Submission No 154

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

Organisation: Blacktown City Council

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Blacktown City Council

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Subject Parliamentary Inquiry - Planning system and the impacts of climate change on the environment and communities

Issue	Recommendation	Details
NSW has no legal mechanisms in place to ensure climate mitigation targets and adaptation goals are met. We need a whole government approach to climate change.	Establish a Climate Change Act.	We support the proposed Climate Change (Net Zero Future) Bill 2023 to legislate 2030 and 2050 emission reduction targets. This could help provide legislative consistency and a stronger basis to underpin urban planning instruments that address climate change. The proposed bill would better align us with Victoria, Tasmania, ACT, and South Australia, providing more cross-state consistency for developers.
The *Environmental Planning and Assessment Act 1979* does not contain specific references to climate change, provisions for mitigating greenhouse gas emissions or climate change adaptation implementation provisions.	Insert a new object on climate change in the *Environmental Planning and Assessment Act 1979.*	The object should reference: • the proposed Climate Change Bill in line with carbon emissions targets to mitigate an increase in global warming to no more than 1.5 degrees Celsius above pre-industrial levels in line with the latest IPCC recommendations • climate change adaptation – in accordance with Intergovernmental Panel on Climate Change (IPCC) reports, the National Climate Change Adaptation Plan and other relevant climate change laws, policies and targets. The impact of development on urban heat and heatwaves (refer to WSROC's Heat Smart Resilience Framework 2021). Insert a general 'duty to consider climate change' in the Act for local government areas to make decisions consistent with the objects of the Act. Require provisions under the general duty to consider climate change mitigation and adaptation at all key decision points in the planning system.
The current approach to climate change mitigation and adaptation is inconsistent across State Environmental Planning Policies (SEPPs).	Develop a Climate Change State Environmental Planning Policy (SEPP) and update existing SEPPs to align.	The new SEPP should integrate climate change mitigation and adaptation considerations into planning decision-making. Conduct a review of existing SEPPs to ensure they are internally consistent and meet the revised objectives of the *Environmental Planning and Assessment Act 1979.*

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Strategic planning instruments require consideration of climate change.	Require all planning authorities to address climate change considerations when preparing and making strategic plans (SEPPs, regional plans, district plans, local strategic planning statements, LEPs and DCPs).	Strategic plans should adopt place-based climate adaptation responses, including: • address current and projected climate change impacts • a reduction in sectoral carbon emissions in line with Australian and NSW Government targets • planned retreat in relation to natural disaster risk • urban heat island mitigation measures • biodiversity considerations. The Standard Instrument LEP should be amended to contain provisions for dealing with climate change mitigation and adaptation. Adopt urban heat planning provisions identified in WSROC's urban heat planning toolkit. For more information on how the planning system can support heatwave management see Heat Smart Resilience Framework 2021.
Local government areas lack guidance on principles, best practice, and data for climate change risk assessments and planning.	Take actions to support local government areas in strategic planning for climate change. Resilient Sydney is well-positioned to support councils with tools (e.g. Resilient Sydney platform) and share best practice from around the world.	Provide funding for the Resilient Sydney platform to enable capabilities for climate risk assessment, in particular for urban heat and flooding. Establish principles of best practice adaptation to guide planning authorities and decision makers. Include climate change considerations in Local Strategic Planning Statement guidance. Increase guidance on transitioning away from fossil fuel production and use consistent with the latest Intergovernmental Panel on Climate Change (IPCC) recommendations. Develop specific Ministerial Directions on climate risk assessment and adaptation to assist councils with planning functions. Develop a guide/manual or toolkit to support to local government areas to prepare strategic plans. Standardise and quantify urban heat assessment through use of WSROC's 'cool suburbs' tool in planning approval processes.

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Special consideration of climate change is lacking in the development of major projects.	Require a Climate Impact Statement for major projects.	The Climate Impact Statement should: • contain low and high impact development pathways • require identification of risks and projected climate impacts on the proposal over the life-cycle of the project • refer to best available science (e.g. National Climate Change Adaptation Plan or AdaptNSW projections), official adaptation plans, WSROC guidelines and best practice • lay out measures to ensure climate risks are adequately planned for over the lifecycle of the project • set out a schedule for periodic reviews on climate-related risks and adaptation measures.
Local government areas lack powers and mechanisms to manage evolving exposure to climate hazards.	Develop discretionary standard conditions of consent for residential development, mixed use, and change of use aimed at emissions reduction and climate impact mitigation.	Consider introducing time-limited or threshold bound development consents and conditions for development in areas at risk of climate change impacts.
WSROC'S 'Future Proofing Residential Development in Western Sydney' report identified that dwellings in Western Sydney are currently designed for a historical climate which does not represent today's conditions, or those we will experience in future.	Ensure NSW building sustainability standards account for a changing climate based on WSROC's Future Proofing Residential Development in Western Sydney report.	Adopt recommendations of WSROC's report including: • improve BASIX standards to account for projections under different climate change scenarios for the lifecycle of a building in accordance with best science. • expand BASIX to include new climate-ready benchmarks drawing on voluntary standards (e.g. Green Star), including standards on passive design.
Urban heat and heatwaves are worsening with a changing climate, rapid development, and El Nino predicted for the next few years. However, Sydney currently has no coordinated arrangements in place to measure, mitigate and manage the impacts of heat	WSROC and Resilient Sydney received joint funding from the Australian Government and NSW Reconstruction Authority to establish a Greater Sydney Heat Taskforce to improve governance for managing heat and develop a five-year Heat Smart City Plan.	We advocate that recommendations in the following areas be adopted: • integration of heat resilience into policies at all levels of government including but not limited to health services, urban planning and design, emergency management, energy and, social support and services • unlocking targeted evidence-based investment in interventions and activities that materially mitigate levels of risk to our Sydney communities • establishing agreed measures for assessing heat risk within Greater Sydney communities • ensuring local authorities have the tools, skills and resources to provide practical and effective support to communities during extreme heat events.

Supporting evidence

1. Upadhyay, A., Asha, N., Fallowfield, K., Rocha, P., Bruinsma, J., & Gee, K. (2022). Future Proofing Residential Development in Western Sydney. Western Sydney Regional Organisation of Councils Future Proofing Residential Development in Western Sydney (2022)
2. Santamouris, M., Haddad, S., Fiorito, F., Osmond, P., Ding, L., Prasad, D., ... & Wang, R. (2017). Urban heat island and overheating characteristics in Sydney, Australia. An analysis of multiyear measurements. *Sustainability*, *9*(5), 712.
3. Pfautsch, S., Wujeska-Krause, A., Rouillard, S. (2020), Benchmarking summer heat across Penrith, New South Wales
4. Tofa, M., & Gissing, A. (2017). Rapid response report: study of heatwave impacts on residents and businesses in Western Sydney.