

OVERVIEW

Community consultation on the Vegetation Management Policy was undertaken from 17 May to 24 June 2021. The following provides information on the consultation undertaken and summarises the submissions received during the consultation period.

CONSULTATION

The following was undertaken to notify people of the Policy:

- notices in the local newspapers, media releases, and Facebook notifications. Articles in local newspapers targeted how the Policy affected each location
- a radio interview with Anthony Zanos on 2RE Radio
- 1,652 letters to landowners that are not currently covered by the Tree Preservation Order and identified for inclusion in the draft Vegetation Management Policy
- drop-in appointments were held at Hallidays Point, Gloucester and Taree
- information was available on Council's 'Have Your Say' website, with 849 visits.

In addition to receiving submissions we received feedback from the community, stakeholders and Council staff through this process. The following provides an overview of the feedback received, which was considered in the finalisation of the Policy.

1. Drop-in appointments

Council staff from the Natural Systems, Land Use Planning and Community Spaces, Recreation and Trades teams facilitated the appointments. This ensured that a broad range of staff were available to answer any questions and provide on the spot advice. From the appointments, it was clear that many people just wanted the opportunity to talk to staff about what suitable trees they can plant on their land, what help from Council is available and to raise concerns about other issues like weed management. An overview of these appointments is provided below.

- **Gloucester** - four people attended the Gloucester drop-in appointments. The discussions were centred around the exemptions that are available under the draft Policy, and how the proposed self-assessment and permit process will work
- **Hallidays Point** - fourteen people attended the Hallidays Point drop-in appointments. The discussions were centred around the proposed processes. Other topics covered were:
 - how landholders can get free trees from Council,
 - advice on what trees and weeds landowners should remove like Ground asparagus,
 - advice from Council's arborist on suitable shade trees for horses,
 - how to deal with roadside vegetation in Council's road reserve.

One attendee was able to complete and submit a customer request form for the removal of a tree in the road reserve and have a roadside drain cleaned out. The Community Spaces, Recreation and Trades team was able to send a staff member out to undertake an inspection for the highlighted tree removal.

Attachment D – Summary of consultation and submissions

- **Taree** - five people attended the Taree drop-in appointments. The topics covered included:
 - how to get in contact with Council to remove lantana from the neighbouring road reserve,
 - whether Council could investigate an Asset Protection Zone on the neighbouring road reserve,
 - that vegetation removal is a consideration of a Development Application, and when the landowner chooses to build; any vegetation removal will be considered as a part of the application,
 - concern over the Policy impacting the removal of vegetation for bushfire protection. Where land is eligible under the NSW Rural Fire Service's 10/50 Code of Practice, trees can be removed within 10 metres of an approved dwelling. The Policy will not impact on the application of this Code of Practice.

Some landowners subject to the proposed draft Policy also dropped in to Yalawanyi Ganya outside of these appointments. They were able to discuss the proposed Policy with staff, seek further assistance from Council in relation to inspecting vegetation in road reserves and understanding what approvals for vegetation removal are needed on rural zoned land.



2. Customer enquiries

Customer enquiries were received by phone and emails. Some customer enquiries were seeking advice on planting trees and manage weeds. Landowners were put in contact with staff from our Natural Systems team to offer assistance. This was a great outcome from the consultation; to plant more trees with landowners that want to make a difference and leave a positive legacy for future generations.

3. Stakeholder meetings

Council staff from the Land Use Planning and Natural Systems teams met with six representatives of Gloucester Environment Group on 11 June 2021 in Gloucester. The discussion focused on understanding how the targeted approach was developed and an overview of other projects being undertaken by Council including the draft Greening Strategy, draft Biodiversity Framework and draft Manning River Catchment and Estuary Management Program 2021-2031.

4. Internal feedback

Council's Weed Biosecurity team reviewed the exempt species table in the Policy and have identified some additional target species across the MidCoast and revised the scientific names. These changes have been incorporated into the amended Policy.

Council's Compliance team reviewed the compliance section in the Policy and have identified some minor changes that have been incorporated into the amended Policy.

Minor edits and changes have also been made to the Policy to improve readability and make the intent of the draft Policy clearer. Changes have also been made to the draft Policy to clarify the three-step process; including the exemptions and information that will be included in any approved permit.

SUBMISSIONS

1. Analysis of submissions

Thirty-eight (38) submissions were received during the exhibition on the Vegetation Management Policy. Of the thirty-eight (38) submissions, 50% supported the Policy, 26% objected, while 24% provided partial support (e.g. provided suggestions on how the Policy could be amended) as shown in Figure 1.

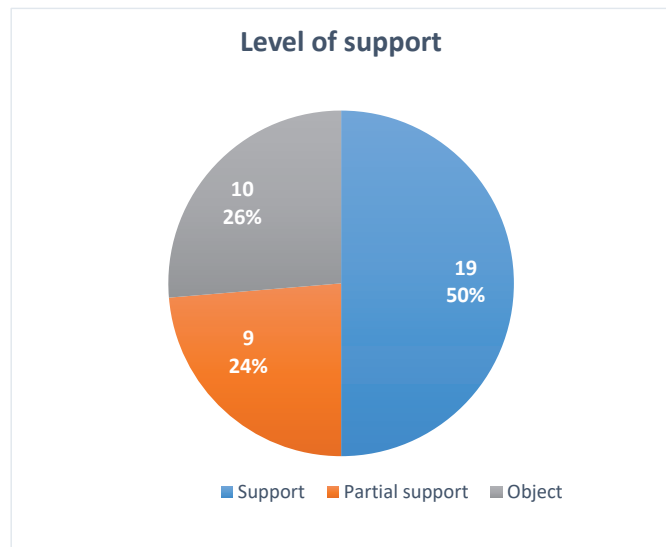


Figure 1: Level of support from the submissions

Four (4) submissions were from community groups, and thirty-four (34) submissions from individuals.

Figure 2 shows that the submissions were generally spread across the MidCoast, coming from 14 different locations, and one submission from outside the MidCoast. The numbers of submissions are spread out with Hallidays Point having the most submissions being nine and six locations were only one submission was received.

Of the 14 locations, 11 locations are newly affected by vegetation management controls; they are not subject to the current Tree Preservation Orders. But it should be noted that there is a mix of support and concerns for these new controls in these 11 locations.

The largest number of objections were from Rainbow Flat. This location was significantly affected by bushfires in 2019 and concerns were raised regarding controls being placed on the clearing of vegetation. The Policy contains exemptions for bushfire management practices.

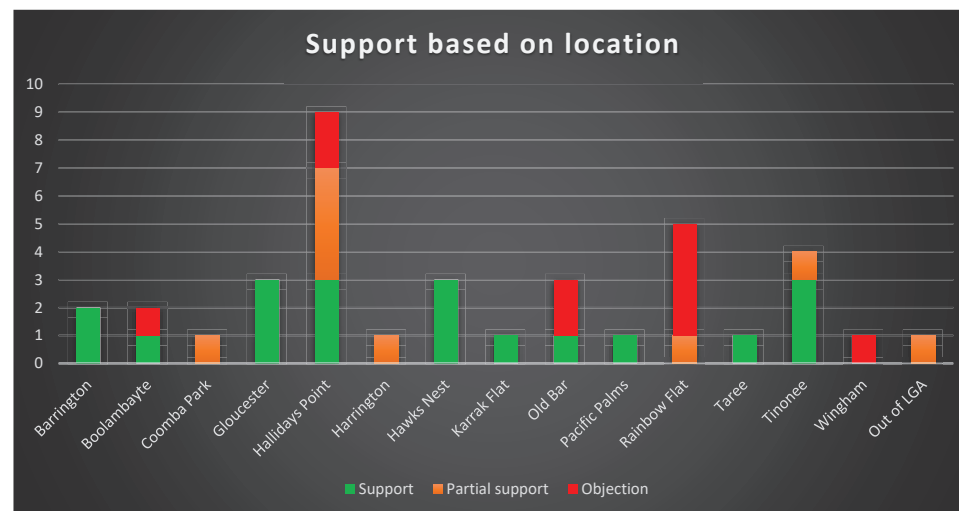


Figure 2: Level of support based on locations

2. Summary of submissions

The following table provides a summary of the thirty-eight (38) submissions. The submission numbers are provided for each topic (in bold) to identify which submitter raised the topic and shows how many submitters raised the topic. At the end of the summary, there is a table correlating the submission number with who lodged the submission. This summary seeks to capture topics contained in the submissions and group topics wherever possible, provides a clear and relevant response and recommends whether a change to the Policy is proposed.

The draft Vegetation Management Policy was exhibited with the draft MidCoast Greening Strategy. Given that a priority action of the draft MidCoast Greening Strategy is the introduction of a Vegetation Management Policy, there is some overlap of topics.

Topic:	Summary of submissions:	Response and recommendation
Support or partially support the draft Vegetation Management Policy	Submissions supporting or partially supporting the draft Vegetation Management Policy. (Submissions 1, 2, 3, 4, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38)	Support for the draft Vegetation Management Policy is noted. Recommendation: no change
Do not support the draft Vegetation Management Policy	Submissions that do not support the draft Vegetation Management Policy. (Submissions 5, 6, 11, 21, 23, 24, 25, 26, 27, 35)	It is noted that these submissions do not support the draft Vegetation Management Policy. Recommendation: no change
Compliance and enforcement of the draft Vegetation Management Policy	<p>There was concern raised over the compliance and enforcement of the draft Vegetation Management Policy. Concerns included:</p> <ul style="list-style-type: none"> - that there will be an increase in the amount of tree clearing that is carried out, - there is little or no enforcement for the current policy, and it will be the same with the new policy, - the environment will suffer if the new process for tree removal is not backed up by enforcement, - Council needs to employ an adequate number of staff who are dedicated to enforcement of environmental matters including illegal tree removal, vegetation vandalism on public land and weed removal orders, - it is not enough to have rules, they must be followed up with compliance, - compliance is an issue especially where developers stand to make big profits, - Council would be incapable of carrying out the implications of this policy, based on previous experience with other issues like excessive motor bike noise on private property, barking dog complaints and roads issues, - concern about the self-assessment component, because people are not consistently honest and particularly where self-interest comes into play, - plumbers can be quick to condemn a tree instead of recommending alternatives to its removal, - Council needs to ensure that enforcement and compliance is a serious Council responsibility. <p>(Submissions 9, 10, 18, 21, 23, 29)</p>	<p>The Policy is a combination of self-management and prescribed management. The simple three step process which includes the exemption process enables landowners to still have some control of vegetation removal on their land, but ensures the significant vegetation is removed in a controlled manner.</p> <p>Clearing as described by <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> (the SEPP) can be considered as 'development' for the purposes of the <i>Environmental Planning and Assessment Act 1979</i>. Before removing or pruning can be lawfully carried out, a Council issued permit approval must be obtained.</p> <p>The NSW Department of Planning, Industry and Environment considers that a breach of the SEPP constitutes an offence against section 4.3(a) of the <i>Environmental Planning and Assessment Act 1979</i>. This can be enforced through the existing penalty notice regime, prosecution in the Local Court or prosecution in the Land and Environment Court. Failure to comply with the conditions of a permit is also considered a breach of <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i>.</p> <p>It is proposed that Council will continue to deal with compliance and enforcement using the existing resources.</p> <p>Recommendation: no change</p>
Legislation	<p>The documentation references the <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> (SEPP) as being the basis for this new policy. The SEPP relates solely to urban areas on the fringe of metropolitan areas and is specific to Non-Rural Areas. Mid Coast Council is not listed in the SEPP and cannot be classified as a buffer area to a metropolitan complex. Under the SEPP Clause 8 (1), it specifies that land which comes under the authority of the <i>Local Land Services Act 2013</i> is exempt from the policy.</p> <p>The <i>Local Land Services Act</i> Section 4 dictates the responsibilities, which includes biosecurity and natural resource management. Section 55 of the Act defines land parcels which are subject to it and rates are applied. It should be noted that my property listed as coming under the draft Policy, is rated land under the Act and is therefore rural, not non-rural land. Certain exemptions apply under Section 60A, such as (v) which relates to areas of outstanding biodiversity under the <i>Biodiversity Conservation Act 2016</i>. Land which was a previously cleared dairy farm cannot be considered 'outstanding', as no 'remnant' vegetation exists. It also should be noted the provision to clear vegetation within 50 metres</p>	<p>Section 5 of <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> identifies local government areas that the policy applies to and then lists zones under an environmental planning instrument that the SEPP can apply to. The SEPP applies to other regional councils outside of the metropolitan area. For the purpose of the SEPP, a 'non-rural area' is land included in a listed local government area or listed under the zones list, and this includes land zoned E2 Environmental Conservation and E3 Environmental Management. Therefore a 'rural area' is any land outside of the listed local government areas and land in an environmental planning instrument zone not listed under Section 5 of the SEPP. The MidCoast Local Government Area is not specifically listed but it does utilise zones outlined in the SEPP under the relevant Local Environmental Plans, and therefore the SEPP can apply to parts of the MidCoast. This is the approach that the draft Policy has taken.</p> <p>The <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> mentions in Section 8, Clause 1 that "An authority to clear vegetation is not required under this Policy if it is clearing of a kind that is authorised under section 600 of the <i>Local Land Services Act 2013</i> (Clearing authorised under other legislation) or under Part 5B (Private native forestry) of that Act". The <i>Local Land Services Act 2013</i> provides a framework for clearing of native vegetation that does not require development consent (generally associated with extensive agriculture) on rural land in NSW.</p> <p>Part 5 of the <i>Local Land Services Act 2013</i> discusses rates, levies and contributions. If land is identified as 'rateable' land under the Act, Local Land Services may make and levy, in accordance with the regulations, such types and amounts of rates, levies and contributions on rateable or other land in a region as are prescribed by, or determined in accordance with, the regulations. This is not something</p>

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	of buildings under the Rural Fire Service exemptions after the disastrous bushfires. (Submission 11)	<p>Council is involved in, and levies are dealt with by Hunter Local Land Services. For clarity, the <i>Local Land Services Regulation 2014</i> under Clause 4 defines ‘rateable land’ as “<i>For the purposes of section 56 (b) of the Act, land within a region is rateable land if, immediately before the commencement of this Regulation, it was land within a district that was rateable land for the purposes of the repealed Act. Note - To determine what is rateable land under this clause, see clause 6 of, and Schedule 3 to, the Rural Lands Protection Regulation 2010 as in force immediately before the repeal of that Regulation on 1 January 2014. To determine whether a holding is within a region, see section 55 of the Act</i>”. Schedule 3 of the <i>Rural Lands Protection Regulation 2010</i> the minimum areas of rateable land in the Mid-Coast and North Coast districts as 10ha. The Local Land Services <i>Landholder Guide to Local Land Services</i> outlines that local government zoning is not relevant to Local Land Services districts.</p> <p>Section 60A of the <i>Local Land Services Act 2013</i> states that Part 5A (Land management - native vegetation) of the Act does not apply to areas of NSW to which <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> applies to. The submission identifies that the Policy cannot be applied to a declared area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i>, and this is correct. The Policy does not intend to apply to land with ‘outstanding biodiversity value’ as it is already protected by the NSW Government under separate legislation.</p> <p>One of the exemptions proposed in the draft Policy is where the land is eligible under the <i>10/50 Vegetation Clearing Code of Practice for New South Wales</i>. Under this Code of Practice eligible landowners can clear trees on their property within 10 metres of an approved building, without seeking approval and clear underlying vegetation such as shrubs (but not trees) on your property within 50 metres of an approved building, without seeking approval. It is not the intent of the draft Policy to restrict the application of the NSW Rural Fire Service’s Code or Practice.</p> <p>Recommendation: no change</p>
Legislation	The draft Policy content refers to vegetation management controls being used including to maintain high levels of liveability and environmental amenity, to retain large trees for their landscape, amenity and ecological values and because trees provide shade, wind protection, a ‘leafy’ character; a sense of place and contribute to the local ecology. While these are admirable objectives, the public would be better served by statements identifying the actual criteria which Council is legally allowed to use to declare as an area covered by the Vegetation Management Policy including vegetation which has a high biodiversity value, trees which have heritage significance and trees which have aboriginal significance. (Submission 17)	<p>The draft Vegetation Management Policy has been prepared to be consistent with <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas)</i>. Section 10, Clause 1 of <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas)</i> outlines that Council can issue a permit to a landholder to clear vegetation to which this Part applies in any non-rural area of the State. Section 10, Clause 2 also identifies that a permit cannot be granted to clear native vegetation in any non-rural area of the State that exceeds the biodiversity offsets scheme threshold.</p> <p>Section 10, Clause 3 also notes that a permit cannot allow the clearing of vegetation that is or forms part of a heritage item or that is within a heritage conservation area, or that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance (unless minor in nature or for maintenance). The clearing cannot adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.</p> <p>The draft Vegetation Management Policy has been prepared to be consistent with legislation that is within Council’s jurisdiction.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: environmental zones	Who determines where the environmental zones go? (Submission 7)	<p>The draft Vegetation Management Policy applies across the entire region using a highly targeted approach, meaning it only applies where it is needed. Council staff made recommendations to the elected Council on what areas should be covered. This includes some land that is in an environmental zone under the three current Local Environmental Plans for the MidCoast. Environmental zones are applied by Council through the Local Environmental Plans. Council will be reviewing the application of environmental and rural zones across the MidCoast under the proposed Rural Strategy.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: landscape protection	The draft Policy identifies land to be protected, and the identified land should be connected by other land or corridors to enable the movement of native animals and plants. Connections to coastal heath, National Parks and State Forests are important. The need for vegetation management and protection for native animals and vegetation is long overdue for the whole of NSW. All land should have some form of protection whether that be a Vegetation Management Policy or some other mechanism. (Submissions 10, 12, 21, 28, 29)	<p>The draft Greening Strategy and draft Biodiversity Framework outline how Council will help improve the MidCoast landscape and how we will work with landowners to also do their bit. The draft Biodiversity Framework identifies that Council needs to identify biodiversity corridors and highlight the missing links. No single project or program can enable us to manage and enhance all of our landscape. Rather it is a complex web of legislation, programs, controls and strategies that interlink to enable this to happen.</p> <p>It is acknowledged that there are areas that are not covered by the draft Policy under the targeted approach. The draft Policy seeks to protect vegetation that contributes significant ecological values or landscape character and amenity. Land outside of the draft Policy coverage may be covered by other legislation. For example, the <i>Local Land Services Act 2013</i> regulates the management and clearing of native vegetation on rural zoned land in NSW, and this is administered in the MidCoast by Hunter Local Land Services. The Vegetation Management Policy approach is similar, though it only applies to targeted areas and not a blanket zone approach. Using a highly targeted approach, areas have been mapped across the MidCoast based on their contribution to significant ecological values. There is justification for the areas that are subject to the targeted approach.</p>

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		<p>In addition, some environmental zoned land is identified as ‘Coastal Wetland’ or ‘Littoral Rainforest’ in <i>State Environmental Planning Policy (Coastal Management) 2018</i>. These areas identified by the State Environmental Planning Policy cannot be cleared without development consent and are mapped on the Biodiversity Values Map, triggering entry into the Biodiversity Offsets Scheme. Therefore, there is no need to include these areas in the draft Policy as they are covered by other legislation. These are just a few examples of the complex web of legislation, programs, controls and strategies that interlink to enhance our landscape.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: undeveloped land	Land where development is currently taking place or will be taking place in the future should be covered by a Vegetation Management Policy. The removal of current Tree Preservation Order could create an incentive to clear these blocks for example assumed increase in sale value or improved views by removing existing trees. (Submissions 12, 31)	<p>The MidCoast Housing Strategy identifies potential urban land that will cater for the growth of our towns and villages over the next 20+ years. These locations are drawn from strategies developed over the last 30 years and are supported by the Hunter Regional Plan 2036.</p> <p>While identified as potential growth areas or development sites, they still need to go through a rigorous rezoning process (known as a Planning Proposal). Relevant studies are required (assessments include ecological, contamination, traffic, Aboriginal Cultural Heritage and bushfire) and community consultation undertaken to determine the suitability of the site to be developed and the appropriate zones. We need to examine how more trees can be retained, to provide an improved tree canopy cover for new housing estates. The earlier in the development process this is considered, the better. In this regard, strategic plans provide an opportunity to influence this prior to land being identified for rezoning.</p> <p>An action of the draft Greening Strategy is to develop a location-specific strategy for Hallidays Point. The proposed strategy will provide an early opportunity to retain important vegetation by clearly identifying areas for protection. It will also identify areas of vegetation that should be retained or enhanced and land that can be considered for future rezoning for urban purposes. The proposed strategy will also determine the desired environmental outcome and development opportunities, providing certainty to the community and developers alike. Strategies such as this will provide a long-term plan for the retention of important vegetation for conservation and the identification of areas that will have minimal environmental impact for future development.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: former Local Government Areas	There is hardly any land in the former Greater Taree City Council and Gloucester Council areas where the draft Policy applies to. Almost all of the land is in the former Great Lakes Council area. Trees are just as important in these other two areas. (Submissions 23, 32)	<p>Using a highly targeted approach, areas have been mapped across the MidCoast based on their contribution to significant ecological values, or their contribution to landscape character and amenity.</p> <p>In the Great Lakes region it is proposed to include urban areas such as Hawks Nest, Pacific Palms and Smiths Lake which provide habitat for species such as koalas and squirrel gliders. Villages like North Arm Cove, Bundabah and Pindimar where the ‘leafy’ character contributes to amenity and property values are also included, along with larger environmental sites around Coomba Park, Charlotte Bay, and Boolambayte, and Large Lot Residential estates like Failford and Tea Gardens. The draft policy does not apply to larger towns like Forster, Tuncurry and Bulahdelah, where the focus will be on working with the community to green their neighbourhoods and increase canopy cover.</p> <p>In other parts of the MidCoast, proposed areas include Barrington village and surrounding Large Lot Residential land, Large Lot Residential land north of Gloucester on the Thunderbolts Way, Tinonee township which provides an important habitat for koalas, and Large Lot Residential land that surrounds towns such as Wingham, Tinonee, Old Bar and Hallidays Point.</p> <p>In total the draft Policy covers around 8,800 properties, with a combined coverage of around 12,000ha. There is a large portion of properties that are already subject to the Great Lakes Tree Preservation Order and are proposed to still be covered under the draft Vegetation Management Policy.</p> <p>Land outside of the draft Policy coverage may be covered by other legislation. For example, the <i>Local Land Services Act 2013</i> regulates the management and clearing of native vegetation on rural zoned land in NSW, and this is administered in the MidCoast by Hunter Local Land Services.</p> <p>The draft Greening Strategy and draft Biodiversity Framework outline how Council will help improve the MidCoast landscape and how we will work with landowners to do their bit also. This includes increasing canopy cover in areas like Forster-Tuncurry, Taree and Wingham.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: urban areas	Urban areas that have not previously been given protection by vegetation management controls, deserve to have protection under this draft Policy for example Old Bar. The urban areas that are subject to the existing controls like	Using a highly targeted approach, areas have been mapped across the MidCoast based on their contribution to significant ecological, or their contribution to landscape character and amenity. The mapped areas are identified for inclusion in the draft Policy. This highly targeted approach has only identified some urban areas and villages such as Hawks Nest, Pacific Palms, Bundabah, Smiths Lake,

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	Forster and Tea Gardens should be included. Some areas like Hawks Nest remain in while others do not. (Submissions 10, 28, 29, 31, 32, 33, 37)	<p>Barrington and Tinonee which provide habitat for species such as koalas and squirrel gliders. The highly targeted approach has also only identified some Large Lot Residential estates like Failford, Tea Gardens, Wingham, Tinonee, Old Bar and Hallidays Point.</p> <p>The draft Policy does not apply to larger towns like Taree, Wingham, Gloucester, Old Bar, Forster, Tuncurry, Tea Gardens and Bulahdelah. The focus for these areas will be on working with the community to green their neighbourhoods and increase canopy cover. The draft Greening Strategy and draft Biodiversity Framework outline how Council will help improve the MidCoast landscape and how we will work with landowners to do their bit also.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: canopy cover	Until the initial canopy mapping in urban areas is undertaken, existing areas like Forster should not be excluded from the draft Policy. This will demonstrate the current canopy extent, extent of canopy under threat if controls removed, extent of canopy on undeveloped/greenfield blocks and the extent of canopy on public land. (Submission 31)	<p>The concerns over the timing of the Tree Canopy Mapping and the absence this data prior to undertaking the highly targeted approach to identify areas for inclusion in the draft Policy is noted.</p> <p>Both Tree Canopy Mapping and Heat Analysis are common tools used in Greening Strategies to identify the extent of our tree canopy and provide data on how effective trees are at cooling urban areas. Over time this data can help with decision making to increase the canopy cover and minimise the effects of heat. The MidCoast does not currently have this mapping and analysis, and as a result it has been identified as a high priority short term action.</p> <p>The Tree Canopy Mapping and Heat Analysis project will map and analyse the tree cover in our towns and villages. The project will be targeted to urban centres like Taree, Forster-Tuncurry and Gloucester. It will be useful for informing not only future reviews of the draft Greening Strategy but could also be used to review the target areas for the Vegetation Management Policy. In the future, the Tree Canopy Mapping and Heat Analysis could flag areas that require inclusion in the Policy to protect and retain large trees and significant vegetation communities for their landscape character, amenity and ecological values.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: Hallidays Point	The area on the coast between Black Head and Diamond Beach needs to be protected, including protection over riparian zones and steep lands. The draft Policy areas are small and sparse, for example west of Diamond Beach road is not included yet, developed areas on the east side are. (Submissions 2, 7, 9)	<p>While the draft Policy has not been applied to the urban areas of Hallidays Point, it covers most of the land zoned Large Lot Residential (R5) in Hallidays Point. The area to the west of Diamond Beach Road is included as it is zoned Large Lot Residential, while the land to the east is predominately in a residential zone and therefore it has not been included. This is the approach applied across the MidCoast, with very few areas included in the targeted mapping that are residential zoned unless they demonstrate significant landscape character, amenity and ecological values.</p> <p>The draft Policy has also been applied to some of the significant environmental land (including steep environmental land) in Hallidays Point. Areas of land in Hallidays Point including Black Head are mapped as 'Coastal Wetland' or 'Littoral Rainforest' in <i>State Environmental Planning Policy (Coastal Management) 2018</i>. These areas identified by the State Environmental Planning Policy cannot be cleared without development consent and are mapped on the Biodiversity Values Map, triggering entry into the Biodiversity Offsets Scheme. Therefore, there is no need to include these areas in the draft Policy as they are covered by other legislation.</p> <p>In addition to the draft Policy, the <i>Local Land Services Act 2013</i> regulates the management and clearing of native vegetation on rural zoned land in NSW, and this is administered in the MidCoast by Hunter Local Land Services. Large areas of rural zoned land remain in the Hallidays Point locality.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: Old Bar	The areas of Old Bar identified in the draft Policy, are already developed and cleared. Therefore what is the benefit of including it? Residents have already managed this land for over twenty years, so why change now? (Submission 27)	<p>The developed and undeveloped Large Lot Residential (R5) land at Old Bar provides significant ecological values. The inclusion of this area has a wider benefit due to its proximity to large areas of land managed by National Parks and Wildlife Services and NSW Forestry Corporation.</p> <p>Council recognises the proactive efforts some landowners have undertaken in this area to improve their land to contribute to significant ecological values or landscape character and amenity. Council doesn't want these landowners to feel penalised and we want to work with these landowners to retain vegetation and implement the actions of the draft Greening Strategy.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: areas in the vicinity of Tea Gardens and Hawks Nest and land adjoining Port Stephens	<p>The following areas adjoining Port Stephens and in the vicinity of Tea Gardens and Hawks Nest which are not identified in the draft Policy should be included:</p> <ul style="list-style-type: none"> - all of Limekilns (Limestone) that is already developed, plus the areas which are planned to be subdivided and developed, 	Using a highly targeted approach, areas have been mapped across the MidCoast based on their contribution to significant ecological values, or their contribution to landscape character and amenity. The mapped areas are identified for inclusion in the draft Policy. This highly targeted approach has only identified some urban areas and villages such as Hawks Nest, Pacific Palms, Bundabah, Smiths Lake, Barrington and Tinonee which provide habitat for species such as koalas and squirrel gliders.

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	<ul style="list-style-type: none"> - the 'beyond the ridge' part of Shearwater slated for future development (Myall Way west of Viney Creek Road), - Palm Lake Resort retirement village, - land to the west of Palm Lake Resort that is identified for future development, - land in North Hawks Nest between the current township and the Myall Lakes National Park that has been identified by Council for future urban development, - land in Bundabah, North Pindimar and South Pindimar identified for future subdivision, - Fame Cove, Carrington and Tahlee. <p>(Submissions 33, 37)</p>	<p>The highly targeted approach has also only identified some Large Lot Residential estates like Failford, Tea Gardens, Wingham, Tinonee, Old Bar and Hallidays Point. The draft Policy does not apply to larger towns like Taree, Wingham, Gloucester, Old Bar, Forster, Tuncurry, Tea Gardens and Bulahdelah, where the focus will be on working with the community to green their neighbourhoods and increase canopy cover. The draft Greening Strategy and draft Biodiversity Framework outline how Council will help improve the MidCoast landscape and how we will work with landowners to do their bit also.</p> <p>The proposed MidCoast Rural Strategy will be considering non-urban land and paper subdivisions like Carrington, Bundabah, North Pindimar and South Pindimar. The Rural Strategy aims to provide clear and consistent land use planning principles to sustainably manage the use of lands and resources outside of our towns and villages. Large areas of land in the vicinity of Hawks Nest and Tea Gardens are rural zoned land. The <i>Local Land Services Act 2013</i> regulates the management and clearing of native vegetation on rural zoned land in NSW, and this is administered in the MidCoast by Hunter Local Land Services. Therefore, there is no need to include these areas in the draft Policy as they are covered by other legislation.</p> <p>Large areas of land in the vicinity of Hawks Nest and Tea Gardens are mapped as 'Coastal Wetland' or 'Littoral Rainforest' in <i>State Environmental Planning Policy (Coastal Management) 2018</i>. These areas identified by the State Environmental Planning Policy cannot be cleared without development consent and are mapped on the Biodiversity Values Map, triggering entry into the Biodiversity Offsets Scheme. Therefore, there is no need to include these areas in the draft Policy as they are covered by other legislation.</p> <p>No single project or program can enable us to manage and enhance all of our landscape. Rather it is a complex web of legislation, programs, controls and strategies that interlink to enable this to happen, and this in itself is a challenge. Knowing who to contact and what controls apply over private property can be confusing. It is also a challenge to know who to contact to report illegal clearing. If you are unsure, please contact Council who will be able to help identify the organisation or government body responsible for non-compliance or enforcement.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: Gloucester	<p>Support for the introduction of the Vegetation Management Policy, noting that there are only two areas between Gloucester and Barrington townships where the Policy applies to. The draft Policy should also cover:</p> <ul style="list-style-type: none"> - all the R5 Large Lot Residential land around Gloucester, not only to the north but also on the southern side of the town, - cover the township of Gloucester. <p>(Submissions 13, 14, 34)</p>	<p>Using a highly targeted approach, areas have been mapped across the MidCoast based on their contribution to significant ecological values, or their contribution to landscape character and amenity. The mapped areas are identified for inclusion in the draft Policy. This highly targeted approach has only identified some urban areas and villages such as Barrington, Tinonee and Hawks Nest which provide habitat for species such as koalas and squirrel gliders, and Large Lot Residential estates like Gloucester and Barrington.</p> <p>The draft Policy does not apply to larger towns like Taree, Wingham, Gloucester, Old Bar, Forster, Tuncurry, Tea Gardens and Bulahdelah, where the focus will be on working with the community to green their neighbourhoods and increase canopy cover. The draft Greening Strategy and draft Biodiversity Framework outline how Council will help improve the MidCoast landscape and how we will work with landowners to do their bit also.</p> <p>The Tree Canopy Mapping and Heat Analysis project proposed by the draft Greening Strategy will map and analyse the tree cover in our towns and villages. The project will be targeted to urban centres like Gloucester, Taree and Forster-Tuncurry. It will be useful for informing not only future reviews of the draft Greening Strategy but could also be used to review the target areas for the Vegetation Management Policy.</p> <p>In the future the Tree Canopy Mapping and Heat Analysis could flag any areas that require inclusion in the Policy to protect and retain large trees and significant vegetation communities for their landscape character, amenity and ecological values. In the future the identified areas around Gloucester could be revisited to determine whether they warrant inclusion in the Policy under the MidCoast targeted approach and using the best data available to make informed decisions.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: Crawford	<p>The Crawford River part of the Myall Lakes catchment does not seem to be included. The natural beauty of the area and its wildlife are key selling points.</p> <p>(Submission 16)</p>	<p>The Crawford River locality is included in the Rural Landscape (RU2) zone under the <i>Great Lakes Local Environmental Plan 2014</i>. The <i>Local Land Services Act 2013</i> regulates the management and clearing of native vegetation on rural zoned land in NSW, and this is administered in the MidCoast by Hunter Local Land Services. As a result of the rural zoning it has not been included and this is the consistent approach applied across the MidCoast.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy coverage: Boolambayte	<p>One of the criteria for inclusion in the draft Policy is to provide corridors linking habitats for fauna movements. The area highlighted at Violet Hill Road Boolambayte is on the edge of Myall Lakes National Park and does not link to any contiguous natural area. Cleared areas are used for grazing and also provide</p>	<p>The aim of the draft Policy is to identify areas that have significant ecological values, either through maintaining important habitat or corridors linking habitats enabling fauna movement or landscape character and amenity. The areas identified for inclusion in the draft Policy around Boolambayte and Myall Lakes National Park have been identified for not only the ecological values they provide, but the broader landscape character and amenity values they have.</p>

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	<p>a food source for an increasing number of macropods and small marsupials such as bandicoots. Open areas also benefit many bird species such as kookaburras, seed-eating finches and terrestrial pigeons.</p> <p>The focus on enclosed canopy areas is short-sighted and not environmentally supported. On my property in particular, there are no old-growth trees with nesting hollows. It is my intention to install a range of nesting boxes to serve both birds and small mammals. The shortage of nesting hollows is currently critical, and a tree can take over 100 years to produce any. It would be more advantageous for the Council to have nesting boxes constructed and provided free to ratepayers wishing to install them on trees on their property. This is especially needed, as many trees with hollows would also qualify as a danger to health and property and be permitted to be felled.</p> <p>The draft Policy targets only koala food trees and makes no reference to any other threatened flora or fauna species. As no koalas have been observed with the Boolambayte zone since I purchased in 1972, this is an extremely short-sighted policy. The Spotted Tail Quolls, a vulnerable species also, were once prevalent but have not been sighted for several decades and should also be a priority species. To list only one species gives the impression that this is all the policy is about.</p> <p>While it is important to assist the vulnerable koalas, more of these died as a result of the 2019-20 wildfires, not because of a loss of habitat. Koalas are recorded on the eastern side of Myall Lakes National Park, where fuel loads are at an alarming level. Having fought many fires in this area and seen the devastation to wildlife, Council should be very vocal in having more funds given to National Parks for hazard reduction work. It is not only wildlife that use vegetation corridors, but deadly bushfires. This Policy actually increases the fire risk of adjoining properties. Properties adjoining the National Park on Violet Hill Road Boolambayte, could not be saved in a wildfire. If there is an average of even 100 trees per hectare covered by this policy (1,241,000), many multiples of trees died from the fires. (Submission 11)</p>	<p>The areas in the vicinity of Myall Lakes National Park that are included in the draft Policy are predominately included in the Environmental Management (E3) zone under the <i>Great Lakes Local Environmental Plan 2014</i>. There are also a few very small areas that are included in the Environmental Conservation (E2) zone. The objectives of the E3 zone are to protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values, and to provide for a limited range of development that does not have an adverse effect on those values. The objectives of the E2 zone are to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values, and to prevent development that could destroy, damage or otherwise have an adverse effect on those values. Therefore, the zoning of the land recognises that the land provides special ecological, scientific, cultural or aesthetic values, and land uses that do not have an adverse effect on these values are permissible. This is consistent with the intent of draft Policy.</p> <p>It is recognised that a combination of cleared/open land and vegetated land provides a variety of habitat for a variety of fauna including Bandicoots and Kookaburras. It is not the intent of the draft Policy to convert all of the cleared/open land to vegetation, the intent of the draft Policy is to retain vegetation while still allowing some vegetation removal whether it be through exemptions under the self-assessment process or through the permit application process.</p> <p>The draft Policy doesn't intentionally target trees for just koalas. Koalas are often referred to as 'umbrella' or 'flagship' species in conservation practice, as their habitat distribution overlaps with many other flora and fauna species. While the identified trees provide habitat for koalas, they also provide valuable habitat for many other species including squirrel gliders. Landowners are encouraged to contact Council if there is any other specific trees species that should be incorporated. Council is also willing to partner with landowners wherever possible to improve the biodiversity values of the MidCoast, this could potentially include helping landowners to source nesting boxes. Council already provides nesting boxes for free to landowners in bushfire affected areas and Land for Wildlife Program participants.</p> <p>Wherever possible Council partners with the NSW Rural Fire Service, Crown Lands, Forestry Corporation of NSW, Crown Lands and National Parks and Wildlife Service to address bushfire risk. Neighbours of a National Park are encouraged to contact the local National Parks and Wildlife Service office to raise their concerns. Council is also a member of the MidCoast Bushfire Risk Management Committee.</p> <p>One of the exemptions proposed in the draft Policy is where the land is eligible under the 10/50 Vegetation Clearing Code of Practice for New South Wales, eligible landowners can clear trees on your property within 10 metres of an approved building. It is not the intent of the draft Policy to restrict the application of the NSW Rural Fire Service's Code or Practice. The draft Policy doesn't seek to increase the bushfire threat to properties, the draft Policy will still make provision for bushfire mitigation measures.</p> <p>Recommendation: To clearly show the intent of the draft Policy, it is recommended to include an additional Policy objective: Identify existing vegetation and land for the purpose of maintaining ecological values or landscape character and amenity.</p>
<p>Draft Vegetation Management Policy coverage: wet heath and groundcover plants</p>	<p>A targeted policy approach risks leaving out important but previously unrecognised parts of the MidCoast by Council documents and Policy. Unrecognised parts include the wet heath and groundcover plants at Tuncurry and elsewhere. The policy has to be flexible enough to add such areas. (Submission 29)</p>	<p>If there are specific areas that warrant inclusion in the targeted policy approach, they could be considered in the future. However if land is currently in a rural zone, it cannot be considered for inclusion in the draft Vegetation Management Policy. The <i>Local Land Services Act 2013</i> regulates the management and clearing of native vegetation on rural zoned land in NSW, and this is administered in the MidCoast by Hunter Local Land Services. This is the approach applied across the MidCoast.</p> <p>In addition, some environmental zoned land is identified as 'Coastal Wetland' or 'Littoral Rainforest' in <i>State Environmental Planning Policy (Coastal Management) 2018</i>. These areas identified by the State Environmental Planning Policy cannot be cleared without development consent and are mapped on the Biodiversity Values Map, triggering entry into the Biodiversity Offsets Scheme. Therefore, there is no need to include these areas in the draft Policy as they are covered by other legislation. It is envisaged that the draft Policy is flexible enough to include additional areas if they are warranted, justified and not protected by other legislation.</p> <p>Recommendation: no change</p>
<p>Draft Vegetation Management Policy coverage: unfair coverage</p>	<p>The draft Vegetation Management Policy unfairly covers properties, and reasons for this point of view include:</p> <ul style="list-style-type: none"> - the draft Policy places a burden and encumbrance on properties without owner consent, - the draft Policy has no demonstrated benefit for wildlife that is already in an area that has abundant habitat, - people should have the right to determine their own environment on their own property, - does Council have the best intentions at the core of the Policy, or simply a desire to impose their views on private property, 	<p>Community concern over the targeted approach is noted, and particularly the view that the targeted approach unfairly disadvantages them. It is recognised that the Policy may be an impost to some landowners, and this is why the Policy has been developed to provide as many exemptions as possible.</p> <p>Completing the self-assessment form will determine if an exemption applies. If an exemption does apply landowners will not need to lodge an application for a permit and therefore not incur a fee. Some of the exemptions proposed are pruning of less than 10% of a tree, removal of priority weeds or exempt species, and eligible clearing under the NSW Rural Fire Service 10/50 Code of Practice.</p> <p>Council and our communities already recognise the value of the MidCoast environment and landscape. A large component of the MidCoast environment and landscape is private land, and some of this land is home to significant fauna, like koalas and squirrel gliders.</p>

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	<ul style="list-style-type: none"> - the proposed measures are excessive, - the draft Policy is overall unfair and onerous on landholders, - areas subject to the draft Policy will be required to incur fees, while those areas not covered will continue to be uncontrolled and do not have to pay a fee, - it is wrong to force this on some landowners and not others, as there are lots of wooded areas in the draft Policy that are free to self-manage and yet others are wrongly targeted, - residents must maintain the right on their own properties to selectively clear and replant vegetation where necessary, - while ensuring habitat for our native wildlife species is protected, the rights of residents need to be treated as equally important, - vegetation management should be supported and promoted by planting and caring for self-grown plants. <p>(Submissions 6, 10, 21, 24, 35)</p>	<p>Council's role is to inform landowners of the benefits of private conservation, and the benefits it provides for biodiversity and the broader community. Together we can leave a positive long-term legacy for future generations and enhance the MidCoast landscape.</p> <p>Recommendation: no change</p>
<p>Aim of the draft Vegetation Management Policy</p>	<p>With all the development that is going on, trees are increasingly being pulled out which have been in place for years. Is the Policy about tree preservation or development? Levelling of all trees needs to stop. (Submission 3)</p>	<p>The draft Policy seeks to protect vegetation that contributes significant ecological values or landscape character and amenity. Therefore the draft Policy is about protecting what we have. Under the draft Vegetation Management Policy, an assessment is required prior to the pruning or removal of a tree or vegetation on land covered by the Policy.</p> <p>Community concerns regarding vegetation clearing are often associated with development. Seeing large areas of land cleared for a housing or industrial development can be confronting. But typically, extensive technical studies, the provision of biodiversity offsets and years of planning have enabled the development to proceed. These processes have evolved over time to improve the retention of vegetation on these development sites and to ensure appropriate vegetation is planted through planning controls. We have an opportunity to update these planning controls to ensure new and more effective controls are in place. An action of the draft Greening Strategy is the development of planning controls for the MidCoast and incorporating them into the MidCoast Local Environmental Plan and Development Control Plan. This will help ensure that future development adequately considers and protects significant vegetation.</p> <p>Another action of the draft Greening Strategy is to develop a location-specific strategy for Hallidays Point. The proposed strategy will provide an early opportunity to retain important vegetation by clearly identifying areas for protection. It will also identify areas of vegetation that should be retained or enhanced and land that can be considered for future rezoning for urban purposes. The proposed strategy will also determine the desired environmental outcome and development opportunities, providing certainty to the community and developers alike. Strategies such as this will provide a long-term plan for the retention of important vegetation for conservation and the identification of areas that will have minimal environmental impact for future development. Once this location-specific strategy for Hallidays Point is completed, Council will identify areas that also require a similar strategy.</p> <p>Recommendation: no change</p>
<p>Aim of the draft Vegetation Management Policy</p>	<p>The draft Policy is proposed to apply to just 8,800 properties covering 12,410 hectares. If adopted, 22,200 properties covering 10,100 hectares will cease to be subject to controls: the same type of properties covered under the <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i>.</p> <p>It seems to be reverse logic. Restricting rural activities in rural areas, there may be a reduction in the property values, requiring revaluation by the Valuer General and a reduction in rates, or even rezoning to Environment Protection, with compensation payable.</p> <p>In terms of environmental outcome from the Policy, it must be considered in terms of the expansion of the Myall Lakes National Park, which alone has grown from around 10,000 hectares since this subdivision at Violet Hill, Boolambayte was approved, to now covering 44,000 hectares. Just one park in the MidCoast area has added 34,000 hectares. If you calculate all additions and newly created parks and reserves within the Council borders, there would be an extra 100,000 hectares of land under environmental protection. (Submission 11)</p>	<p>Using a highly targeted approach, areas have been mapped across the MidCoast based on their contribution to significant ecological values, or their contribution to landscape character and amenity. In the Great Lakes region it is proposed to include urban areas such as Hawks Nest, Pacific Palms and Smiths Lake which provide habitat for species such as koalas and squirrel gliders. Villages like North Arm Cove, Bundabah and Pindimar where the 'leafy' character contributes to amenity and property values are also included, along with larger environmental sites around Coomba Park, Charlotte Bay, and Boolambayte, and Large Lot Residential estates like Failford and Tea Gardens.</p> <p>The draft Policy does not apply to larger towns like Forster, Tuncurry and Bulahdelah, where the focus will be on working with the community to green their neighbourhoods and increase canopy cover. In other parts of the MidCoast, proposed areas include Barrington village and surrounding Large Lot Residential land, Large Lot Residential land north of Gloucester on the Thunderbolts Way, Tinonee township which provides an important habitat for koalas, and Large Lot Residential land that surrounds towns such as Wingham, Tinonee, Old Bar and Hallidays Point.</p> <p>In total the draft Policy covers around 8,800 properties, with a combined coverage of around 12,000ha. There is a large portion of properties that are already subject to the Great Lakes Tree Preservation Order and are proposed to still be covered under the draft Vegetation Management Policy.</p> <p>Compensation has not been considered in the development of the Policy. It is considered that a voluntary Policy would become difficult to administer, particularly when landownership changes and it could lead to neighbour conflict.</p>

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		<p>Section 5 of <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> identifies local government areas that the policy applies to and then lists zones under an environmental planning instrument that the State Environmental Planning Policy (SEPP) can apply to. The SEPP applies to other regional councils outside of the metropolitan area. For the purpose of the SEPP a ‘non-rural area’ is land included in a listed local government area or listed under the zones list, and this includes land zoned Environmental Conservation (E2) and Environmental Management (E3). Therefore a ‘rural area’ is any land outside of the listed local government areas and land in an environmental planning instrument zone not listed under Section 5 of the SEPP. The MidCoast Local Government Area is not specifically listed but it does utilise zones outlined in the SEPP under the relevant Local Environmental Plans, and therefore the SEPP can apply to parts of the MidCoast. This is the approach that the draft Policy has taken.</p> <p>The NSW Valuer General’s Office determines land values at least every three years, but a change in the value of your land does not automatically mean a change in the amount of rates you are charged. Land valuations can play a role in how the amount of ‘total rates’ that Council can collect is distributed among property-owners. If there is either an increase or decrease in land values, the land values will be reviewed at least every three years based on the values from the NSW Valuer General.</p> <p>The extension of the National Parks Estate is a separate process to the draft Policy, and a process that is the responsibility of the National Parks and Wildlife Service.</p> <p>Recommendation: no change</p>
Aim of the draft Vegetation Management Policy	<p>It appears the Council is attempting to convert a Non-Rural Environmental Policy to a Rural Environmental Policy over land likely to be mostly covered by the <i>Local Land Services Act 2013</i>. It does not significantly provide faunal corridors, nor espouse any defined environmental outcome, list species likely to benefit from it other than koalas, nor express an understanding of the need for diverse vegetation zones other than ‘leafy character’.</p> <p>If Council is serious about environmental vegetation management, they should become more proactive about improving the landscape, rather than merely re-actively abrogating this role to landowners already subject to the same controls under the <i>Local Land Services Act 2013</i>. (Submission 11)</p>	<p>The <i>Local Land Services Act 2013</i> regulates the management and clearing of native vegetation on rural zoned land in NSW, and this is administered in the MidCoast by Hunter Local Land Services. The draft Vegetation Management Policy approach is similar though it only applies to targeted areas and not a blanket zone approach.</p> <p>The <i>Local Land Services Act 2013</i> is different to <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i>, and they apply to different areas. Section 5 of <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> identifies local government areas that the policy applies to and then lists zones under an environmental planning instrument that the State Environmental Planning Policy (SEPP) can apply to. The SEPP applies to other regional councils outside of the metropolitan area. For the purpose of the SEPP a ‘non-rural area’ is land included in a listed local government area or listed under the zones list, and this includes land zoned Environmental Conservation (E2) and Environmental Management (E3). Therefore a ‘rural area’ is any land outside of the listed local government areas and land in an environmental planning instrument zone not listed under Section 5 of the SEPP. The MidCoast Local Government Area is not specifically listed but it does utilise zones outlined in the SEPP under the relevant Local Environmental Plans, and therefore the SEPP can apply to parts of the MidCoast. This is the approach that the draft Policy has taken.</p> <p>The draft Greening Strategy and draft Biodiversity Framework outline how Council will help improve the MidCoast landscape and how we will work with landowners to do their bit also. Over time the Vegetation Management Policy can be amended in relation to its objectives and where it applies, should another strategy and policy inform those changes.</p> <p>Recommendation: no change</p>
Policy wording: objectives	<p>A fourth bullet point should be added to the Policy objectives: Facilitate the regeneration of local species by private landowners in accordance with the Greening Strategy and Biodiversity Framework. (Submission 22)</p>	<p>It is acknowledged that there is strong links to the draft Greening Strategy and draft Biodiversity Framework. This is why draft Greening Strategy and draft Biodiversity Framework are highlighted in the Policy as associated policies and documents, and this the linkage. There is no change necessary to reflect this further.</p> <p>Recommendation: no change</p>
Policy wording: general draft Policy content	<p>In terms of Policy content, Council is in a key position to guide the community in vegetation management and restoration. This ability should be clearly identified and recognised. (Submission 22)</p>	<p>Greening is a shared responsibility and Council recognises it has a key role to play. However, we cannot achieve a ‘greener’ MidCoast landscape without buy in from the community. This is what the draft Greening Strategy and draft Biodiversity Framework seek to tackle. Combined with guidance and support from Council, we can work towards greening our neighbourhoods using these partnerships.</p> <p>Effective community engagement and partnerships are essential for the success of every aspect of the draft Strategy and implementation of the draft Vegetation Management Policy. It is important that Council champions the draft Strategy, leading by example and working with the community to achieve the key actions. While the draft Policy does not specifically mention Council’s role, Council recognises the role it needs play in the implementation, compliance and enforcement of the draft Vegetation Management Policy.</p> <p>Recommendation: no change</p>

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Policy wording: replacement planting	Step 1 should include the promotion of voluntary replanting with local native species where a tree area is required to be removed under the draft Policy. When the approval is issued, the applicant could be offered an option to plant more suitable trees in other areas. (Submissions 10, 22)	<p>The suggestion for draft Vegetation Management Policy requiring the applicant to plant replacement tree(s) is noted. The applicant will not be required to plant suitable replacement tree(s) if a self-assessment exemption is obtained, to ensure the self-assessment process remains simple and easy for the community to use.</p> <p>Recommendation: Identify in the draft Vegetation Management Policy that permits for removal of tree(s) or vegetation can include a condition requiring the applicant to plant replacement tree(s) on the property subject to the application. The aim of this is to ensure the tree canopy cover is wherever possible not diminished and replace trees when they are approved for removal.</p> <p>Recommendation: If a permit issued under the Vegetation Management Policy includes a condition requiring the applicant to plant replacement tree(s), the applicant needs to plant the replacement tree(s) on the property subject to the application. If replacement is not possible on the property subject to the application, the applicant may be able to enter into an agreement with Council for the replacement planting by Council on public land. The agreement will outline the fee payable per tree, with that fee covering the actual cost of supply, planting and maintenance. The aim of this is to ensure the tree canopy cover is wherever possible not diminished and replace trees when they are approved for removal. It is recommended that the fee for replacement planting for permits issued under the Vegetation Management Policy be exhibited for inclusion in the MidCoast Council Fees and Charges. If the fee is adopted, the Vegetation Management Policy should then be amended to include wording in the Policy content section that outlines the process.</p> <p>Recommendation: Identify in the draft Vegetation Management Policy that applicants will not be required to plant suitable replacement tree(s) if an exemption is obtained, but applicants will be encouraged to plant suitable replacement tree(s) on their property.</p>
Policy wording: record keeping	Step 1 should include the ability to record where the applicant intends to replant to offset removal. (Submission 22)	<p>It has been recommended that draft Vegetation Management Policy permits include conditions for the removal of the tree(s) or vegetation due to the environmental impact and/or the impact of the removal on the landscape. It is agreed that the applicant should notify Council of the proposed planting location.</p> <p>Recommendation: As part of the permit conditions, the applicant will be required to notify Council of the planting location(s) of the replacement tree(s) or vegetation.</p>
Policy wording: neighbour notification	Step 2 should include a process for neighbour notification as well as a dispute resolution process. (Submission 22)	<p>Council recognises the need for transparency to make it clear what tree(s) or vegetation is removed under the draft Policy. A dispute resolution process is not proposed, as Council officers will undertake the assessment of the permit applications and will be able to make a merit assessment of the application. The concern is noted, and the Policy could be amended to require applicants to display exemptions and permits on the front boundary fence.</p> <p>Recommendation: Outline in the draft Vegetation Management Policy the process for displaying exemptions and permits on the front boundary fence.</p> <p>Recommendation: To ensure transparency, amend the draft Vegetation Management Policy to outline that the exemptions and permits are valid for twelve months only, and the processes will need to be undertaken again after this time.</p>
Policy wording: assessment criteria	The eighth bullet point in the Assessment Criteria should identify 'creek lines'. (Submission 22)	<p>The suggestion to include creek likes in the eighth bullet point in the Assessment Criteria is noted. Include waterways in the eighth bullet point in the Assessment Criteria to capture all waterways.</p> <p>Recommendation: Amend the eighth bullet point under Assessment Criteria to read as follows: Extent of any impact of the tree(s) or vegetation on waterways, soil stability, the water table or other natural features of the land or locality concerned.</p>
Policy wording: assessment criteria	The tenth bullet point in the Assessment Criteria should make clear that local native species are to be used in replacement tree planting. (Submission 22)	<p>Council recognises the need for planting local native species wherever possible. The suggestion to identify the need for planting local native species in the assessment criteria is noted.</p> <p>An action of the draft Greening Strategy is the development of guidelines for planting trees and tree species schedules. This could include suitable local native plants and even suitable groundcovers for replacement planting. Landowners will be encouraged to plant suitable species.</p> <p>Recommendation: no change</p>
Policy wording: definitions	In the definitions, there should be an entry for Dispute Resolution. There should be a description of how a final decision is achieved and outline what is the process? (Submission 22)	<p>The suggestion to identify the need for dispute resolution process is noted. A dispute resolution process is not proposed, as Council officers will undertake the assessment of the permit applications and will be able to make a merit assessment of the application.</p> <p>Council has no power to enforce the pruning or removal of a tree located on and affecting private properties (unless it is an exotic or undesirable tree species that is identified by MidCoast Council and Council requires the removal). If landowners have a problem with</p>

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		<p>a neighbouring tree, they need to talk to their neighbour. If the neighbour is willing to lodge an application form under the Policy, Council will then be able assess the pruning or removal of the tree.</p> <p>However, if the neighbour is unwilling to lodge the application, we cannot assist. Information regarding civil tree disputes can be accessed on the Land and Environment Court's website.</p> <p>Recommendation: no change</p>
Policy wording: Schedule 1	In the absence of a finer scale map in Schedule 1, it is likely that numerous ecologically valuable vegetation communities could be overlooked, especially Narrow-leaved Red Gum (<i>Eucalyptus seeana</i>) and Slaty Red Gum (<i>Eucalyptus glaucina</i>) which have previously been misidentified and destroyed. (Submission 36)	<p>In the draft Policy Narrow-leaved Red Gum (<i>Eucalyptus seeana</i>) is currently listed as locally important koala food tree species and should be included as locally preferred koala food tree species. Slaty Red Gum (<i>Eucalyptus glaucina</i>) is already listed as locally preferred koala food tree species in the draft Policy.</p> <p>Recommendation: Amend the list in Schedule 2 to identify Narrow-leaved Red Gum (<i>Eucalyptus seeana</i>) as locally preferred koala food tree species.</p>
Policy wording: Schedule 2	The list in Schedule 2 for Locally preferred and important koala food trees identifies Eucalyptus species only. Koalas also feed on a number of local species of Melaleuca, Corymbia and Angophora as identified by Koalas In Care Inc. Council should include these other species to the list to adequately address koala protection issues. The specific species identified by Koalas In Care can be found at: https://www.koalasincare.org.au/habitat/ . The Koalas In Care Inc. list has been compiled from first-hand field knowledge spanning nearly thirty years, and Koalas In Care Inc. are willing to work with Council to amend the list. (Submissions 30, 36)	<p>The list in Schedule 2 should be amended using information provided by Koalas In Care Inc. to reflect the feed trees of koalas local to the MidCoast. Council's Senior Ecologist has reviewed the list provided and outlined appropriate changes to the list in Schedule 2.</p> <p>Recommendation: Based on the list developed by Koalas In Care Inc., amend the list in Schedule 2 to incorporate recommended changes by Council's Senior Ecologist which include species like the Broad-leaved Paperbark (<i>Melaleuca quinquenervia</i>), Smooth-barked Apple (<i>Angophora costata</i>) and Red Bloodwood (<i>Corymbia gummifera</i>).</p>
Policy wording: Schedule 2	The list in Schedule 2 should identify that Bangalay (<i>Eucalyptus botryoides</i>) as a locally preferred koala food tree, not just a locally important species. (Submission 33)	<p>The list in Schedule 2 should be amended to identify Bangalay (<i>Eucalyptus botryoides</i>) as a locally preferred koala food tree species.</p> <p>Recommendation: Amend the list in Schedule 2 to identify Bangalay (<i>Eucalyptus botryoides</i>) as a locally preferred koala food tree species.</p>
Policy wording: Schedule 2	There should also be clarification of the aims of this draft Policy, for example the protection of koala habitat and remnant Cabbage Tree Palm communities in non-rural areas. (Submission 17)	<p>Schedule 2 of the draft Vegetation Management Policy provides guidance on species identified as locally preferred and important koala food trees. This list is referred to during the self-assessment process and the assessment of a permit application.</p> <p>It is intended that mature Cabbage Tree Palms would be covered by the Policy. The three-step assessment process would then determine if the Cabbage Tree Palm could be removed through either an exemption or a permit. For clarity it is recommended include the list of exemptions as an additional schedule in the draft Vegetation Management Policy.</p> <p>Recommendation: Include the list of exemptions in the draft Vegetation Management Policy as Schedule 4.</p>
Policy wording: self-assessment	How can you ensure that the person completing the self-assessment knows the tree species involved? And if they go ahead and cut down a significant tree, then no amount of fines or penalties will replace the lost tree and any offset planting will take decades to grow. In the meantime our wildlife is deprived of habitat and food sources. (Submission 30)	<p>The concern over the misuse of the self-assessment and potential for incorrect identification of species is noted. If an applicant is unable to correctly identify the species, they should either seek advice from Council as to how identify the species and then proceed with the three step process; or should not seek an exemption and proceed to lodging a permit application under Step 2 of the draft Policy.</p> <p>Recommendation: Include wording in the draft Policy under the proposed exemptions section in Schedule 4. The wording should outline that if you are unable to correctly identify the species in the self-assessment step (Step 1), you should not seek an exemption and proceed to lodging a permit application under Step 2. It will not be sufficient defence that the species was not correctly identified prior to removal.</p>
Policy wording: Schedule 2	The devastating bushfires raised awareness of the Glossy Black Cockatoo's endangered status and plight. The ongoing loss of habitat will affect all our wonderful Australian wildlife. Even though the MidCoast is greening, it will take years to come back to a full state. The Glossy Black Cockatoos are now reliant on She Oaks much closer to suburbia. Logging and bushfires are pushing wildlife to the edges where they are more susceptible to harm, so green refuges are essential. These birds also need tree hollows to breed and they are in very short supply as well. (Submission 38)	<p>The 2019 drought and bushfire emergency are both events that caused significant local loss of native animals, damage to ecological communities, dispersal of invasive species, the pollution of the waterways and estuaries and impacts on rare or sensitive threatened species and communities.</p> <p>The draft Biodiversity Framework recognises the Glossy Black Cockatoo as threatened fauna (birds). The document recognises that the effective biodiversity management and conservation aims to suspend the decline and assist recovery of threatened species as well to protect the status of and secure common species. Action 5.3.1 of the draft Biodiversity Framework is one particular action that relates to Council's strategy to protect threatened species. The action seeks to 'Prepare management prescriptions for priority local threatened species and communities for implementation by Council'.</p>

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		<p>Recommendation: Amend Schedule 2 to include a list for ‘other locally important tree species’ and rename Schedule 2 as ‘Significant local trees’. The list could then be updated by Council as additional significant species for the MidCoast are identified.</p> <p>Recommendation: Include Black She-oak (<i>Allocasuarina littoralis</i>), Forest Oak (<i>Allocasuarina torulosa</i>) and Cabbage Tree Palm (<i>Livistona australis</i>) on the new list for ‘other locally important tree species’.</p>
Policy wording: Schedule 3	The list in Schedule 3 should be amended to include two further <i>Corymbia</i> species, with these being <i>Corymbia torelliana</i> (Cadaghi) and <i>Corymbia citriodora</i> (Lemon Scented Gum). It is noted that both these species have been used extensively in streetscape and parkland settings, but they have seeded profusely, and seedlings spread into nearby bushland areas. (Submission 36)	<p>Cadaghi (<i>Corymbia torelliana</i>) is regarded as an environmental weed in south-eastern Queensland and as a potential environmental weed in New South Wales. It is becoming a serious weed in Queensland, where native bees collect its resin-coated seeds and spread it into eucalypt forests all over south-eastern Queensland. This species has a very dense canopy of large leaves that is well suited to the rainforests of northern Queensland. When growing in open woodlands, outside its native range, it creates a heavy shade over the native understorey plants and prevents them from growing. It therefore has a significant potential to modify the diversity and structure of the native forests in sub-tropical Australia. It is not a plant endorsed for planting in the MidCoast.</p> <p>Lemon-scented Gum (<i>Corymbia citriodora</i>) is regarded as an environmental weed in Western Australia and an issue in some areas of New South Wales. Lemon-scented gum (<i>Corymbia citriodora</i>) can spread from plantings and invade open woodland areas.</p> <p>Recommendation: Amend list in Schedule 3 to include Cadaghi (<i>Corymbia torelliana</i>) and Lemon-scented Gum (<i>Corymbia citriodora</i>) as an additional exempt species.</p>
Content of the draft Vegetation Management Policy: insurance companies	Considerations should be given to people who have insurance companies that require large trees be removed or they will not cover damage done by trees close to properties. Will they be able to apply for a permit? (Submission 4)	<p>The draft Policy seeks to protect vegetation that contributes significant ecological values or landscape character and amenity. A permit application can be submitted seeking the removal of large trees and it will be assessed on merit. Council’s arborist and tree management team are adequately trained to assess these applications and determine if removal or pruning is permitted.</p> <p>Recommendation: no change</p>
Content of the draft Vegetation Management Policy: areas that the draft Policy applies to	The Policy states that an assessment is required prior to the pruning or removal of tree(s) or vegetation on land covered by this Policy. It then needs to be clearly stated that the self-assessment only needs to be completed for properties in the Vegetation Management Policy area. (Submission 17)	<p>The draft Vegetation Management Policy mentions that the Policy applies to private land identified in Schedule 1. If the draft Policy is adopted by Council, the application forms and website landing page will be prepared to make it clear that the process should only be completed for private land identified in Schedule 1. Council’s online mapping tools will be used to help potential applicants determine if a specific property is covered by the Policy.</p> <p>Recommendation: no change</p>
Content of the draft Vegetation Management Policy: targeted approach	As the Overview information sheet states, this is a targeted policy covering around 8,800 properties (around 30% of urban centre residences in my estimate). The targeted nature of the policy will be lost if all non-rural property owners are required to self-assess before pruning or removing trees. Similarly, the Assessment Process Fact Sheet gives examples of instances where the policy won’t apply, but neglects to reiterate that the policy doesn’t apply to land not identified in Schedule 1. These clarifications will serve to guide Council staff in the administration of the policy and significantly reduce any opposition to it in the community. (Submission 17)	<p>The Policy doesn’t mean landowners can’t remove vegetation from their property, but it does require that they follow a process. The aim is to protect vegetation that contributes significant ecological values or landscape character and amenity, but there are many reasons that the vegetation in question is classed as exempt and can be removed after completing the assessment.</p> <p>A simple three step process starts with a self-assessment that will identify if landowners need to apply or not. At this stage it cannot be determined how many applications will need to be lodged until the draft Policy is adopted. The amount of applications will be very variable from each year and depending on the extent of tree(s) or vegetation to be removed.</p> <p>If the draft Policy is adopted by Council, the application forms and website landing page will be prepared to make it clear that the process should only be completed for land as shown in Schedule 1 of the draft Vegetation Management Policy. It is recognised that making the administration of the Policy as clear as possible, will be both helpful to the general public and Council staff.</p> <p>Recommendation: no change</p>
Content of the draft Vegetation Management Policy: costs of development increasing	The draft Policy will increase the cost of development. Any form of development (even the construction of a shed), will require the engagement of an expensive ecologist and these can be very hard to get and expensive to engage. This will significantly increase the cost and timing of an application. This situation will become far worse when the shortage of ecologists is required to provide reports on every single development and their cost will rise further. (Submission 24)	<p>The draft Policy only applies to the pruning or removal of trees(s) or vegetation that is not associated with a Development Application. Separate processes apply outside of the draft Policy for development. For example, development that is not covered by the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> is likely to require a Development Application. This is the current approach across the MidCoast. In the assessment of a Development Application, Council will assess the application on its merit and also assess any proposed vegetation removal and environmental considerations relating to the application.</p> <p>Under the draft Policy, it is proposed that if you are not exempt in Step 1, you will need to lodge a permit application so we can assess your request based on the ‘assessment criteria’ as listed in the Policy. A permit application fee (which currently is \$75) will apply for permit applications under the draft Policy.</p> <p>We may conduct an on-site inspection to help us determine whether your permit can be issued. In some cases, we’re unable make a decision after the preliminary assessment, and more information is needed which might include an arborist or ecological report. The additional information will help us determine if your permit can be issued, or if the application should be refused in which case no</p>

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		<p>works can be undertaken. Therefore the draft Policy has been designed to try and minimise the need for upfront studies like an arborist or ecological report, unless it is required by the assessing officer in Step 3.</p> <p>Recommendation: no change</p>
Content of the draft Vegetation Management Policy: use of arborists for assessments and decisions	An arborist should be used to identify tree safety not just a Council decision. (Submission 10)	<p>Council's arborist and tree management team are adequately trained to assess these applications and will only require arborist or ecological reports under Step 3 which requires further information.</p> <p>In some cases, we're unable to make a decision after the preliminary assessment, and more information is needed which might include an arborist or ecological report. The additional information will help us determine if your permit can be issued, or if the application should be refused in which case no works can be undertaken.</p> <p>Recommendation: no change</p>
Content of the draft Vegetation Management Policy: ecologist reports	The result of most reports is that further work is required of the ecologist, like walk through prior to commencing works or supervision during clearing works. This adds further expense and time delays for the owner. Contractors add the cost of working with ecologists into the cost of construction particularly due to the unknown factor. If a koala tree is allowed to be removed, it has to be replaced by more trees at the owner's expense and this then leads to need for Council monitoring and enforcement. (Submission 24)	<p>The assessment of a Development Application is a separate process to the draft Vegetation Management Policy. There is no change in the assessment of the Development Applications including subdivision applications or dwellings that require the removal of trees. Council will continue to assess applications on their merit and consider any proposed vegetation removal and environmental considerations relating to the application.</p> <p>The proposed permit process under the draft Policy will be able to consider application for removal or pruning of trees(s) or vegetation separate to the Development Application process.</p> <p>Council's arborist and tree management team are adequately trained to assess these applications and will only require arborist or ecological reports under Step 3 which requires further information.</p> <p>In some cases, we're unable make a decision after the preliminary assessment, and more information is needed which might include an arborist or ecological report. The additional information will help us determine if your permit can be issued, or if the application should be refused in which case no works can be undertaken. This ensures that the costs of arborist or ecological reports are not placed on the applicant unless necessary.</p> <p>Recommendation: no change</p>
Content of the draft Vegetation Management Policy: ecologists reports	Ecologists are not required to consider the human impacts in their ecological reports. Koalas are far more important in their view than people. They are generally biased in favour of wildlife, that they may suspect are inhabiting an area. They do not have to prove any of their assumptions, and the homeowner has no avenue to question their findings. Every developer has experienced instances of ecologists assuming certain wildlife live in an area and the development is altered substantially even though no proof is submitted. This leads to land that is capable of supporting wildlife being protected whether the wildlife use it or not. (Submission 24)	<p>The assessment of a Development Application is a separate process to the draft Vegetation Management Policy. There is no change in the assessment of the Development Application including subdivision applications or dwellings that require the removal of koala trees. Council will continue to assess applications on their merit and consider any proposed vegetation removal and environmental considerations relating to the application. The proposed permit process under the draft Policy will be able to consider application for removal or pruning of trees(s) or vegetation separate of the Development Application process.</p> <p>Council's arborist and tree management team are adequately trained to assess these applications and will only require arborist or ecological reports under Step 3 which requires further information. In some cases, we're unable make a decision after the preliminary assessment, and more information is needed which might include an arborist or ecological report. The additional information will help us determine if your permit can be issued, or if the application should be refused in which case no works can be undertaken. This ensures that the costs of arborist or ecological reports are not placed on the applicant unless necessary.</p> <p>Council hopes that any consultant whether it is an arborist or even a development, environment or planning consultant undertakes work that is professional, ethical and impartial. Council's Tree Management and Natural Systems teams are appropriately qualified to review arborist or ecologist reports, undertake an assessment and assess an application based on merit.</p> <p>Recommendation: no change</p>
Content of the draft Vegetation Management Policy: ecologists	Anyone who objects to a development for whatever reason will realise the quickest way to prevent or inhibit even simple development is to find a cooperative ecologist who will make claims of species no one has ever seen and even fabricate proof. Environmentalists already have lists of species they know will inhibit development for years like koalas, parrots, frogs and finches. This will result in even further misinformed and antagonistic disharmony in the community and residents 'dobbing in' other residents. On the Coffs Harbour bypass project, environmentalists have made claims of a tree in the construction	<p>Council hopes that any consultant whether it is an arborist or even a development, environment or planning consultant undertakes work that is professional, ethical and impartial. Council's Tree Management and Natural Systems teams are appropriately qualified to review arborist or ecologist reports, undertake an assessment and assess an application based on merit.</p> <p>Recommendation: no change</p>

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	zone is the only living female tree of that species in the world. They are not required to prove it. (Submission 24)	
Content of the draft Vegetation Management Policy: awareness of the process and other restrictions	Most residents would not even know what is required and would be intimidated by the process. When residents purchase a property, they are unaware of the implications and blame developers for the restrictions. (Submission 24)	<p>It is recognised that vegetation management, and the policies and processes around it can be complex. If the draft Policy is adopted by Council, the application forms and website landing page will be prepared to make it clear that the process should only be completed for land as shown in Schedule 1 of the draft Policy. Council's online mapping tools will be used to help potential applicants determine if a specific property is covered by the Policy.</p> <p>It is recognised that making the proposed permit process as clear as possible, will be both helpful to the general public and Council staff. Our arborist and tree management team are also more than willing to talk with landowners about the permit process.</p> <p>We also want to reduce the confusion between the draft Policy and development restrictions like Section 88B instruments. Section 88B instruments are a restrictive covenant under Section 88B of the <i>Conveyancing Act 1919</i>. The instruments can set out the terms of easements and even restrictions on the use of land like what fencing can be used. Landowners and prospective owners can find information about Section 88B instruments on the property title.</p> <p>Recommendation: no change</p>
Content of the draft Vegetation Management Policy: Council staff and Councillors	Environmentalists leaning Council staff and Councillors themselves have final say over whether a development is recommended for approval or rejection. If they don't like someone or a development, their first weapon of choice is endangered species whether it is valid or not. (Submission 24)	<p>The draft Policy only applies to the pruning or removal of trees(s) or vegetation that is not associated with a Development Application. Separate processes apply outside of the draft Policy for development.</p> <p>Council hopes that any consultant whether it is an arborist or even a development, environment or planning consultant undertakes work that is professional, ethical and impartial. Council's Tree Management and Natural Systems teams are appropriately qualified to review arborist or ecologist reports, undertake an assessment and assess an application based on merit.</p> <p>The elected Councillors of MidCoast Council will make a final decision on behalf of the community as to whether the draft Policy is adopted.</p> <p>Recommendation: no change</p>
Content of the draft Vegetation Management Policy: housing shortage	There is currently a lack of housing and rental properties all over NSW and particularly on the North coast. Cost of housing due to shortage of available property and increased development costs. (Submission 24)	<p>The assessment of a Development Application is a separate process to the draft Vegetation Management Policy. There is no change in the assessment of Development Applications including subdivision applications or dwellings that require the removal of trees.</p> <p>Council will continue to assess applications on their merit and consider any proposed vegetation removal and environmental considerations relating to the application. The draft Policy doesn't relate to Development Applications, and therefore there is no increased costs to development. A permit application fee (which currently is \$75) will apply for permit applications under the draft Policy.</p> <p>Recommendation: no change</p>
Content of the draft Vegetation Management Policy: three-step assessment process	The three-step assessment process particularly the self-assessment step is good, where Council maintains a record of each application. This should enable Council to monitor illegal vegetation removal if a property owner has not completed an assessment or intentionally completed the assessment incorrectly or in a misleading way. (Submissions 33, 37)	<p>The draft Vegetation Management Policy requires the self-assessment to be logged in Council's systems as evidence the exemption for the removal of the vegetation or tree(s) identified during the self-assessment. This will allow Council to monitor the amount of self-assessment exemptions on an annual basis. Ultimately the Policy seeks to provide a transparent and streamlined process. This is a better process and in line with the community's expectations, that tree and vegetation removal will be monitored and where required enforced by Council.</p> <p>Recommendation: Include additional text in the draft Vegetation Management Policy under the Policy content section outlining the lodgement of the self-assessments will also enable Council to monitor the completed self-assessments and undertake compliance and enforcement if required.</p>
Implications of the draft Vegetation Management Policy: property values	Our property value will significantly decrease, as any hope of future purchasers for our property to further develop will be significantly more expensive and time consuming. The purchasers would be better off purchasing a property that is not encumbered. We purchased this property knowing there was no tree preservation order and now Council is devaluing our property with no compensation. (Submission 24)	<p>The draft Policy only applies to the pruning or removal of trees(s) or vegetation that is not associated with a Development Application. Separate processes apply outside of the draft Policy for development.</p> <p>Council notes the concern raised over decreasing property values. Interestingly, research has quantified the economic value of the benefits delivered by improving vegetation cover in urban areas. Some of the economic benefits from greening initiatives include reduced energy consumption, lower ongoing health costs, and potential boosts to business. The NSW Government's draft Greener Places Design Guide indicates that a 10% increase in tree canopy cover on adjacent streets, parks, and reserves or even just a street tree, can add to a property's value. Other benefits include improved amenity and recreation, improved liveability and wellbeing and minimising the impact of climate change.</p>

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Implications of the draft Vegetation Management Policy: unnecessary clearing	The immediate reaction of many people like myself will be to immediately remove all trees from my property that would be affected by the draft Policy. Council will then be responsible for increased tree removal, not preservation. (Submission 24)	Council acknowledges that the risk of applying the Vegetation Management Policy over new locations, is pre-emptive clearing prior to the Policy being implemented. It is important through community consultation to explain 'why' and 'how' the Policy applies. Engagement will also be key to the successful implementation. Recommendation: no change
Monitoring of the draft Vegetation Management Policy	Council should immediately develop a program of monitoring of tree canopy density through use of updated aerial photography or other means, at least twice annually for the areas initially covered by the draft Policy. In the case of Gloucester, monitoring should also include land surrounding the Large Lot Residential, Environmental Conservation and Environmental Management zoned land. The monitoring should be reported to Council with recommendations related to the effectiveness or otherwise of the draft Policy. (Submission 34)	One component of proposed Tree Canopy Mapping outlined in the draft Greening Strategy is obtaining current aerial imagery. This imagery will allow us to continue to capture the changes in vegetation extent across the MidCoast. By undertaking the Tree Canopy Mapping and Heat Analysis on a recurring basis we can see if the amount of tree canopy cover and heat exposure in our target areas and across the MidCoast landscape has improved. Recommendation: no change
Draft Vegetation Management Policy exemptions: pruning	Large trees should be allowed to be pruned or removed to allow rooftop solar panels to work to their greatest potential. This could also relate to passive solar access for houses. (Submission 12)	The draft Policy allows for pruning of less than 10% of the tree. This will allow for minor pruning to address the effects of vegetation on solar panels. An application will still be able to be lodged for Council's arborist to assess and determine whether the subject tree can be further pruned or removed. Recommendation: no change
Draft Vegetation Management Policy exemptions: undesirable species	It is laughable to have to obtain approval to remove pittosporum and other unlisted voracious, unattractive, and undesirable species. (Submission 21)	The Exempt Species table in Schedule 3 of the draft Policy lists exempt species. It also includes a note that the exempt species include any other exotic or undesirable tree species that is identified in writing by MidCoast Council. Recommendation: no change
Draft Vegetation Management Policy exemptions: dangerous trees	The introduction of the draft Policy would have a direct negative impact on residents and landowners. This policy would prevent property owners from taking down any trees which are a potential danger to structures and life, adding the unnecessary expense of sourcing and paying for an expensive ecology expert to approve such clearing. Surely Council employs an arborist of sufficient knowledge and expertise to make these decisions without implementing a blanket policy. (Submission 35)	The draft Policy outlines what will generally not justify the removal of a tree(s) or vegetation. This includes: <ul style="list-style-type: none"> - dropping of leaves, flowers, fruit, bark, sap or twigs into gutters, downpipes, cars, driveways, lawns or pools, - enhancing views, solar access, street lighting, increase natural light or increase sunlight to garden areas, - reducing minor lifting of driveways and paths by tree roots or impacts to minor structures or to erect a fence, - for bushfire hazard control which has not been approved by the NSW Rural Fire Service (RFS) or Council, - damage to sewer mains unless supported by written expert advice and only where reasonable alternatives are not feasible such as the relocation or encasement of main, and the trees causing the damage can be identified, - damage to buildings or structures which have not been built in accordance with the relevant planning controls and legislation in force at the time of construction or where alternative tree sensitive construction measures could be undertaken. <p>Completing the self-assessment form will determine if an exemption applies, in which case you won't need to lodge an application for a permit if you are eligible for an exemption. Some of the exemptions proposed are pruning of less than 10% of a tree, removal of priority weeds or exempt species, and eligible clearing under the NSW Rural Fire Service 10/50 Code of Practice.</p> <p>Outside of these listed criteria, the proposed permit process will be able to consider application for removal or pruning of trees(s) or vegetation. Council's arborist and tree management team are adequately trained to assess these applications and will only require arborist or ecological reports under Step 3 which requires further information.</p> <p>In some cases, we're unable make a decision after the preliminary assessment, and more information is needed which might include an arborist or ecological report. The additional information will help us determine if your permit can be issued, or if the application should be refused in which case no works can be undertaken.</p> Recommendation: no change
The draft Vegetation Management Policy should be voluntary	Any Vegetation Management Policy should be voluntary, and if it is not voluntary the areas that will be subject to the draft Policy should be	Compensation has not been considered in the development of the draft Policy. It is recognised that the Policy may be an impost to some landowners, and this is why the Policy has provided as many exemptions as possible. Completing the self-assessment form will determine if an exemption applies, in which case you won't need to lodge an application for a permit if you are eligible for an

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	<p>compensated accordingly e.g. removal of water and sewage access charges. (Submissions 5, 24)</p>	<p>exemption. Some of the exemptions proposed are pruning of less than 10% of a tree, removal of priority weeds or exempt species, and eligible clearing under the NSW RFS 10/50 Code of Practice.</p> <p>It is considered that a voluntary Vegetation Management Policy would become difficult to administer, particularly when ownership changes and it could lead to neighbour conflict. The <i>Local Land Services Act 2013</i> regulates the management and clearing of native vegetation on rural zoned land in NSW, and this is administered in the MidCoast by Hunter Local Land Services. The Vegetation Management Policy approach is similar though it only applies to targeted areas and not a blanket zone approach. There is reasoning for the areas that are subject to the targeted approach.</p> <p>Recommendation: no change</p>
Self-management	<p>Self-management is the best policy, not a forced policy. An example of successful self-management of property is Panorama Drive and Figtree Drive in Diamond Beach, where there has been no more clearing of trees than when there was no self-management. The inclusion of some of these areas is due to the obvious care and management of these properties, that has made them attractive by retaining native species. The areas ignored by the proposed Policy have been denuded by lack of care and concern and by indiscriminate clearing. The Policy imposes no restrictions or costs on landholders of properties that have been totally cleared. (Submissions 6, 21)</p>	<p>It is acknowledged that there are areas that are not covered by the draft Policy under the targeted approach. The draft Policy seeks to protect vegetation that contributes significant ecological values or landscape character and amenity. Land outside of the draft Policy coverage may be covered by other legislation.</p> <p>The Policy is a combination of self-management and prescribed management. The simple three step process which includes the exemption process enables landowners to still have some control of vegetation removal on their land, but ensures the significant vegetation is removed in a controlled manner. The Policy doesn't mean landowners can't remove vegetation from your property, but it does require that they follow a process.</p> <p>Council recognises the proactive efforts some landowners have undertaken to improve their land to contribute to significant ecological values or landscape character and amenity. Council doesn't want these landowners to feel penalised and we want to work with these landowners to retain vegetation and implement the actions of the draft Greening Strategy.</p> <p>In the future Council could explore incentives for these landowners including the provision of native tube stock. Landowners are encouraged to contact our Weed Biosecurity team for advice on identifying weeds for removal and identifying what assistance is available.</p> <p>Recommendation: no change</p>
Incentives	<p>Incentives should be given to encourage landowners to retain as much native vegetation as possible, rather than have a permit system for clearing and pruning. Incentives could include help (financial or physical) with controlling wild dogs, foxes, rabbits (culling not poisoning) and controlling weeds. (Submissions 12, 21)</p>	<p>An action of the draft Greening Strategy is the development of guidelines for planting trees and tree species schedules. Another action is providing information on Council's website outlining the process and resources available to assist with community tree planting events. Council is willing to discuss potential partnerships for greening with landowners.</p> <p>Our environmental staff are also available to talk with landowners about land management and how to plant suitable native species. Council can also provide advice and contacts for the management and control of feral animals. Landowners are encouraged to contact our Weed Biosecurity team for advice on identifying weeds for removal and identifying what assistance is available.</p> <p>Recommendation: no change</p>
Online mapping	<p>The online mapping tool enables specific properties covered by the draft Policy to be identified which is very useful. (Submission 17)</p>	<p>Support for the online mapping tool is noted. This tool will continue to be used for other exhibitions where suitable.</p> <p>Recommendation: Continue to use Council's online mapping tools along with Schedule 1 to show where the Policy applies to.</p>
Location-specific strategy for Hallidays Point	<p>Hallidays Point is facing a number of issues including:</p> <ul style="list-style-type: none"> - loss of beach vegetation due to development, - disappearing koala habit along with corridors, - complete clearing vegetation of new subdivisions, - there is not enough room to plant trees in new subdivisions, - small parks that do not have a dedicated bush/tree area, - subdivisions should have blocks left to create important corridors rather than offsets that are not local. <p>(Submissions 8, 10, 12)</p>	<p>An action of the draft Greening Strategy is to develop a location-specific strategy for Hallidays Point. The proposed strategy will provide an early opportunity to retain important vegetation by clearly identifying areas for protection. It will also identify areas of vegetation that should be retained or enhanced and land that can be considered for future rezoning for urban purposes. The proposed strategy will also determine the desired environmental outcome and development opportunities, providing certainty to the community and developers alike. Strategies such as this will provide a long term plan for the retention of important vegetation for conservation and the identification of areas that will have minimal environmental impact for future development.</p> <p>Another recently completed strategy is the North Diamond Beach Public Access Strategy. This strategy provides a framework for ensuring that public access is obtained and/or retained along the coastline of the northern end of Diamond Beach. The corridor not only provides opportunity for public access, it also can assist with the north to south movement of fauna.</p> <p>The draft Vegetation Management Policy seeks to protect vegetation that contributes significant ecological values or landscape character and amenity. An action of the draft Greening Strategy is the development of planning controls for the MidCoast and incorporating them into the MidCoast Local Environmental Plan and MidCoast Development Control Plan. This will help ensure that future development adequately considers and protects significant vegetation.</p>

Topic:	Summary of submissions:	Response and recommendation
		Recommendation: no change
Draft Vegetation Management Policy Engagement: letter notification	While Council sent out a letter that many people may ignore or pay little attention to, effective community engagement on what this draft Policy really means seems to be missing. (Submission 8)	<p>As a part of the targeted approach for the Vegetation Management Policy, letters were sent out to landowners that are identified in an area where the Policy will apply to. Letters were not sent to landowners covered by the existing 'Tree Preservation Order' currently applied through a 'blanket approach' in the Great Lakes region. Newspaper articles were placed in the Great Lakes Advocate and Forster Fortnightly to inform the landowners covered by the existing 'Tree Preservation Order' of the new targeted approach.</p> <p>As a part of the community engagement for the project, information and online mapping was made available on the Have Your Say page. The community was also encouraged to contact Council by phone or email. A lot of the community members reached out to Council during the exhibition and had the opportunity to speak to staff and have their questions answered.</p> <p>It is recognised that vegetation management, and the policies and processes around it can be complex. Information sessions consisting of 15-minute appointments were held at Gloucester, Hallidays Point and Taree. This was an important component of the community engagement for the project, as it allowed landowners the opportunity to meet with Council's Natural Systems, Tree Management and Land Use Planning teams to discuss how the proposal applies to their property and ask any questions they had.</p> <p>If the draft Policy is adopted by Council, the application forms and website landing page will be prepared to provide information on Council's website about the Vegetation Management Policy. The website will also link to Council's online mapping tools which will be used to help potential applicants determine if a specific property is covered by the Policy.</p> <p>Recommendation: Provide information on Council's website about the Vegetation Management Policy and provide contact details for government agencies like Hunter Local Land Services who administer vegetation controls in rural areas.</p>
Draft Vegetation Management Policy Engagement: landowners covered by the existing Tree Preservation Order	Council has engaged landholders who will be affected by the new controls, but have you engaged with landholders or those in the area who would like to see controls remain to a sufficient extent (for example Forster)? (Submission 31)	<p>A tailored newspaper article was placed in the Great Lakes Advocate and Forster Fortnightly to inform the landowners covered by the existing 'Tree Preservation Order' of the new targeted approach. Media releases, Facebook posts and radio interviews were used to inform residents of the proposal. Unfortunately, not every section of the MidCoast can be reached by this media and this is an ongoing challenge that Council faces and is striving to address.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy Engagement: notification of adoption and notification of effective date	When the draft Policy is adopted and comes into operation, Council should contact all affected landowners and provide clear guidelines allowing unambiguous understanding of the scope of the controls and the procedures. (Submission 34)	<p>If the draft Policy is adopted, Council will reach out to community through existing media channels to inform the community. This will include newspaper adverts advising of the adoption of the Development Control Plan amendments and the Policy.</p> <p>Recommendation: no change</p>
Draft Vegetation Management Policy Engagement: amendments	Once this measure is undertaken there is no requirement for Council to upgrade their powers or expand these areas with this level of notification. If Council choose to change this policy in regard to my house once it is introduced, they will not notify me, and I will have to monitor Council's website. (Submission 25)	<p>If Council adopts the draft Policy, then subsequent amendments will require Council to notify the community. Council will reach out to community through existing media channels to inform of the proposed changes.</p> <p>Recommendation: no change</p>
Tree species list	More information should be provided to the community on what tree species should be planted and how to construct and maintain wildlife corridors. (Submission 1)	<p>An action of the draft Greening Strategy is the development of guidelines for planting trees and tree species schedules. Another action is providing information on Council's website outlining the process and resources available to assist with community tree planting events.</p> <p>Recommendation: no change</p>
Education	Tree preservation in the Mid North Coast reduces the danger of losing the very thing that makes this area special, which is the beautiful, Australian Flora and Fauna and clean filtered waterways. People are nervous of bushfires, but unfortunately the removal of trees is adding to the threat of bushfire. The draft Policy is a sensible policy, which manages the risk of bushfire whilst retaining habitat. Council should develop an on the ground education and training for Large Lot Residential landowners in mitigating bushfire risk and cool burning practices. If we were all on the same page, with the same education we would be much safer, and our wildlife and their habitats would flourish. (Submission 38)	<p>It is recognised that individual significant trees or tracts of nature vegetation can take over 100 years to reach maturity. They also provide more habitat for wildlife and are more difficult to replace if lost, than smaller trees. Principle 2 of the draft Greening Strategy recognises that we need to keep what we have, and this includes young and mature trees.</p> <p>A key principle of the draft Greening Strategy is to build partnerships, and one key aspect of this is education to raise awareness in the community about the importance of trees and vegetation. Council will continue to explore and identify opportunities to educate the community on the benefits of greening and increasing vegetation coverage, along with information on bushfire mitigation and cool burning practices. This could be done in partnership with other government bodies including NSW Rural Fire Service, Crown Lands, Forestry Corporation of NSW and National Parks and Wildlife Service.</p> <p>Recommendation: no change</p>

Topic:	Summary of submissions:	Response and recommendation
Bushfire: self-management	I undertake a small amount of burning hazardous areas of growth that build, and this is done in sections and before the growth poses major fire risks. I do not burn in the special area of paperbacks. This burning is of small growth areas of low growth to keep property safer from major fire outbreaks. (Submission 10)	<p>Council is only able to manage fire risk on properties we own or manage. Concerns regarding all privately owned land needs to be referred to the NSW Rural Fire Service. Private residents can help reduce the threat of fire to their property by reducing hazards within their boundaries.</p> <p>For advice on how to reduce the fire risk on your property, you should contact the NSW Rural Fire Service. You also need to comply with the local regulations for your area. Therefore, you should also check with Council to make sure that a permit is not needed from Council to undertake the burn.</p> <p>Recommendation: no change</p>
Bushfire: proximity of trees to houses	Recent bushfires highlighted the danger of eucalypt trees close to the house, and currently I am allowed to remove trees I consider a fire danger. If the draft Policy comes into force, I will not be allowed to remove trees I consider a fire danger. (Submission 24)	<p>With learnings from the 2019 bushfire and others across NSW, we will continue to work with the NSW Government to establish a more strategic approach to planning and managing bushfire risk in accordance with the NSW Government's Planning for Bush Fire Protection. It is important that the implementation of the Greening Strategy does not significantly increase bush fire risk.</p> <p>Council will continue to work with government bodies including NSW Rural Fire Service, Crown Lands, Forestry Corporation of NSW and National Parks and Wildlife Service to undertake hazard reduction exercises in accordance with best practice.</p> <p>Private residents can help reduce the threat of fire to their property by reducing hazards within their boundaries. For advice on how to reduce the fire risk on your property, you should contact the NSW Rural Fire Service. You also need to comply with the local regulations for your area. Therefore, you should also check with Council to make sure that a permit is not needed from Council to undertake the burn.</p> <p>One of the exemptions proposed in the draft Policy is where the land is eligible under the <i>10/50 Vegetation Clearing Code of Practice for New South Wales</i>. Under this Code of Practice eligible landowners can clear trees on their property within 10 metres of an approved building, without seeking approval and clear underlying vegetation such as shrubs (but not trees) on your property within 50 metres of an approved building, without seeking approval. It is not the intent of the draft Policy to restrict the application of the NSW Rural Fire Service's Code or Practice.</p> <p>Recommendation: no change</p>
Responsibility of other agencies	The spirit of this policy is a positive one. The approach to protecting our environment seems piecemeal and onerous as it is monitored and legislated by three levels of government, and this should not be shouldered just by Council. Some consistency needs to be applied. Where significant land is adjacent to a State Forest or the National Park estate, Council or relevant authority should ensure the edges of the forest and/or park are adequately fire hazard controlled. (Submission 12)	<p>It is acknowledged that vegetation management, and the policies and processes around it can be complex. Wherever possible, Council partners with state and federal agencies to protect the environment that the MidCoast area is renowned for.</p> <p>Council will continue to partner with Forestry Corporation, National Parks and Wildlife Service, Crown Lands and Hunter Local Land Services to continue to minimise the risk of bushfire. Council is also a member of the MidCoast Bushfire Risk Management Committee.</p> <p>Recommendation: no change</p>
Herbicide application	Helicopter spraying of herbicides should cease immediately. (Submission 12)	<p>Council utilises aerial application for spraying herbicides in a targeted and controlled manner in partnership with the NSW Government. Council has recently utilised drones for spraying herbicides over the past two years as a part of Council's Bitou Bush eradication program. Council initially decided to trial the drone application of spraying in response to public concern with helicopter application and has worked closely with the drone operators to coordinate the spraying along the region's coastline. The method also eliminated the need for abseilers to spray around cliff faces and other hard to reach places. Council is conscious of the community's concerns around the use of herbicides and only uses approved treatment methods.</p> <p>The drone spraying program is carried out following recommendations contained in the 'Best Practice Guidelines for Aerial Spraying of Bitou Bush in New South Wales' published by the Department of Environment and Conservation and complies with the conditions in the permit issued by the Australian Pesticides and Veterinary Medicines Authority (APVMA).</p> <p>Recommendation: no change</p>
Replanting trees	More commitment should be shown to replanting with native species throughout. (Submission 22)	<p>Council recognises the need for planting local native species wherever possible, and landowners will be encouraged to plant suitable species, and this could include local native species. An action of the draft Greening Strategy is the development of guidelines for planting trees and tree species schedules.</p> <p>Recommendation: no change</p>

Topic:	Summary of submissions:	Response and recommendation
Conservation Action Plan for Gloucester	Council should immediately undertake a Conservation Action Plan for koalas covering the areas affected by the draft Vegetation Management Policy at Gloucester, Barrington and The Bucketts area. The Conservation Action Plan should be developed in consultation with all landowners affected. (Submission 34)	The development of the Tinonee Conservation Action Plan is a short term action (2021-2024) of the draft Greening Strategy. Following the completion of this short-term action, future plans will be identified in locations where significant habitat and greening objectives. Recommendation: no change
Partnerships	Gloucester Environment Group supports the introduction a Greening Strategy and Vegetation Management Policy (VMP) along with simultaneous adoption of the Biodiversity Framework and the Estuary and Catchment Management Plan as part of an LGA wide package to protect and enhance the natural environment in MidCoast. Gloucester Environment Group looks forward to continuing a productive partnership with Council. (Submission 34)	A key principle of the draft Greening Strategy is to build partnerships. Council will continue to explore and identify opportunities to partner with the community and community groups to realise the benefits of greening and increasing vegetation coverage. Recommendation: no change
Assistance for landowners	Many landowners actively enhance the environment to draw nature in, whilst also pursuing various rural activities. The cost of purchasing large quantities of plants in post drought, post fires and post flood times is a burden too far. An even more cost-effective option is to make growing kits with seed and containers available, and easy to follow instructions. A challenge of community tree planting programs is heavy plant loss. This is because while it's exciting to plant trees, generally no one wants to maintain them. Landowners on the other hand, will be more likely to do the necessary maintenance. (Submission 11)	One supporting project of draft Greening Strategy is increasing the capacity of Council's two nurseries to propagate local native plants for Council and community groups for landscaping and bushland regeneration projects on public land. Plants are also sold to landholders for environmental restoration projects on private land. The nursery capacity needs to be increased to first be able to cope for the demand from Council projects. The next stage would be to increase the capacity for being able to provide rate payers free local tube stock. Another project is preparing guidelines for landowners and this could include information of management and maintenance of plantings. Council is also willing to partner with landowners wherever possible to improve the biodiversity values of the MidCoast. Recommendation: no change
Vehicles strikes and dogs attacks	Roadkill is also a significant concern in non-rural areas; is this being addressed. Koalas are vulnerable to attack by both wild and domestic dogs. Disease is also responsible for reduced koala population. That is why a holistic policy approach, addressing multiple ecological pressures, is required to be effective. Besides merely suggesting landowners plant koala friendly tree species, Council should provide these trees free for properties in koala areas. (Submission 11)	It is acknowledged that vehicle strikes and both domestic and wild dogs pose a risk to species like koalas. Council will continue to partner with wildlife groups, National Parks and Wildlife Service, Crown Lands and Hunter Local Land Services to continue to educate landowners and drivers of the risks. One key aspect of the draft Greening Strategy is education. Council will continue to explore and identify opportunities to educate the community on the benefits and value of greening and increasing vegetation coverage. This could also include raising the awareness of the vehicle strikes and both domestic and wild dogs pose a risk to fauna in the MidCoast. Recommendation: no change

Submission number:	Submitter name:	Submission number:	Submitter name:	Submission number:	Submitter name:
1		14		27	
2		15		28	
3		16		29	Ariel Johnson on behalf of Midcoast Environment Group
4		17		30	
5		18		31	
6		19		32	
7		20		33	on behalf of Myall Koala and Environment Group
8		21		34	on behalf of Gloucester Environment Group
9		22		35	
10		23		36	Paul McLeod on behalf of Koalas in Care
11		24		37	
12		25		38	
13		26			