Version 2.0 (ESD2.0). Moreland considers the “increasing impacts of climate change, the urban heat island effect, waste crisis and growing energy poverty challenge has necessitated a need to re-establish a baseline for new development to help mitigate these environmental threats”.

In June 2019, Moreland City Council commenced Stage 1 of the ESD2.0 project. Key elements included advising DELWP of the plan to update the policy, establishing a working group with CASBE officers and interested Councils, engaging specialist consultants to investigate standards related to Renewable Energy and Low Emission Vehicles, and working with DEWLP to align State and Local ESD agendas. The outcomes of the specialist consultants’ investigations are expected at the end of July, with a report anticipated to go to the Moreland City Council meeting in September 2020 with an update on the project.

Stage 2 of the project will see the exploration of ESD standards relating to Waste, Circular Economy and Green Infrastructure for Roofs. It is anticipated that it will commence within the next 3 months.

Moreland City Council has written to each CASBE member inviting them to collaborate in the development of version 2.0 of the ESD Policy (ESD 2.0), which can be a template for all members to adopt. Completion of ESD 2.0 will take up to 18 months and will need dedicated resources and support of expert consultants.

Moreland City Council would like to formally collaborate with interested members in the development of this new ESD 2.0 policy, which could include a MoU.

To date, Council's sustainability unit has been monitoring Moreland's progress and the Environmental Advisory Committee has formed a working group to discuss the feasibility of implementing a similar model here at Monash when information becomes available.

Considerations

Access to the BESS tool is considered critical to the assessment of ESD performance in planning applications. Access to the tool is only available through CASBE. It is necessary that membership is renewed as applications of 3-9 dwellings that use BESS as an assessment tool are about a third of the applications received each year.

The work that Moreland City Council is undertaking fills a gap in policy within the Victorian planning system. It is disappointing that DELWP have not committed to doing this work and implementing a State-wide amendment. The same challenge was faced by the group of six Councils who initially pursued the current policy. CASBE was also unsuccessful in recent discussions with DELWP for a review of the current policy.

Stage 2 of the project will explore ESD standards relating to Waste, Circular Economy and Green Infrastructure for Roofs. The intent of the new policy is to 'raise the bar' for developments subject to the planning policy. Moreland City Council, as a lead council in ESD, has significantly more resources to achieve their objective. It has dedicated ESD officers to undertake internal referral assessment of planning applications; attend meetings with developers; and assist developers suggesting methods to gain a better environmental performance of a proposed development. They also have the skill, knowledge and resources to undertake pro-active inspections during construction. Unfortunately Monash does not have the same available capacity or depth of support. To this end, it is acknowledged that Monash is not as progressed.

POLICY IMPLICATIONS

CASBE membership and access to the BESS assessment tool

The Environmentally Sustainable Development Policy is integral to the assessment of planning applications for certain types of development.

Introduction of the Policy into the Monash Planning Scheme has imposed upon applicants the requirement to submit an ESD assessment and for Council officers to assess. Membership of the CASBE network and access to the BESS tool particularly, will continue to support a consistent approach to assessment and reduce the risk of not satisfying the Monash Planning Scheme, for both applicants and officers alike.

Moreland City Council invitation to member councils to participate in the development of the ESD 2.0.

The development of a new ESD policy project aligns with the Environmental Sustainability Strategy 2016-2026 and Councillor's commitment in February 2020, to become Carbon Neutral by 2025.

The requirements of the prepared ESD policy could be considered by Monash. If it was decided to adopt the changes, the current Environmental Sustainable Development Policy at Clause 22.13 of the Monash Planning Scheme would need to be updated to include the requirements. This would require a formal planning scheme amendment process. Previously Councils combined and exhibited one amendment to many schemes, which again may be considered for this updated policy.

At this time more benefit would be gained to monitor progress and brief Council on the project rather than to actively collaborate with Moreland City Council through either financial or resource support.

SOCIAL IMPLICATIONS

This report will not result in any identified environmental, economic or social impacts. However it will have a long term benefit to the environment and the community through awareness and application of current policy and assessment tools.

HUMAN RIGHTS CONSIDERATIONS

All matters relevant to the Charter of Human Rights and Responsibilities have been considered in the preparation of this report and are consistent with the standards set by the Charter.

The Charter of Human Rights and Responsibilities has been considered in the preparation of this report but is not relevant to the content of the report. It is considered there will not be any human rights implications with the proposal.

CONSULTATION

Internal consultation was undertaken in the consideration of this report.

FINANCIAL IMPLICATIONS

There are costs associated with CASBE membership, and access to the online tool BESS attracts an annual subscription fee. Funding for CASBE membership has been allowed for in the Statutory Planning and Sustainability Budgets for financial years 2020/21, 2021/22 and 2022/23, as it delivers on a strategic objective of the Council Plan 2017-21.

The table below outlines the 3 year financial commitment to CASBE and BESS access. It is considered that these two elements are critical at a minimum to support the assessment of planning applications where BESS is the primary tool. BESS can only be accessed with a CASBE membership.

| Funding | | | | |
|---------------------------------|------------------|------------------|------------------|------------------|
| | 2019/20 | 2020/21 | 2021/22 | 2022/23 |
| CASBE membership | \$6,000 | \$7,000 | \$8,000 | \$8,000 |
| BESS license | \$7,500 | \$9,000 | \$10,000 | \$10,000 |
| Total Annual Expenditure | \$ 13,500 | \$ 16,000 | \$ 18,000 | \$ 18,000 |

The planning unit relies on CASBE and other planning related organisations, and Organica online training in the BESS tool. Associated costs are currently accounted for within existing budgets.

Moreland City Council has requested that consideration be given to Council providing either financial support to Stage 2 of the project or through other resources. While not to underplay the importance of this work, as Monash is less advanced in application of the current ESD policy we do not see any priority need to redirect current budget commitments for strategic planning projects to this initiative.

Further, if additional money were available to progress ESD policy implementation then additional training and/or support within the planning unit would present a better investment. For example, support of a specialist ESD contractor to support the assessment of applications and verify that the ESD policy is being adhered could be more effective at this time. This would also establish a better base in which to understand and be ready for the outcomes of the recommendations of an updated policy.

It is therefore considered more beneficial for Monash to monitor progress of the policy development and brief Council on the project through Council's Sustainable Monash Unit and the Environmental Advisory Committee.

CONCLUSION / RECOMMENDATION

To comply with the requirements of Clause 22.13, Environmentally Sustainable Development Policy, planning applicants require access to

relevant tools to enable assessment of environmentally sustainable design principles within planning applications. The BESS tool, available through membership with the CASBE is an appropriate tool.

In order to continue being a CASBE member, Council is required to approve the signing of the 2020-2023 MoU with the MAV, to cover membership over the next three financial years. This will support a consistent approach to assessment of planning applications with regard to the requirements of the Environmentally Sustainable Design policy.

Moreland City Council's invitation to formally collaborate with interested members in the development of this new ESD 2.0 policy, which could include a MoU, is welcomed. The findings of Stage 1 of the project is being reported to their Council in June 2020. Stage 2 is expected to commence within 3 months and completion is anticipated will take up to 18 months. It is acknowledged that Moreland is a lead Council in ESD practice and is well resourced to do so.

Officer believe that at this time, Council should monitor progress of the policy development rather than to actively collaborate with Moreland City Council through either financial or resource support and brief Council on the project through Council's Sustainable Monash Unit and the Environmental Advisory Committee.

LIST OF ATTACHMENTS:

Attachment A –CASBE MoU 2020-2023

Attachment B – letter from Moreland City Council

Attachment C – CASBE Prospectus

Attachment D – BESS tool Prospectus.