

**Submission
No 165**

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

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Portfolio Committee 7

Inquiry into the planning system and the impacts of climate change
on the environment and communities

CHAIR Ms Sue Higginson MLC The Greens

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Dear Portfolio Committee

This submission is based on long experience re community-related planning matters – as a former Councillor (Ashfield 1999-2004), delegate to IMROC, inc as AMC representative on the Parramatta Road REGENERATION Project/International Design competition 2001-03.

For well over 15 years, I was pro-active re AMC's Planning & Development, this both as Cr and for the rest as ongoing, often intensive, input as community watch-group. In this I was first guided, and later partnered, with Mrs Sue Jackson-Stepowski – neighbour and also an amazing Town Planner, in recent years much involved with ICOMOS, this internationally as well as in Australia.

As a long-time and, now life-member, of The Haberfield Association, I have been deeply involved in planning issues, not only for local heritage ('Heritage Hero' award 2010), but also re wider issues – such as resisting the blight of Optus cabling, development of the City-West Link Road, protesting the demolition of Parramatta War Memorial Pool, protecting the Female Factory from Meriton-style units, and the concept/start-up of what is now celebrated as the GreenWay. My community works continues here in Queanbeyan.

I will respond first to the overall terms of reference, and then to individual Topics as identified in the Terms of Reference. Hope it all helps.

OVERALL TERMS OF REFERENCE

That Portfolio Committee 7 inquire into and report on how the planning system can best ensure that people and the natural and built environment are protected from climate change impacts and changing landscapes.

Response

The current planning regime in NSW is long overdue for major re-think. It's a mish-mash of political think and band-aids, often geared to short-term issues that emerge at election time under the protest banners of 'density', 'transport', 'open space', 'over-shadowing', 'parking', and the current cries of 'over-crowding', 'rent-access' or 'affordability'. Each issue may be important, either locally or as one aspect of immediate governance.

But the big problem is much bigger – and it's all summed up in two key QUESTIONS -- where is the overview ?? – where are the long-term outcomes ??

The last long-term-specific planning process in NSW that I know of (and I include “regional” in this comment) is the post-war planning that for so many decades gave Sydney the natural landscape “lungs” of the Cumberland Plain. The loss of this green ring was, and is, an act of environmental vandalism – made worse for being perpetrated DESPITE early word, then pleas, then clear warnings, re climate change.

In short, the answer to this OVERALL issue is equally overall -- it will require nothing less than a total re-think on ATTITUDES towards what Planning is there to do. Instead of a rules regime based solely on 'control', a new system needs to be seen, this by govt, planners, and community, as developed FOR, and in place to ENSURE, an overall environment fit for purpose.

This won't be easy, won't happen overnight, will need convincing leadership to communicate the need, the aim - and the win-win reality of an overview approach. But it can happen – and the history of Haberfield as the world's first 'Garden Suburb' is very good basis for saying so.

This is not to suggest a repeat of a land-use pattern that worked in 1901. But the people-motivations, and its innovations in using these point the way – they're as valid now, as then. Haberfield comes from concept called “Tomorrow – a Peaceful Path to Real Reform”. And so it was The real success isn't architecture - it's some very deft social engineering, and in this newly climate-aware, climate-constrained, climate-threatened world, that's what a new NSW Planning needs to be working towards today.

TOPIC. (a) *developments proposed or approved:*

(i) in flood and fire prone areas or areas that have become more exposed to natural disasters as a result of climate change,

(ii) in areas that are vulnerable to rising sea levels, coastal erosion or drought conditions as a result of climate change, and

(iii) in areas that are threatened ecological communities or habitat for threatened species

Response

Key to all the above is MAPPING – not just one set of lines on the outline shape of a land area that simply relate to basic (or often incorrect/obsolete) ‘geography’.

What’s needed is 21st century mapping that takes advantages of this digital age and shows sequences, transitions, seasonality, high/low variations, risks etc. and this mapping should include WHAT-IF scenarios to give a clear go-ahead for future predictions. What if we could cut commute times (and enviro-costs) by matching worker housing to workplace activity - especially for low-mid pay workers ? That’s people-centric planning.

Even more useful will be way these multi-maps can be calibrated for the CUMULATIVE and the alternative – to reveal ‘unintended’ adverse impacts – some natural (like wind-shift, fire-prone vegetation, tree/canopy loss, water-transfer or loss of specific habitat/s or bio-diversity), some structural (like over-densification, high-rise wind-tunnels, over-shadowing, tide-shifting sea-walls, loss of permeable areas) and especially the ‘hidden dangers’ of negative social impacts, ie what’s MISSING - like inadequate green ‘space’, minimal infrastructure, nil roadways and access paths, lack of schools, health facilities, libraries, shops/food access, community centres etc.

AND SO – the message is: you can only control what you know. These maps become the Planning guide. Where they show danger, the rules should adjust accordingly.

TOPIC. (b) *the adequacy of planning powers and planning bodies,*

particularly for local councils, to review, amend or revoke development approvals, and consider the costs, that are identified as placing people or the environment at risk as a consequence of:

(i) the cumulative impacts of development,

(ii) climate change and natural disasters,

(iii) biodiversity loss, and (iii) rapidly changing social, economic and environmental circumstances

Response

See MAPPING above re (i) (ii) (iii). These should be for the whole State. If the Planning System is re-set for outcomes and overview, then all these will be handled. Re ‘adequacy’ – refer Topic (e) on p.8 for comments re TRAINING.

TOPIC. *(c) short, medium and long term planning reforms that may be necessary to ensure that communities are able to mitigate and adapt to conditions caused by changing environmental and climatic conditions, as well as the community's expectation and need for homes, schools, hospitals and infrastructure*

Response

Short, medium and long term thinking is definitely needed. But the secret in preparing this is to THINK State-wide, start LONG-TERM, and only then work backwards to the mid-medium, then the near-medium. And only then, to problem-solving for the short term. In effect, don't get bogged down by what's needed 'now!' For too many years, too many govt's have let issues overwhelm the 'planning'.

Note – what's needed is a new approach, way beyond 'business as usual'. Not just the usual hodge-podge of SEPP'S and Regulations used as "reforms" for a 1980's regime fast-reaching its fail-point, overwhelmed by patch-ups, political imperatives (ie donors/electioneering) and worst of all --loss of social licence, this being the penalty for years of developer-driven impunities, bankruptcies, and height/space exceptions and notorious breach situations – especially re environmental factors and failures. Canterbury Rd, Opal Tower and Barangaroo are just three examples – but equally damning are the water greedies, like almond orchards and cotton farms of Moree.

As one resident in a regional city observed last month- *"I've lived here 47 years and seen the population double – dairy farms, orchards, crop land and grazing land disappear under a sea of black or charcoal grey roofs with nary a tree between them, and no corresponding increase in infrastructure either."*

These human-induced enviro disasters are now joined by after-flood quandaries for places like Lismore, Hunter Valley, the central Coast -- where to build or not-to build, that is the question. And the fire-fighting how-to's (or, more likely, the what-not-to's) for Bemboka or Bega Valley way. All these, fingers-crossed, are (or should be) already answered in some new, climate-based Disaster-Probability Mapping. But I fear not.

And for coastal impacts, right now someone is writing a definitive dissertation about the nonsense that masquerades as local planning for sea-walls. Of course the overall planning controls should be taking a long-run, long-term view of how to protect those ever-shifting sands against the deprivations of a newly volatile ocean – this as a COASTLINE, not just dinky little beaches for some stretch of zillionaire backyards.

The proposed MULTI-MAPPING should also help communities understand the issues – why adaptation is needed. If the long-term outcome is spelled out clearly as THE aim, and it includes specifics re homes/schools/hospitals and infrastructure - then intermediate stages make more sense – and thus easier to accept.

One issue is public housing, and housing affordability. I believe PEOPLE should have a much higher priority in govt planning than the current economic idiocy called toll tunnels and motorways. But this should be govt-initiated, with a bedrock of govt funding, and based on proper people-planning, not just developer dollars or bedrooms in the sky.

On this topic re pro-active plans for housing, perhaps the most powerful thing I can do is to share with the Committee a recent comment in local media – says it all really.

REZONING ? I'VE ZONED OUT ALREADY

"We need to think big and bold" about the housing crisis, says Premier Chris Minns and what does he propose (["To secure his political destiny, Minns faces date with density"](#), November 3)? The same old tired, feeble approach that hasn't worked for decades.

Rezoning some bits of land and hoping that somebody might build something on them is exactly why we have a chronic housing shortage and why what is built is of such abysmal quality. The shortfall will continue to get worse unless the government starts to take an active role in assembling sites and laying down the standards for development we want to see.

*Many years ago, there was a state planning authority with the power to carry out projects, but timidity and lack of expertise led to no progress. Now is the time to revive that power, otherwise we'll be saying the same thing in another 10 years and no closer to a solution. B**** H*****d, Woy Woy*

In preparing this submission I came across another hugely relevant item to include here - the attached Jamie Parker REPORT. In this Urban Growth and Renewal data analysis of 2019 it shows that *"lack of proper planning by the NSW government has led to massively lopsided development in Sydney"*.

For me, this is not only anti-social, it's anti-environmental as well – because climate doesn't somehow magically re-calibrate at different Council, Shire (or State!) boundaries – or indeed, at a new govt promise, or Minister's desk. The Greater Sydney Commission was spruiked as a way to overcome these random differentiations. End result was another admin overlay for more-talk, less planning – but lots of room for random disasters, otherwise known as 'unsolicited proposals'. These should be totally banned.

Un-equal development is a direct result of having no long-term plan or OVERVIEW. Instead, thousands of new dwellings have been crammed into suburbs willy-nilly across NSW, the timing entirely dependent on a developer's say-so – and all without any co-ordinated control, integrated planning or adequate investment in our schools, hospitals and public transport.

It's been a govt cop-out for years – and if it continues, climate change is going to double-down on every problem, everywhere.

TOPIC.. *(d) alternative regulatory options to increase residential dwelling capacity where anticipated growth areas are no longer deemed suitable, or where existing capacity has been diminished due to the effects of climate change*

Response

The following list (borrowed from FOKE, ie Friends of Kuring-gai Environment) is a great input for Topic (d). It acts as a timely reminder re RETROFIT requirements when trying to adapt older infrastructure, land layouts and long-established planning factors so these can cope with the emerging needs of future growth. It also adds further a practical dimension to real-life environmental considerations via community issues and insight.

- The infrastructure of older suburbs was designed for low densities. Greater density requires retrofitting infrastructure upgrades to water, electricity, sewerage, telephone, etc. Such upgrades are much more expensive than starting from scratch in a new suburb, and cause much disruption to the lives of affected residents.
- On the face of it, concentrating more population near rail stations and other transport hubs will reduce traffic problems, pollution, etc. But in practice, each new dwelling uses an average of two cars, whether next to a station or not. Fact is, the large majority of car trips are not to somewhere serviced by rail. And the poor quality of public transport services – frequency, timeliness, comfort, overcrowding, cancellations, breakdowns – means that many people, otherwise well motivated to use public transport, often choose not to.
- More dwellings per hectare means more hard surface and accordingly more stormwater run-off. With Ku-ring-gai's high rainfall, steep slopes, readily erodible soils, and adjoining national parks, it is most important that run-off not be increased, in order to protect bushland and watercourses from erosion, and to prevent harbour pollution and siltation. Low built-upon ratios are also important to preservation of the tree canopy and bio-linkages used by wildlife to travel between the parklands adjoining Ku-ring-gai.
- Overflows of sewage during heavy rain are another risk to bushland, watercourses, and harbour, quite apart from the risks to public health they entail.
- The carbon footprint of medium- and high-density dwellings is greater than single residential dwellings, due to the greater use of concrete, reinforcing steel, construction cranes, carpark excavation, heating and air-conditioning, lifts and other services.
- With climate change, this increase of hard surfaces will further increase the 'heat island effect' already occurring in the CBD areas, whereby hard surfaces increase temperatures in summer, resulting in increased energy use for air-conditioning.

FOKE ends

Consider the mixed reaction to the recently announced revisions re the size of Moore Park Golf Course in relation to providing more open-access parkland. Normal expectation is that this would be welcome – yet just across the road people see decades of towering development at Green Square, and suspect a swizz. There have been far too many ‘*alternative regulatory options to increase residential dwelling capacity*’ and very few examples (if any) of “*where existing capacity has been diminished due to the effects of climate change*”.

Resistance is rife. Too often the trade-off has been loss of parkland, or open space only as an after-thought, and at extra cost to the community. It shows in social media and comments for the SMH. One reader puts it plainly, with a crunch-line at the end—

“Waterloo, Zetland etc have been over-developed for decades with little to no planning for public transport and open space. Solution? Butcher an existing public facility. This is everything that is wrong with urban planning, which is guided by developer greed rather than public need.

Recreational areas and parks should never be subsumed for housing. Exercise and outdoor activities are what keep people healthy and sane. What is the point of having housing covering outdoor spaces if the residents are stressed and unhealthy?”

It’s worth noting that Moore Park is Crown Land - and thus comes under huge new cloud called ‘flexibility’ in the recent re-arrangements whereby all such public parklands are no longer ‘government’ owned on behalf of the ‘people of NSW’. This translates as being now open to direct political control – including for quick land-grabs of prime community real estate, to do fast-track residential housing. The scale of enviro-risk to key public space/s is summed up in a widely rejected White Paper of 2014 calling for Crown Land ‘efficiencies’. Today’s variation is neatly explained in the attached SMH review by Elizabeth Farrelly.

TOPIC. (e) any other related matters

Response

(e) 1. Yes – TRAIN THE PLANNERS PLEASE

In the attached Data Analysis Report, Jamie Parker touches on a key point for this Inquiry. ”With development targets increasing constantly” he says “councils are unable to plan effectively. How can you plan, when you don’t know what you are trying to achieve?”

He could have added – “and you don’t have staff to do it anyway!”

Because for years now there’s been a shortage of incoming trainees. Result - a dire shortage of experienced Planners throughout NSW, with expertise often valued far more highly in private industry than in the formulaics of a council office.

Especially if it’s regional.

And how can you plan when you don't have staff with skills to keep up with even basic work, much less cope with a govt that's constantly changing the planning rules – not to mention an ever-increasing workload involved with new enviro-technicalities, compliance requirements, community expectations – and all to be done with minimal red tape, in digital speed timing.

Not easy – and not solved by a few more 'ready Regs' or DIY developer rules or.

Given the work itself is so State-specific, these are not jobs easily filled by 'skilled immigration'. So the who-and-how become a vital factor in any call for major change (not to mention all that overview required) in the NSW Planning System. Doesn't mean it can't be done (indeed, it's long overdue) but just the fact that design and delivery BOTH need to be taken into account.

(e) 2. Yes – TRAIN THE TRADIES TOO

Though the Construction Industry isn't part of this Inquiry, the Committee would be derelict in its duty if it failed to note that -

Although now being addressed by a major uplift in TAFE training, construction is also suffering an equivalent skills shortage, exacerbated by repair work after flood/fire etc

On the other hand, the skills needed to fulfil new enviro-standards etc may well lead to a new generation of construction trainers and trainees – this will also take time.

(e) 3. Yes – ENVIRO STARTER HOMES ©

Here's a simple idea that could make a big difference in construction timing and costs for new home-buyers. Won't solve the problems in Topic (b) about adequacy of planning powers – but it should cut first outlay considerably and might make it easier for average folk to get started on buying a home.

Here's the idea. Remember back on p.6 how the regional resident bewails large houses with *'nary a tree between them'*. All too often, these oversize McMansions are bought "in case" - because *"we'll have a family later on..."*

What if you could buy a 2-BR now but with floorplan that's deliberately "designed to grow" ? So it comes with expansion plans pre-approved, plus roof shape, wall corners, power/water and service links already in place so you can extend any time in the next 10 years. Sounds good? Sounds a lot more affordable now, and then later, it's enviro-smart too, because there'll be that much less demolition and waste material to remove.

The detail of how it works will definitely need some innovation in the Planning admin and DA Depts But isn't that what this Inquiry is looking for? I hope so.

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CONCLUSION

Let me conclude here with a quick note on another promo that's been in media of late -the wish-think that a light-rail station is a licence for mega-rise development. What a con.

Make no mistake - I love light rail. My home in Haberfield was just uphill from Hawthorne Canal, so I lobbied for years to get it going along the old rail line. I used it, lots. And I then saw how light rail limits itself – the carrying capacity of each carriage, and how many units can run per rail, per direction, per hour. Passenger 'catch' and turnaround time, these are the factors that determine performance-delivery, not how many floors in nearby high-rise. In fact, too many people is a frustration, ie failure by demand.

Light rail might be an 'option', but it's never an answer for mass-transit commuting. And it's a very shallow rationale to use in the politics of "Priority Precincts" - aka Hong Kong style high-density housing hotspots.

THANK YOU.

As footnote, copyright is asserted in regard to the concept for "Starter Homes".

Also, and if required, I have no objection to any publication of my name and/or input in regard to this significant Inquiry.

Sincerely - EMMA

Emma Brooks Maher