

Environment and Biodiversity Policy

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Policy Name:	Environment and Biodiversity
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ECM Tracking No.:	986715
Responsible Officer:	General Manager, Urban Services
Relevant Legislation:	Clean Energy Act, 2011 Climate Change and Greenhouse Gas Emissions Reduction Act, 2007 Climate Change Authority Act, 2011 Development Act, 1993 Environment Protection Act, 1993 Environment Protection and Biodiversity Conservation Act, 1999 Fire and Emergency Services Act, 2005 Local Government Act, 1999 National Greenhouse and Energy Reporting Act, 2007 Native Vegetation Act, 1991 Natural Resources Management Act, 2004
Related Policies:	Bushfire Hazard Management Policy Community Gardens Policy Kerbside Waste Management Policy Open Space Policy Public Consultation Policy Procurement Policy Tree Management Policy Water Sensitive Urban Design Policy Watercourse Management Policy

1. Introduction

- 1.1 This policy aims to guide the conservation of our natural environment locally and globally and increase the awareness of the impacts and value to our community.
- 1.2 The Policy will assist Council to:
 - 1.2.1 Operate within the framework of numerous environmental related Acts of Parliament;
 - 1.2.2 Act in accordance with contemporary industry approaches;
 - 1.2.3 Meet current community expectations pertaining to the protection of the environment and biodiversity within the City of Burnside now and for the future;

- 1.2.4 Manage the organisation to reduce its environmental impact and carbon emissions; and
- 1.2.5 Apply considered planning and appropriate resourcing to the protection of the community and environment from the potential impacts of environmental change.

2. Strategic Plan Desired Outcomes

- 2.1 Conservation and enhancement of the historic character of the City (1.1)
- 2.2 A range of housing that meets the varying needs of the community (1.2)
- 2.3 Environmentally sustainable development which complements the City's character (1.3)
- 2.4 A range of high quality sport and recreational opportunities and facilities that foster healthy lifestyle pursuits (1.4)
- 2.5 Sustainable, engaging and functional community public spaces and streetscapes (1.5)
- 2.6 Fit for purpose and cost effective infrastructure that meets community needs (1.6)
- 2.7 An effective transport network that supports safe and efficient movement, connecting people and places (1.7)
- 2.8 Natural environments and watercourses protected and conserved in both the Hills Face and the Plains (2.1)
- 2.9 Sustainable use of natural resources, and minimisation of waste to address climate change (2.2)
- 2.10 A safe community that values and supports its people (3.3)
- 2.11 A community that can access a range of information and services and opportunities that enhance their lives (3.4)

3. Our Approach

Council will seek to:

- 3.1 Support the protection of the City's built and natural heritage, including trees of significance (1.1.1)
 - 3.2 Encourage housing options to meet changing community needs, in particular housing for the aged (1.2.1)
 - 3.3 Balance future development and existing historic character through complementary and sustainable development practices (1.3.1)
 - 3.4 Enhance the character, amenity, safety, and accessibility of the City through promoting sympathetic and sustainable development (1.3.2)
 - 3.5 Ensure public spaces meet the future needs of our community and provide for a variety of vibrant and inspirational opportunities, encouraging participation by the community (1.4.1)
 - 3.6 Ensure that an accessible network of public spaces exists that responds to the needs of the community (1.5.1)
 - 3.7 Maintain and enhance streetscapes for improved amenity, character and environmental outcomes (1.5.2)
 - 3.8 Promote and educate community on the value of trees and their biodiversity (1.5.3)
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- 3.9 Determine the social, economic and environmental infrastructure needs of the community (1.6.1)
- 3.10 Plan, maintain and deliver Council infrastructure and assets to the required level of service and condition that meets the needs of the community now and into the future (1.6.2)
- 3.11 Develop and maintain connections that link our neighbourhoods, facilities and open space through a network of cycle and pedestrian routes (1.7.2)
- 3.12 Undertake responsible bushfire management strategies to protect and enhance the natural environment and property (2.1.1)
- 3.13 Restore and improve local native vegetation and habitat ensuring biodiversity is protected (2.1.2)
- 3.14 Consider the strategic acquisition of land for “Urban Forest” purposes (2.1.3)
- 3.15 Harness the city’s water resources to achieve reuse, flood protection, healthy watercourses and improved stormwater quality (2.1.4)
- 3.16 Implement sustainable water use practices through water conservation, capture and reuse (2.2.1)
- 3.17 Respond to the challenges of climate change and reduce our carbon footprint (2.2.2)
- 3.18 Minimise the amount of waste to landfill and encourage reuse and recycling (2.2.3)
- 3.19 Build capacity and raise awareness of individual responsibility to maintain a sustainable environment (2.2.4)
- 3.20 Encourage volunteering in the community (3.3.1)
- 3.21 Maximise management response through appropriate planning to protect people and property from disaster events and natural hazards (3.3.4)

4. Legislative Requirements and Corporate Policy Context

The following legislation has relevant to this Policy.

4.1 *Development Act, 1993* as it relates to:

The assessment and approval process for development as it relates to the matters against which development must be assessed in relation to a proposed division of land (otherwise than under the *Community Titles Act 1996* or the *Strata Titles Act 1988*)—the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under this Act) part (4) division (1) section (33) (c):

(iii) adequate provision is made for the creation of appropriate easements and reserves for the purposes of drainage, electricity supply, water supply and sewerage services;

4.2 *Environment Protection Act, 1993* as it relates to the following Objects of the Act to further:

4.2.1 Promoting the principles of ecologically sustainable development (ESD) (Part 2, 10.1.a);

4.2.2 Ensuring all reasonable and practicable measures are taken to protect, restore and enhance the quality of the environment having regard to the principles of ESD (10.1.b);

- 4.2.3. To prevent, reduce, minimise and where practicable, eliminate harm to the environment (10.1.b.i)
 - 4.2.4 By programs to encourage and assist action by industry, public authorities and the community; and
 - 4.2.5 By regulating, in an integrated, systematic and cost-effective manner – activities, products, substances and services that through pollution or production of waste, cause environmental harm; and the generation, storage, transportation, treatment and disposal of waste.
 - 4.2.6 All other administering agencies and persons involved in administration of this Act must have regard to, and seek to further, the objects of this Act (10.2);
 - 4.2.7 Administering agencies for the purpose of this Act include councils as defined in the *Local Government Act 1999* if declared to be by the Minister (Part 3, 18A), powers and functions of administering agencies (18B); and
 - 4.2.8 General environmental duty (Part 4, 25); nature and contents of environment protection policies (Part 4, 27);
 - 4.3 *Local Government Act, 1999* as it relates to:
 - 4.3.1 Land owned by local government and assumption of care, control and management of land, Chapter (11) Part (1),(192),
 - 4.3.2 Community Land Classification and management plans Division (3), (193) and (196), public consultation on proposed management plans (197), Trees Division (11) (232), anti-pollution measures Part (3), and provisions relating to specific land Beaumont Common Schedule (8) (6).
 - 4.4 *National Greenhouse and Energy Reporting Act, 2007* as it relates to:
 - 4.4.1 The introduction of a single national reporting framework for the reporting and dissemination of information related to greenhouse gas emissions, greenhouse gas projects, energy consumption and energy production (Part 1 Division 1, 3.1) is to underpin the *Clean Energy Act, 2011* by imposing various registrations, reporting and record-keeping requirements (3.2).
 - 4.5 *Native Vegetation Act, 1991*
 - 4.5.1 This act applies within the Hills Face Zone and areas East of the Hills Face Zone Sub section (4)(2), in relation to:
 - 4.5.1.1 the conservation, protection and enhancement of the native vegetation of the State and, in particular, remnant native vegetation, in order to prevent further - reduction of biological diversity and degradation of the land and its soil; and loss of quantity and quality of native vegetation in the State; and loss of critical habitat Sub section (6) (a) (i), (ii), (iii); and
 - 4.5.1.2 the encouragement of the re-establishment of native vegetation in those parts of the State where native vegetation has been cleared or degraded sub Section (6)(e).
 - 4.6 *Natural Resources Management Act, 2004* as it relates to:
 - 4.6.1 The management and protection of land and water resources Chapter (6) and (7);
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- 4.6.2 General rights in relation to water including, the right to take water subject to certain requirements, declaration of prescribed water resources part (1) Section (124) and (125);
 - 4.6.3 Control of activities affecting water, control of activities, Water Affecting Activities and specific duties with respect to damage to a watercourse or lake Part (2), Division (2), Sections (127) and (133); and
 - 4.6.4 Control of animals and plants declared under the Act including specific controls relating to the movement of animals or plants, notification of the presence of animals or plants, the requirement of control certain animals or plants and the owner to take action to destroy or control animals or plants, the requirement to implement action plan; and how this varies in relation to native animals Chapter (8), Division (1), Sections (175), (180), (181), (182), (183) and (184).
- 4.7 Other Acts that influence the implementation of this Policy include:
- 4.7.1 *Clean Energy Act, 2011*
 - 4.7.2 *Clean Energy Regulator Act, 2011*
 - 4.7.3 *Climate Change and Greenhouse Gas Emissions Reduction Act, 2007*
 - 4.7.4 *Climate Change Authority Act, 2011*
 - 4.7.5 *Development Act, 1993*
 - 4.7.6 *Environment Protection and Biodiversity Conservation Act, 1999*
 - 4.7.7 *Fire and Emergency Services Act, 2005*

5. Interpretation

For the purpose of this Policy, the following definitions apply.

- 5.1 Biodiversity means the variety of life forms: the different plants, animals, fungi, bacteria and other microorganisms, the genes they contain, and the ecosystems they form (No Species Loss Nature Conservation Strategy, Department of Environment, Water and Natural Resources, May 2007).
 - 5.2 Carbon emissions means the emission of Carbon Dioxide (CO₂) and other greenhouse gases measured as their respective carbon dioxide equivalence (CO₂-e).
 - 5.3 Carbon Footprint means a measure of the total greenhouse gas emissions of a defined population, system or activity, considering all relevant sources and storage within the spatial and temporal boundary of the population, system or activity of interest. Calculated as carbon dioxide equivalent (CO₂e) using the relevant 100-year global warming potential.
 - 5.4 Climate Change means any change in climate over time, whether due to natural variability or as a result of human activity (Tackling Climate Change – SA's Greenhouse Strategy 2007-2020, Department of Premier and Cabinet, May 2007).
 - 5.5 Council means the City of Burnside.
 - 5.6 Environmental Values means the benefits associated with any open watercourses and open space especially those containing local native vegetation and include one or more of the following: –
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- 5.6.1 Natural groundwater and aquifer recharge
 - 5.6.2 Ecosystem services including local native biodiversity conservation and restoration, connected landscapes for natural corridors for plants and animals,
 - 5.6.3 Stormwater drainage capacity (ie flood control) and flow rate control,
 - 5.6.4 Water quality improvements through the removal of gross pollutants, soil, particles and pollutants,
 - 5.6.5 Landscape, bank and streambed stabilisation for control of erosion,
 - 5.6.6 Natural easements and linear parks; and
 - 5.6.7 Community health benefits associated with visual amenity and recreation in natural areas.
 - 5.7 Ecosystem means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interaction as a functional unit.
 - 5.8 Ecosystem Services means the benefits provided to the community as a whole, from ecosystems. The services provided encompass four main groupings these are; provisioning, such as production of food and water; regulating, such as the control of climate and disease; supporting, such as nutrient cycles and crop pollination; and cultural, such as spiritual and recreational benefits.
 - 5.9 Emissions of greenhouse gas means a) scope 1 emission of greenhouse gas; b) a scope 2 emission of greenhouse gas (National Greenhouse and Energy Reporting Act 2007); or a scope 3 emission of greenhouse gas.
 - 5.10 Greenhouse gas means the release of greenhouse gases into the atmosphere. A greenhouse gas is an atmospheric gas that absorbs and emits infrared or heat radiation, giving rise to the greenhouse effect (SA Greenhouse Strategy).
 - 5.11 Local Native Vegetation means a plant or plants of a species indigenous to the locality (in this instance City of Burnside) that naturally occurs or previously occurred in the locality. Local native vegetation is also referred to as indigenous flora.
 - 5.12 Natural resource/s includes soil, water and marine resources, geological features and landscapes, native vegetation, native animals and other native organisms and ecosystems (Our Place Our Future, State Natural Resources management Plan South Australia 2012-2017).
 - 5.13 Sustainability means the ability to meet current needs without compromising the ability to meet future needs. Sustainable practices support ecological, human and economic health and vitality
 - 5.14 Urban Forest means all trees, shrubs and ground layer plants whether planted or naturally occurring, growing in public reserves, streets, parks, car parks and private gardens constitute an urban forest.
 - 5.15 Watercourse means (as defined in the *Natural Resources Management Act 2004*) means a river, creek or other natural watercourse (whether modified or not) in which water is contained or flows whether permanently or from time to time and includes –
 - 5.15.1 a dam or reservoir that collects water flowing in a watercourse;
 - 5.15.2 a lake through which water flows;
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- 5.15.3 a channel (but not a channel declared by regulation to be excluded from the ambit of this definition) into which the water of a watercourse has been diverted;
- 5.15.4 part of a watercourse;
- 5.15.5 an estuary through which water flows; and
- 5.15.6 any other natural resources, or class of natural resources designated as a watercourse for the purposes of the *Natural Resources Management Act, 2004* by a Natural Resources Management plan.

6. Policy

Council will seek to:

6.1 Protect, Value and Enhance

Protect, value and enhance the Environmental Values and Ecosystem Services of watercourses, natural areas and open space under our control within the City.

6.2 Legal Requirement

Comply with and where practical exceed the requirements of relevant legislation, policy and standards to continually improve our environmental performance.

6.3 Precautionary Principle

Regard the natural, economic and social environment in any long-term decision making. If there are threats of serious or irreversible environmental damage, lack of full scientific certainty will not be used as a reason for postponing measures to prevent environmental and/or biodiversity degradation.

6.4 Best Available Science

Strategies and plans will enable the best available science to be incorporated and applied as it becomes available. Modelling will help inform decision-making.

6.5 Setting Priorities for Action

Priorities for new programs and initiatives will be based on assessments of the relative and long-term potential costs and benefits (financial and non-financial).

6.6 Continuously Improving and Evaluating Projects and Programs

Commitments will be monitored and evaluated on a regular basis. Results will be used to inform and adjust our environmental and biodiversity projects and initiatives.

6.7 Place Planning

Build strategic relationships with property owners and residents, local businesses, community groups and agencies so that our management of places and the delivery of services to local communities in these places reflect their needs and aspirations.

6.8 Integration and Holistic Planning

Ensure that environmental and biodiversity programs are integrated with our other strategies and planning instruments and with other agencies and stakeholders.

6.9 Lead By Example

Lead by example and encourage other community stakeholders to commit to sustainability principles. We will learn from others' success and will design programs, policies, facilities and practices in line with leading practice.

6.10 Community Engagement

Community engagement will form the cornerstone of all our environmental and biodiversity programs. We will use best practice principles to guide the delivery of education for sustainability through understanding the behavioural motivations of our community members.

6.11 Partnerships

Work in partnership with the City's community and regional organisations to enhance the City's environmental quality, while respecting cultural, social and economic values.

6.12 Environmental Responsibilities

Ensure our employees, suppliers and contractors are aware of and able to respond to their environmental responsibilities, applying the sustainable procurement principles and processes and utilising the green purchasing resources provided.

6.13 Sustainable Funding

Prioritise funding according to evidence-based strategic directions, identified needs and whole-of-life costing. Funding decisions will take a long-term view.

6.14 Staff Capacity

Staff will be provided with appropriate training and mentoring to enable sustainable delivery of the outcomes.

6.15 Purchasing Preference

Give purchase preferences, where feasible, to reusable, recycled and environmentally friendly products. Apply due diligence to verify authenticity of environmental claims and accreditations of suppliers and service providers. Refuse to purchase items that the supply of such items contributes directly on the degradation of natural habitats locally and/or globally.

6.16 Waste Minimisation

Support and implement waste reduction, reuse and recycling programs through the application of the waste minimisation hierarchy Avoid, Reduce, Reuse, Recycle.

6.17 Reduce Consumption

Reduce resource consumption, including paper, energy and water use.

6.18 Prevent Pollution

Prevent pollution at its source and continually improve Council's response to pollution incidents to minimise their impacts and occurrence.

7. Grievances

- 7.1 Any grievances in relation to this Policy or its application should be forwarded in writing to the General Manager, Urban Services, City of Burnside.
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8. Review and Authority

- 8.1 This Policy will be reviewed annually in accordance with Council's Policy and Procedure Framework.
- 8.2 The General Manager, Urban Services may approve, waiver or vary requirements of this Policy as needed to meet operational requirements.

9. Availability

- 9.1 This Policy is available to be downloaded free of charge, from Council's website www.burnside.sa.gov.au and/or may be inspected without charge at the Civic Centre during ordinary business hours. A copy may be purchased for a fee in accordance with Council's Fees and Charges Schedule.

City of Burnside Civic Centre
401 Greenhill Road, Tusmore SA 5065

Telephone 8366 4200
Fax 8366 4299

Email burnside@burnside.sa.gov.au

Office hours: Monday to Friday, 8.30am to 5.00pm (except public holidays).

10. Further information

- 10.1 For further information about this policy please contact:

Manager, Asset Services
City of Burnside
401 Greenhill Road
Tusmore SA 5065
T. 8366 4252
