

Submission
No 45

**INQUIRY INTO PLANNING SYSTEM AND THE IMPACTS
OF CLIMATE CHANGE ON THE ENVIRONMENT AND
COMMUNITIES**

Organisation: WinZero - Wingecarribee Net Zero Emissions

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INQUIRY INTO THE PLANNING SYSTEM AND THE IMPACTS OF CLIMATE CHANGE ON THE ENVIRONMENT AND COMMUNITIES

WinZero is an incorporated association which was formed following the Declaration of a Climate Emergency by the Wingecarribee Shire Council in February 2020, with the aim of working with both the Wingecarribee Shire Council and the local community to achieve Net Zero Carbon Emissions by 2050 at the latest, as well as to use its best endeavours to preserve the irreplaceable environmental attributes of our Shire.

Key issues raised by the NSW's government's *Inquiry into the planning system and the impacts of climate change on the environment and communities* include:

- The previous NSW State government eroded public rights to participate in development decisions, leaving communities in many circumstances without adequate participation in decisions that affect their local communities.
- Public participation in the planning system needs to be restored, and public participation should be made more accessible by providing sufficient time and funding for communities to participate. Further, the Environmental Defenders Office (EDO) should receive sufficient government funding to support this work.
- Ensure that lands exposed to natural disasters as a result of climate change are appropriately zoned, including land that is flood and/or fire-prone areas, areas that are vulnerable to rising sea levels, coastal erosion or drought conditions as a result of climate change, and areas that are threatened ecological communities or habitat for threatened species, with compensation for owners where appropriate.
- Protecting threatened species and communities, including by declaring Areas of Outstanding Biodiversity Value (AOBVs).
- Underfunding of the Department of Planning and Environment (DPE) and the NSW Threatened Species Scientific Committee (NSW TSSC), which leads to inadequate information about threatened species and communities.
- Lack of an adequate standard for how Threatened Ecological Communities (TECs) are defined in law, and lack of a process to fix problems in earlier definitions in a reasonable time.

- Conflicts between land zoning and biodiversity values.
- Need to better regulate consultants involved in DA assessments, including ecologists and bushfire risk assessors.
- Break the connection that allows proponents to choose their consultants, as the current system encourages consultants to orient their operations to please their clients rather than acting in the public interest.

Recommendations:

1. Restore public rights to participate in the planning system, with funding for appeals against planning decisions to be provided to the EDO.
2. Zone flood and fire-prone lands appropriately, with compensation for owners where appropriate.
3. Declare areas of Outstanding Areas of Biodiversity Values (AOBV) to protect threatened species and communities.
4. Increase funding for the DPE and the NSW TSSC to improve knowledge about threatened species and communities.
5. Develop an adequate standard for how TECs are defined in law, and a process to fix problems in earlier definitions in a reasonable time.
6. Address conflicts between land zoning and biodiversity values.
7. Better regulate consultants involved in DA assessments, including ecologists and bushfire risk assessors.
8. Break the connection that allows proponents to choose their consultants, and establish a rotational roster and pricing mechanism for a panel of accredited consultants.

Additional comments:

- The **Wingecarribee Local Environment Plan 2010 (LEP)** is an example of a LEP that needs to be audited and fixed.
- All LEPs should be audited on a triage basis to identify and fix problems.

Derek White
Secretary – WinZero Inc