

Submission  
No 4

**INQUIRY INTO ENVIRONMENTAL PLANNING AND  
ASSESSMENT AMENDMENT (HOUSING AND  
PRODUCTIVITY CONTRIBUTIONS) BILL 2023**

**Organisation:** Total Environment Centre

**Date Received:** 6 June 2023

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TOTAL  
ENVIRONMENT  
CENTRE



P.O. Box K61, Haymarket NSW 1240  
Ph 02 9211 5022  
www.tec.org.au  
ABN 54 152 721 302

## **SUBMISSION TO PORTFOLIO COMMITTEE 7 – PLANNING AND ENVIRONMENT ON Environmental Planning and Assessment Amendment (Housing and Productivity Contributions) Bill 2023**

Total Environment Centre has reviewed the Bill and has a number of comments on it. These follow:

1. The Bill separates developer contributions for biodiversity measures from other contributions for regional infrastructure. Previously funds had been amalgamated but particularly with the Cumberland Plain Conservation Plan (CPCP), a clear biodiversity component was developed to support future conservation and offset measures. We support the clear separation of these purposes.

2. However, protection of biodiversity is a very sensitive area as proposed measures can either improve conservation prospects or accelerate the path to becoming endangered, critically endangered or extinct. The Cumberland Plain is an excellent example of a biodiversity crisis where additional urban development and land clearing can push many species of plants and animals to likely functional extinction.

The measures employed in response have been subject to criticism and we are aware that the CPCP and state Biodiversity Conservation Act is being reviewed. This is essential as from one perspective as the larger the Strategic Biodiversity Contributions Fund, the bigger the negative impact from development. For example, the CPCP does not adequately implement biobanks and conservation zonings which are - upfront (in place before the removal of habitat); proximate (to the lost habitat); contiguous (to other similar habitats and corridors); additional (no double dipping for already protected land) and zoned environmental (so they are not used for development infrastructure).

***The Bill should ensure that future improvements (nature and impacted species positive) to the state and Commonwealth environment protection regimes are not closed off by the Bill and will be appropriately funded.***

3. Clause 7.25 (b) of the Bill refers to plans, policies or programs under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* as purposes to which the Strategic Biodiversity Contributions Fund may contribute. These are vague terms which may, or may not, improve conservation outcomes for the region.

***The Bill should ensure that the Commonwealth measures improve the biodiversity outcomes for impacted species in the region.***

Note: 7.29 (b) requires a connection between the biodiversity fund contribution and the biocertification measures – not whether there are nature positive outcomes that are not compromised by ongoing habitat loss.

Jeff Angel  
Director  
6 June 2023