

**Submission
No 107**

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

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To The Honourable Members

A. A PERSPECTIVE as a LONG-TERM RESIDENT of NORTH EPPING

Our suburb has long prided itself for liveability and care for the environment, especially TREES. I understand that this had been supported especially by former Hornsby Councillor, Ron Payne, in a TREE PRESERVATION initiative. Equally, the current Hornsby Council had a forward-looking draft strategic plan (2019) that took into account climate change impacts.

All that was frustrated by the then Coalition state government overriding council powers with regard to housing developments. In April 2022, one development application in particular generated widespread objection. Most of us did not understand what was happening; we were never alerted to or consulted about it by state representatives. As a result, people presented their objections to the DA through council expecting to be heard by them as they normally would, only to be advised it was determined by the state. It was frankly a sham. As well I have photographic evidence of the irregularity of start of demolition of the existing building before close of submissions to council. Naturally, all that and similar experiences in other council areas generated a good deal of disquiet and, while neither major party has acknowledged it, it is arguable that that was a factor that had contributed to the downfall of the former state government.

As seen from North Epping, the consequences of that regulatory environment have been:

1. to in effect extinguish people's DEMOCRATIC RIGHT to have a say in matters affecting their local areas,
2. to permit application of the 10-50 vegetation clearing rule to areas beyond to 100 m limit adjacent to bush, in clear CONTRAVENTION of the purpose for which it was introduced, and
3. permitting clear-felling of ALL vegetation, including established trees that provide coolness and absorption of ground moisture, construction of new dwellings with predominantly heat-absorbing dark roofs and hard paving, token verandahs and eaves for shade if any, all not just contrary to but EXACERBATING climate change related urban heat stress and excessive rainwater runoff.

B. TERMS OF REF (b, i) (impacts of development on local councils) and (c) (planning reforms to mitigate climate effects)

As noted above, the consequences of that regulatory episode, now assumed and indeed proposed to be strengthened by the present state government, have been counterproductive for sustainability into the future. I submit

1. that councils' former planning controls be REINSTATED; this has been the longstanding avenue - the THIRD TIER of government - and only they and their residents have the capacity for proper engagement to assess appropriateness of development (as shown by the case of Hornsby Council, for example),
2. that state government should issue guidelines and/or inducements or penalties that DO help to mitigate climate change heat stress and runoff deficiencies in the current building regulations noted in Point A3 above.

C. TERMS OF REF (a, i, ii) (proposed developments vulnerable to flood, rising sea and coastal erosion) and (c) (planning reforms to mitigate those effects)

As a geologist who formerly taught geological mapping at Macquarie University, it astounds me how there had been SO LITTLE AWARENESS in the public domain up to now of ordinary geological or geomorphological processes that are likely to affect existing and proposed building work in particular parts of the state. It's as if there was either ignorance of these or unwillingness of commercial agencies and state government to acknowledge them.

In particular, I cite the publically available GEOLOGICAL MAPS of the state prepared by the Geological Survey of New South Wales. While one does not have to be a geologist or geomorphologist to appreciate the risks, and the maps themselves do not attempt to quantify the risks, they have the advantage of depicting defined areas where there is definitely A RISK. These are areas QUATERNARY ALLUVIUM (deposited by present day rivers and estuaries at times of flooding) and QUATERNARY DUNE SAND (notably sand bars at the head of present day beaches which partially close off lagoons and estuaries behind). Here "Quaternary" refers to the latest geological period active in geologically recent times up to the present day.

Examples of alluvium are flood-plain deposits around Windsor and at Tea Gardens on the north side of Port Stephens. (At the latter I've seen properties no more than a couple of metres above high water mark on the water front, for example.) Sand bars are deposits that continually interact with the ocean. What has been deposited may at times be taken away by the sea, as we have seen recently on the long bar in front of Narrabeen Lagoon between Collaroy and Narrabeen.

I submit

1. that there should be an immediate EMBARGO on ALL further construction on such land,
2. that there should be a campaign to educate the public about the existence of those area and their POTENTIAL risk, and
3. that real estate agents and developers be required to DISPLAY an overlay of locations intended for development or sale in such areas on an extract of state maps that shows locations of Quaternary deposits, with an explanation of their significance for possible future impacts.

As a former instructor at Macquarie University introducing students to assessment of fractured rock for potential toppling, landslide or hill creep in the Sydney-Wollongong region, I am conscious of the potential for instability of properties constructed along CLIFF LINES in the region. This, again, is a normal geological process - coastal erosion. The reason why they are cliffs is because they have been, and presently are, attacked by wave action at the base, resulting in shedding of rock and soil and landward retreat. Anyone can see places where large blocks have fallen at the base of sea cliffs in Sydney. I could also point to places where landslides occurred in 2010 and a couple of years ago.

I submit

4. that the government prepare maps showing steep portions of land along sea cliffs which are susceptible to potential landslide or hill creep as a result of ongoing coastal erosion, and

5. that real estate agents and developers be required to display locations of properties intended for development or sale in those areas on such maps, together with an explanation of their significance.

D. TERM OF REF (d) (alternative regulation to increase dwelling capacity)

Sydney is renowned as one of the LEAST AFFORDABLE cities in the WORLD, a consequence of classical liberal thinking which allows (and here encourages) speculative investment in property. This has evidently resulted in the current crisis where 'front line' workers in essential services are unable to afford properties of their own.

The continuation of this economic backdrop and the federal directive to increase housing capacity would appear to NOT SIGNIFICANTLY alleviate affordability. As well, it is arguably unsustainable environmentally (e.g., Points A and B above and provision of green space) and in infrastructure demands.

For these reasons, I believe state government would do well to oppose the scale of the federal directive and give priority to affordability.

Two strategies I could think of that would assist in achieving that are as follows.

1. To impose strict limits on periodical renting, such as by Airbnb which have got out of hand, so as to free up long term renting by 'front line' workers and other members of society.
- 2.1. For the new large two-storey McMansion-style dwellings in the suburbs, to permit minor alterations so as to allow either subdivision into two separate ownerships (similar to a two-storey townhouse) or one part for long term renting.
- 2.2. For older style single dwellings with sufficient land, to allow low-cost granny flat style construction, again either for separate ownership or long term renting.

I much appreciate the opportunity for input on these matters, the first three of which have been a concern for some time.

Respectfully,

D. W. Durney