

**Submission
No 204**

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

Organisation: Valley Watch
Date Received: 17 November 2023

Thankyou for the extension of time to submit to the **“Inquiry into the planning system and the impacts of climate change on the environment and communities.”**

Valley Watch is a not for profit local environment group in the Lower Clarence area who strive to find balance to protect our natural environment and find sustainable ways to live together. Land use is a critical factor in our catchment area which is highly affected by climate change.

<http://www.clarencevalleywatchyamba.com/>

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, and in particular:

(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,

Many coastal towns are now more exposed to Climate Change factors and are unprepared. Predicted increases in rainfall, storm events, sea level rise and increased population on the coastal fringe are recipes for disaster in the near future. Councils are under-prepared, existing storm water infrastructure is not coping, volunteers are aging, residents are aging (many over 55's type developments coming to small coastal towns. Need to increase density in areas that are out of flood threats by building multi-level smaller accommodation.

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

Many examples of past bad planning at the expense of communities need to be re-accessed. We are in a different age and cannot continue business as usual. West Yamba development with expected 1100/1300 houses on a floodplain is a typical example. Millions of tons of fill has needed to be trucked in. Displaced stormwater is now affecting existing residents. Council stormwater is not coping & yet hardly a house has been completed yet.

Building slab homes on fill on top of a floodplain is likely to lead to building issues in time (ie movement/cracking) who takes responsibility?

Existing areas where coastal erosion exists should have a planned retreat plan to reduce the impact on individuals and cost to the community for flawed continuous attempts at holding back the effects of extreme ocean impacts. The repeated undertaking of various engineering solutions to existing erosion prone areas is an unnecessary imposition to the community. Future

planning in areas such as these, must ensure that approvals for any residential or commercial structures are prevented.

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

Zombie developments must immediately cease. What was once acceptable to clear natural areas is now no longer so. It is important to retain these areas to ensure survival of species and provide safe place for adaptation to climate change. Humans have technology on their side wildlife depends on nature. Keep humans restricted to smaller areas. Many of these areas are culturally significant. Cumulative effects need better monitoring. Loss of habitat needs better management and increase in habitat support such as nestboxes.

Loss of critical habitat such as Koala habitat must cease.

Off-sets are just an excuse to clear. Future protection not ensured.

Wildlife & Migratory Corridors need enhancing and improved connectivity.

Riparian zone management to allow species such as Salt Marsh time and area to retreat.

(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:

We note calls by Tweed Heads Council to extend DA approval times to 120 days for complicated DA's. Council areas all up and down the coast are all under pressure from Developers and Govt to maximise approvals – at a cost to sustainable sensible development & community outcomes.

Current Planning Panel guidelines for DA's referred to Regional Planning Panels (RPP) to be approved or refused need to be addressed. Of concern is that the two Councilors (normally senior experienced with long term association to the local area and good understanding of community concerns and environmental constraints) representing Council on the RPP are excluded from RPP (as seen in the Planning Panels Code of Conduct, Conflicts of Duties point 3.19) if they have voted on a particular development in a Council Meeting or been present at a Council Meeting at which the development was discussed. How can sensible decisions be made without the input of these people though out the process. This prohibition of elected community representatives must be removed.

(i) the cumulative impacts of development,

(ii) climate change and natural disasters,

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

(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

Better public transport is crucial. Less vehicles to be encouraged. More Local Food areas.

(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

(e) any other related matters. The terms of reference for the inquiry were self-referred by the committee on 24 August 2023.1 1 Minutes, NSW Legislative Council, 24 August 2023, p 427.