

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

Name: Janet Harwood
Date Received: 20 November 2023

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The Future is the Natural World



"Biodiversity loss is the most significant environmental problem facing Australia"
Professor David Lindenmayer. (2007) "On Borrowed Time"

Mayday for Australia's Biodiversity.

Introduction - The impact of delay is profound for Biodiversity & Environment. Delay caused by suppression of sensitivity is a bigger problem for all security.

This submission looks at why Suppression of Sensitivity and other processes are urgent topics for Investigation, and correction (if removing ecological integrity needed for survival). The State of Environment Report released by Federal Government after it was elected in 2022, shows consequences arising from the change of NSW Government in 2011, and loss of a rare opportunity to test the roll out of a critical Baseline Inquiry by Labor in 2009. ¹

Restore Wildlife to Survive. *The Future is the Natural World* confirms it is even more fitting and urgent today that NSW Labor's **Return of the Ark** be reinstated as a pilot project for "30x30" and the Biodiversity and Climate Crises. Loss of Ecological public assets needs to be stopped if the public assets form currently un-valued *critical biological Infrastructure* (CBI) for future survival of "kids and wildlife".

Ecologically Sustainable Survival Economics (ESSE) & Biodiversity & Climate action. ESSE must begin Account FOR Nature by a protect and repair process.

Action from this Inquiry can control extinction by ecologically sustainable survival economics (ESSE). ESSE is designed to bring Biodiversity and Climate action together to examine how, suppression of sensitivity has lost native fauna and flora representing survival of the future.

For example, the Lane Cove National Park and rare reserves IN Ku-ring-gai adjoining that Park need new PA status to protect from Secret Plans by Planning & Development systems to USE these rare critical habitats - with only 4 weak zones to PROTECT those habitats.



¹ <https://www.parliament.nsw.gov.au/ladocs/inquiries/2375/Return%20of%20the%20ark.pdf>

ESSE Protection should have been the focus of the Voice to Parliament to bring about a change in the Constitution to include the words Biodiversity and Climate Crises – and the Natural World of Australia’s rare fauna and flora.

The Economics of Biodiversity Conservation is crucial for the Survival of “kids and wildlife”. As advised in submissions, the current reliance on construction, mining, transport, & logging of native forest (Urban, Rural, Regional and National), is leading to irreversible loss of soils & seedbank & selloff of Survival Eco-Assets, to foreign investors who do not value them.

To enable Mayday for Australia’s Biodiversity to be tested: a prototype Ecology Pilot Project, in an area of last **critical habitat & corridor ecology**, must receive new test protection, restoration & funding -. This must change how planning & development controls need to allow re-wilding of “critical habitat and corridor ecology” to enable ecological integrity of last ecosystems. Once updated, these land planning controls must enable Rewilding of current & restored Ecosystems, and State and Federal Government can begin wider application.

Survival vs Suicide Economics Around the world current “Suicide Economics” removes ecological Assets. This sterilizes Intergenerational equity, in exchange for short term monetary gain. Not only is loss of forest, soils and seedbank, the wrong “solution”– but we destroy our last and best lands to build “investment opportunities”. This UK article indicates the problem is a global one. ²

From Suicide Economics to Survival Economics in the Age of Environmental Breakdown. *The Future is the Natural World* and the matter of Transition has been ignored to the point that last remnants and single trees are being lost and Insects at the base of the food chain along with rare native ecological communities of species are lost. In the city rare forest belongs to the future but there is little awareness of how Australia’s rare biodiversity is lost.

In destroying wildlife habitat, we destroy our own and our children’s last hope for survival. ³ To stop such an endgame, we must Account FOR Nature, and protect what remains before we destroy “*our ability to maintain ...the viability of all human health and economic welfare*”.

Accounting FOR Nature is best done first in ‘critical habitat and corridor ecology’.

This submission says suppression of sensitivity has caused the loss of native fauna and flora, the protection of which should have been the focus of the Voice to Parliament.

Such focus would have brought change in the Australian Constitution that would have taken Australia into the lead, for the Survival of the Planet. As it stands the Constitution does not recognize Biodiversity or Climate crises.

Yet, the indigenous ethic of caring for country incorporates both.

Please email *The Future is the Natural World*

² <https://www.dailymail.co.uk/news/article-4270282/Sydney-200-000-homes-foreign-investors-blamed.html>

³ “**Restore wildlife to Survive**” is the latest realization of science but “we have not yet accepted the importance of animals as ecosystem engineers, nor do we understand just how much resilience we have lost after killing most of the animals on earth already. It’s hard to knowwhen we’ve so little wildlife left.” Simon Mustoe *Wildlife in the Balance* 2022. Labor’s Inquiry in 2009 is a Business U-Turn for Survival

New Protection Zones needed in the Age of Environmental Breakdown.... Connect human, plant, and wildlife for Survival

The world's biodiversity is collapsing, and Australia's position is much worse. This quote says all: **From the Royal Botanic Gardens "Our Plants Our future"** With 50% of the world's plant species facing risk of extinction, the severity of the recent bushfires highlighted the critical importance of our plant science work against climate change. The task ahead to ensure Australian plants are not forced into extinction is immense, and expected to become more difficult as global temperatures rise and rainfall becomes less reliable."

Account FOR Nature. The Major Project suggested to State Government pre-covid, is even more urgent now post-covid, to stop the Intergenerational Tragedy.

Before new Ecologically Sustainable Survival Economics (ESSE) concepts in NSW, can be understood by decision-makers and the public, the language used during Environmental Breakdown must be dragged into the 21st century and updated. ⁴

This must be achieved by:

- (a) valuing *critical biological infrastructure* (CBI), *advanced landscape conservation* (ALC) and *baseline shift avoidance* (BSA),
- (b) and by protecting the remaining Natural World. New concepts, controls & land zones must apply the change – but change cannot be applied to current flawed systems.
- (c) Account FOR Nature has suggested a new Economics of Biodiversity. ⁵

Connect human, plant, and wildlife for Survival "..... developing a deeper understanding of ecological communities has an urgent timeline. If we fail to develop such an understanding within the next twenty to fifty years, there will be very few intact communities to use as models for the restored communities we hope to build. This will significantly reduce our ability to maintain ...the viability of all human health and economic welfare". "Corridor Ecology - The Science and Practice of Linking Landscapes for Biodiversity Conservation" (2007)

"The biggest tragedy is we don't have the data or support for longitudinal research ... I can't tell you whether there has been a change over the past 12 years, I have no data." While insect populations around the world are suffering from human disturbance and climate change, Dr Umbers said
<https://www.abc.net.au/news/science/2019-02-27/bogong-moth-decline-in-australian-alps/10850036>

"Biodiversity plays an important role in regulating the climate, thus making a key contribution to climate change mitigation and adaptation. At the same time, climate change affects biodiversity in multiple ways through complex interactions among and between species and their habitats. Therefore, it is impossible to address biodiversity loss without addressing climate change, but it is equally impossible to tackle climate change without addressing biodiversity loss. <https://climate-adapt.eea.europa.eu/eu-adaptation-policy/sector-policies/biodiversity>

Suicide Economics and the Loss of Ecological public assets needs Investigation. Current reliance on construction, logging of native forest (Urban, Rural, Regional and National), mining and transport is leading to cumulative loss of soils & seedbank.

It is destroying "our ability to maintain ...the viability of all human health and economic welfare" (now & in future).

⁴ For example: Language in current NSW Anthropocentric culture considers all Public Land as "Open Space" with entire reference being to Human Protection & Use, none for the life-support of Biodiversity (fauna and flora). Language is closely linked to Extinction as it either raises awareness or it removes it.

⁵ Dasgupta review in the UK <https://www.cam.ac.uk/stories/dasguptareview>

Mayday for Australia's Biological diversity in NSW.

Removing/suppressing sensitivity allowed loss and theft of public Eco-assets.

"Suicide Economics" is where financial systems justify cheating Nature in various ways. The offsetting loss of original (*in situ*) biodiversity, with degraded land in mining & construction or other activity is just one way. Too much of this and no rehabilitation, and soon there will be nothing of original value, left to "trade". Timeline of Events show how other ways took hold.

Removing and Suppressing sensitivity is worse than we know as it happens silently.

That intent was applied in 2004 (LEP194) but there was no realization and later no control and soon no care, that other factors would multiply the mistake it made initially.

The case study of rare Urban Forest (Ku-ring-gai) and Whitehaven Mining in Leard Forest, are good examples of how soils and seedbank have been lost to concrete and mining voids. Both examples increased extinction at significant scales, rapidly and in the most endangered ecological communities of fauna and flora species.

In the case study the following are observed, and this could be occurring across NSW and wider as a result of reforms occurring "ultra vires". ⁶

1. Absence of data by suppression of sensitivity,
 - (a) Studies denied include LEP187 (2003). In 2003 and again later, the NSW Department of Planning (or a segment of it), refused protection for one of the last and most significant parts of remnant urban forest (papers available). The intent was then to allow re-zoning for development.
 - (b) Single layer of Biodiversity (2008 ? and again in 2011? 2012)
 - (c) Reports buried in the case study include The Environmental Baseline Study (2000), The Residential Strategy Study and
 - (d) The Biodiversity & Riparian Lands Study (2013)
2. Withholding protection by dishonest means (lies), sham recommendation and ignorance:
 - (a) In about 2012 the writer was sent what looked like an undated, unsigned briefing note (to councillors most likely), which stated the Department of Planning required the double layers of biodiversity (high and ordinary) be discontinued and replaced by a "single layer" of biodiversity mapping.
 - (b) Mapping changes (unknown to aware and protecting community and successive elected councillors) after the Bushland, Catchment and Natural Areas Advisory Reference Group was disbanded in 2009.
 - (c) Other similar changes unknown after disbanding of the Advisory Group (2009).
3. Manipulated Biodiversity Mapping – the known map for Turramurra Biodiversity (2012) shows how absence of Environmental Impact Assessment in Point 1 (a) allowed DAs in LEP194 and LEP2012 (smoke and mirror between two LEPs clouded by Consolidation) There was little or no consultation or awareness of what was happening to allow loss of rare urban biodiversity – native vegetation, soils and seedbank - to be converted to construction concrete.
 - (a) How much mapping and re-zoning for development has been done Ultra Vires?
Ultra vires is a Latin phrase used in law to describe an act that requires legal authority but is done without it. Its opposite, an act done under proper authority, is intra vires. Acts that are intra vires may equivalently be termed "valid", and those that are ultra vires termed "invalid". [Wikipedia](https://en.wikipedia.org/wiki/Ultra_vires)

⁶ These re-zonings and plan making actions are taken now by a "Local Plan making authority" but it is not known how this power is assumed or given. There appears to be few questions asked by councillors or environmental groups – and those who question are accused of "harassment" and threatened with defamation. It could be that the General Manager also "fell foul" of this so called "authority" and was sacked. little or no accountability Describes actions taken by government bodies or corporations that exceed the scope of power given to them by ...See also Submission (a) & (b) to the NSW Inquiry into the Planning system.

- (b) “Absence of data (records) is a gift to developers”. Where are the records for the deferred matter site Duff to Finlay Streets Cherry Street, Turramurra Ave, Wambool and other streets south of Highway which were included for rezoning to development in yet another LEP2015.⁷
 - (c) Where are the offsets for these losses - old gardens converted to concrete for 40+ massive apartment blocks?
 - (d) Why are current poor planning controls allowing old gardens outside the converted to concrete by handed to CDCs and Code 10/50?
4. The Planning & Development system seeks to simplify language because the development industry is not science based. By suppressing sensitivity, it is possible to use language which is Anthropocentric, and Out-Dated for the Age of Environmental Breakdown. Suppressed sensitivity then allows the loss of Public Assets.

Before new ESSE concepts can be understood by decision-makers and the public, language employed must be dragged into the 21st century.

Suppressing sensitivity and oversimplification has allowed Laws to be changed. Biodiversity is lost to re-zoning for cumulative over-use of Nature (by “streamlining”, “offsetting” Nature).⁸

Nature is far more complex than the Planning & Development system understands. The planning system being in-tutored in ecology suppresses science based process and reports.

- (a) The “adopted” current Urban Forest Strategy, for the case study - is immature and simplistic and needs maturity for the Age of Environmental Breakdown.
- (b) In the Case study (which has multiple ecological communities of fauna and flora species), the Urban Forest Strategy was based on simplified tree planting targets – propped up by statistics, pretty pictures and more statistics.
- (c) Failing to provide a detailed list of critically endangered ecological communities (BGHF, STIF, and Duffy’s Forest), there was No Recovery Plan, No Fauna Management Plan, no special zones for protection, no plans for Eco-Literacy and no maps of species richness as found in a 2013 report by the Council & the NPWS.
- (d) Belief that Nature is “underutilized” has led to basic, childish, and immature language like “Open Space”, “Green Space”. This simple language fits with planning’s stated goal to “streamline biodiversity into planning”. This objective is demanded by developers and the planning “industry” has bent over backwards to assist !
- (e) There is no strategy to increase the diversity or protection of species. This there is no data for rare fauna and flora to be restored for climate and biodiversity crises.

The Liberal Government used Socio-economic (anthropocentric) viewpoints, to drive policy in NSW. This allowed (a) sell-off of public assets, (b) massive mistaken meddling with laws, (c) a segment of the Department of Planning being the Development industry, allowed biodiversity offsetting and sell-off of public assets and (d) ‘reforms’ were pushed through regardless of cumulative impact.⁹ [Ecological Economics starts from a completely different set of premises than current day neo-liberal classical growth economics.](#)

⁷ Mapped high biodiversity across the entire precinct has been converted to concrete – with no reporting on development detail to allow questions to be asked.

⁸ Off-setting has resulted in widespread cheating. Either nothing is given back to Nature at all, or the offset is degraded (as in Leard Forest, Whitehaven Mine), or what should be protected already, is used as an offset stated or unstated (as in the case study).

⁹ 12 years allowed much privatization <https://psa.asn.au/privatisation-hurts-everyone/nsw-privatised-assets/>

Return of the Ark (2009)

As a Transition Project in the nominated ESA in NSW Return of the Ark will allow new concepts, controls and zones to be included in the ESSE process - to allow leverage by Treasury to apply Ecological Economics (for all species).

Eco-Literacy helps understand how and why we are *Overstepping Our Ecological Footprint*. This understanding will lead to the Transition.

For Example: In Environmental Breakdown do current decision-makers understand:

- How Insects link to the Fauna and Flora crisis? We know that insects are the base of the food chain. Being the base of the food chain insects support all species, but if human impact is removing soils and seedbank, polluting land and water and clearing wildlife habitat – then all species are impacted. Shockingly most humans do not know if insects continue to decline exponentially then they too are finished.¹⁰
- How Ecological Economics links to Survival ? *The Future is the Natural World* says Transition has been ignored to the point that last remnants and single trees are being lost. Insects are the base of the food chain but are lost with rare native ecological communities. In the city rare forest belongs to the future, but new and old residents have little or no awareness of how they are destroying Australia, and themselves.

While development & planning system flaws are discussed in Submission (a) and (b) this Submission (c) looks at the basis for biodiversity decline in NSW. Investigation shows culture needs to change, language being a clear indicator of obstacles to change and update:

The world's biodiversity is plunging - in destroying wildlife habitat we destroy our own last hope for survival.¹¹ Correction allow Eco-literacy by identifying failures, flaws and gaps.

Advantages in creating a new economics and a prototype. in a critical habitat & corridor ecology area as described. This “additionality” principle increases public asset security.

New jobs are created for all species survival to slow and stop current extinction and biodiversity loss. Quotes given above support Submission (a) and (b) and Recommendations made in this Submission (c), in a dire global situation.¹²

Submission b by this Research says, **We are in a Crisis** “*The science underlying these issues is strong, but awareness is weak. Without fully appreciating and broadcasting the scale of the problems and the enormity of the solutions required, society will fail to achieve even modest sustainability goals.*”

<https://www.frontiersin.org/articles/10.3389/fcosc.2020.615419/full>

“Absence of Data” is a gift to developers. This issue is emphasised because Nature does not understand borders, finance & laws. Belief that Nature is “underutilized” has led to basic, childish, and immature language like “Open Space”, “Green Space”...simple language fits with planning’s stated goal to “streamline biodiversity into planning”. This objective is demanded by developers and the planning “industry” has bent over backwards to assist.

¹⁰ [A study has found 41 per cent on average of all insect species around the world have declined.](#)

¹¹ “**Restore wildlife to Survive**” is the latest realization of science but “we have not yet accepted the importance of animals as ecosystem engineers, nor do we understand just how much resilience we have lost after killing most of the animals on earth already. It’s hard to knowwhen we’ve so little wildlife left.” Simon Mustoe Wildlife in the Balance 2022.

¹² Global action for applied ecology needed (IPPR) <https://www.youtube.com/watch?v=jvZ1VMYBD0E&t=1s>

Three Recommendations to Update and Redesign the Planning System:

- **Why should the Development & Planning system be Investigated and Updated?**
- **Why should Language of out-dated Planning be brought into the 21st century?**
- **Why should Planning Controls & Zones be tested in a Transition Landscape?**

In NSW and across Australia, recommendations to protect, restore and fund wildlife habitat must be matched to new science and socio-economic advantages of mental health and wellbeing for the complex environmental breakdown and feedbacks experienced today.

Old decisions, based on thinking which does harm to the Environment, needs the use of “stay orders” for Survival Economics. Anything less allows old which continue to destroy.¹³

1. Adopt fundamental New Concepts and Language to save last habitats:

- Advanced Landscape Conservation (ALC)
- Baseline Shift Avoidance (BSA)
- Critical Biological Infrastructure” (CBI)

Both built and natural inheritance is impacted. When the Department of Planning published its “New Approach to Re-zoning” it was astonishing to note that Biodiversity and Climate Crises were completely absent from the logic of the co-called New Approach to Re-zoning !! This Research was not able to provide input because no submissions were called for.

From a Survival Economics perspective this Research recommended New Eco-Literacy Zoning, especially for last rare Urban Forest such as the critical habitat & corridor ecology, but C/E 5 zones (State Government allowed in 2012) were blocked by local government.¹⁴

2. New PA Zonings to value last environmentally sensitive areas (ESAs).

“Old white male” integrity measures are no longer modern enough for “kids and Wildlife”. “Zombie DAs” and old out-dated “crony capitalism” are not viable in the Age of Environmental Breakdown. Old Frameworks, Structures and Zonings are no longer applicable for a safe Society and sound Economy. Why? Land use and protections apply to all species survival. Plants and Animals do not understand offsetting, credits and other financial system concepts which cheat Nature.

3. Ecological Integrity for Ecosystem Survival - Humans Need Nature – Nature does not need Humans.

Nature does not understand profit margins and re-zonings for development which destroy Ecosystems.¹⁵ An “Economics of Biodiversity” framework is needed because current frameworks and structures are no longer scientific enough for the Biodiversity and Climate Crises, nor relevant for today’s Social and Economic security.

Consequences of no Transition: Serious & Irreversible Cumulative Impacts.

Non application of fundamental changes - mean “death by 1000 cuts” for Nature.

¹³ https://www.abc.net.au/news/2023-11-03/walker-corporation-probity-framework-appin-development-rezoning/103061758?utm_source=abc_news_app&utm_medium=content_shared&utm_campaign=abc_news_app&utm_content=other

¹⁴ C/E 5 Zones should be updated and applied to create Eco-Literacy in the NSW Planning System.

¹⁵ See Attachment Urgent message from Simon Mustoe (2022) Restore Wildlife to Survive !

1. New Concepts and Language to save last habitats: Below from NSW Government shows the definition of OPEN SPACE is totally inadequate for science based Survival of all species

OPEN SPACE

NSW Department of Planning

Open space is the foundation of liveable communities. Public open space is infrastructure that is essential for communities and creating great places to live. It encompasses parks, natural areas and linkages, waterways and foreshores, informal parklands, sports grounds and courts, playspaces, historical sites, and recreation trails for walking and cycling.

Wikipedia

Open space may refer to:

In architecture, urban planning and conservation ethics:

- [Open plan](#), a generic term used in interior design for any floor plan, especially in workspaces, which makes use of large, open spaces and minimizes the use of small, enclosed rooms
- [Landscape](#), areas of land without human-built structures
- [Open space reserve](#), areas of protected or conserved land on which development is indefinitely set aside
- [Urban open space](#), urban areas of protected or conserved land on which development is indefinitely set aside
- [Greenway \(landscape\)](#), a linear chain of open space reserves or a recreational corridor through the same
- [Public space](#), areas left open for the use of the public, such as a piazza, plaza, park, and courtyard

GREENSPACE

NSW Department of Planning

References back to Open space which then refers to the Metropolis of three cities and the Metropolitan Greenspace Grants Program - The Metropolitan Greenspace Program (MGP) helps create liveable places, great neighbourhoods and build sustainable communities in Sydney and across NSW.

The MGP commits grant funding to local councils in Greater Sydney and the Central Coast for projects that improve and increase access to regionally significant open space.

The program aligns with the NSW Government's Greater Sydney Region Plan, [A Metropolis of Three Cities](#), and the Green Grid strategy, helping to create a network of high-quality green space that connects town centres, public transport hubs, and major residential areas.

Wikipedia

Greenspace or **green space** may refer to:

- Greenspace or [open space reserve](#), protected areas of undeveloped landscape.
- [Urban green space](#), open space areas for "parks", "green spaces", and other open areas
- Greenspace, the [natural environment](#).
- [Greenbelt](#), a policy or land use designation used in land use planning.
- [Greenway \(landscape\)](#), a linear greenspace running through an urban area.
- [Green infrastructure](#), a concept in land use planning

How did the Public Spaces Charter forget the centrality of Biodiversity conservation and wildlife habitat?

Public Spaces Charter

What is the NSW Public Spaces Charter?

The [NSW Public Spaces Charter \(PDF, 1.7 MB\)](#) has been developed to support the planning, design, management and activation of public spaces in NSW. It identifies 10 principles for quality public space, developed through evidence-based research and discussions with public space experts and community members, with the following ten principles

Principle 1: Open and welcoming

Everyone can access public space and feel welcome, respected and included.

Principle 2: Community focused

Public space brings people together and builds strong, connected and resilient communities.

Principle 3: Culture and creativity

Public space provides a platform for culture and creative expression that makes places more colourful, animated and thought-provoking.

Principle 4: Local character and identity

Public space reflects who we are and our diverse stories and histories.

Principle 5: Green and resilient

Public space connects us to nature, enhances biodiversity and builds climate resilience into communities.

Principle 6: Healthy and active

Public space allows everyone to participate in activities that strengthen our health and wellbeing.

Principle 7: Local business and economies

Public space supports a dynamic economic life and vibrant urban and town centres.

Principle 8: Safe and secure

Everyone feels safe to access and use public space at all times of the day.

Principle 9: Designed for place

Public space is flexible and responds to its environment to meet the needs of its community.

Principle 10: Well-managed

Well-managed and maintained public space functions better and invites people to use and care for it.

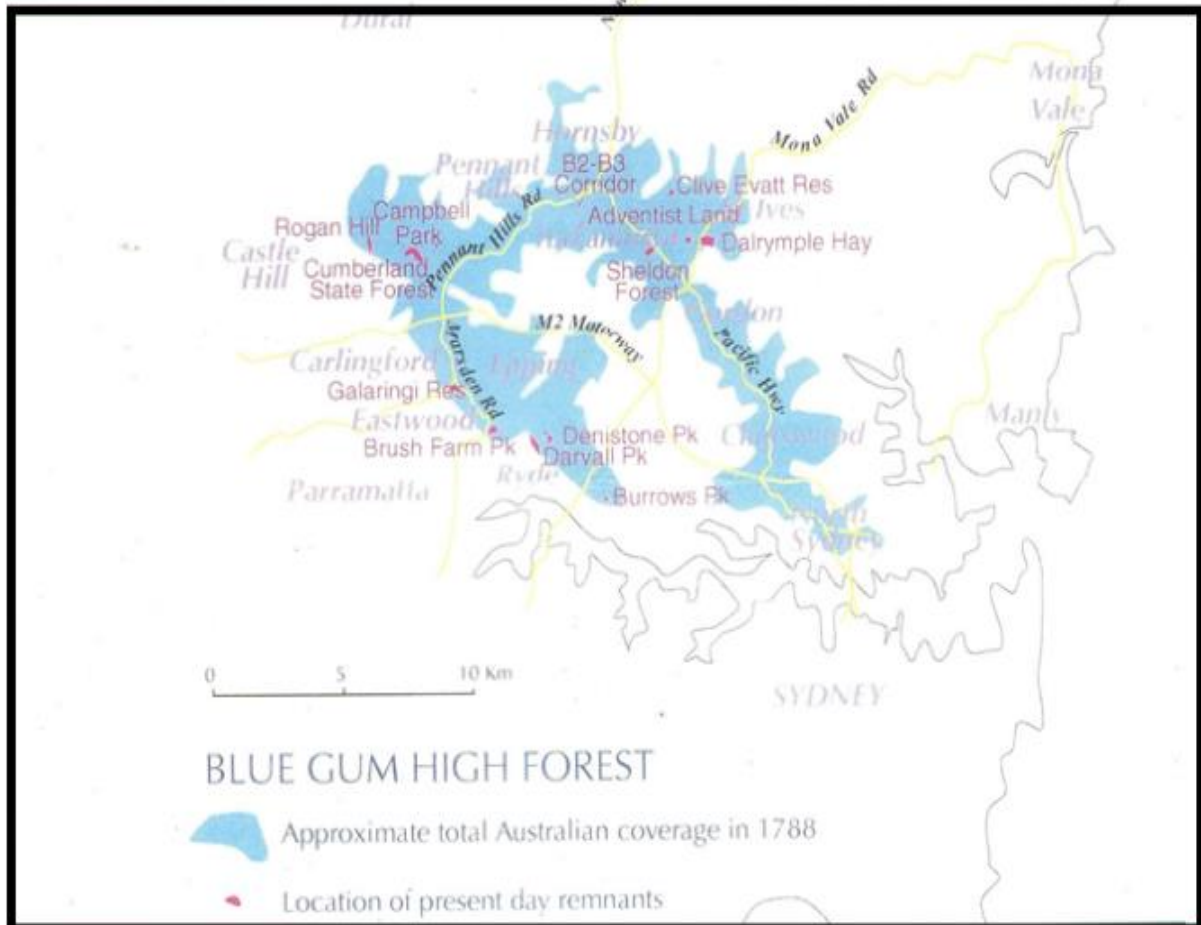
NOTE: It is now easy to see why and how:

Suppression of Sensitivity allows use of the above 10 principles which give no allowance for an ESA and critical habitat and corridor ecology for wildlife to be protected, restored and funded into the existing ecological integrity of the native soils, seedbank and all layers of native vegetation.

System Re-design needed.

In 2021 DPE stated new zones appropriate to the sensitivity of the ESA can be created by this Council via a planning proposal. This has not happened.

MAP shows New conservation zones must change planning controls before ecological integrity is lost. Critical Habitat and Corridor Ecology must be protected for ecosystem health
Proposed TTT can test System re-design to stop the loss OF LAST REMNANTS OF BGHF.



ABOVE LOSS IS PROGRESSING IN THE CURRENT DEVELOPMENT & PLANNING SYSTEM.

1. True Protection, Restoration and Funding of a nominated "Critical Habitat & Corridor Ecology" cannot happen until Correction of current Re-zoning happens.
2. Correction was avoided (side-stepped) by the Urban Forest Strategy. Tree targets were recommend to un-suspecting and un-aware councillors, but No Recovery Plans for critically endangered Ecological communities (CEEC) of species like the Blue Gum High Forest (above).
3. Landscape architecture perspectives are not capable of restoring ecological integrity of rare and endangered species.
4. Councillors took the advice of a Planning System which suppressed the sensitivity of CEECs which are recorded in Reports pre 2014 (when the Review of Biodiversity Legislation began).
5. Councillors "adopted" the simple, statistics-filled consultant report, which was briefed as a Landscape Architect's perspective of rare, native fauna and flora.
6. Consequently there was No reference to Wildlife sanctuary, Signage for Species richness, Fauna Management Plans or critical habitat and corridor Ecology.
7. The statistics laden Urban Forest Strategy was similar to the Housing Strategy – which in this LGA followed a Standard Template – which allowed multiple re-zonings for development without cumulative impact assessment, environmental impact assessment and protection strategies.
8. Any attempt to highlight the above or request correction (even in the most sensitive remnant forest areas near-to-station, has been denied, disregarded and even threatened. Email janetshweb@gmail.com

NSW SCIENTIFIC COMMITTEE

Mr Graeme Williams
Ku-ring-gai Council
Locked Bag 1036
PYMBLE NSW 2073



Dear Mr Williams,

Thank you for your letter (Your ref: S03349/793700) of 29th June 2007 regarding the Final Determination to list the Blue Gum High Forest (BGHF) in the Sydney Basin Bioregion as a critically endangered ecological community. The Committee discussed the issues you raised in your letter at length at its last meeting.

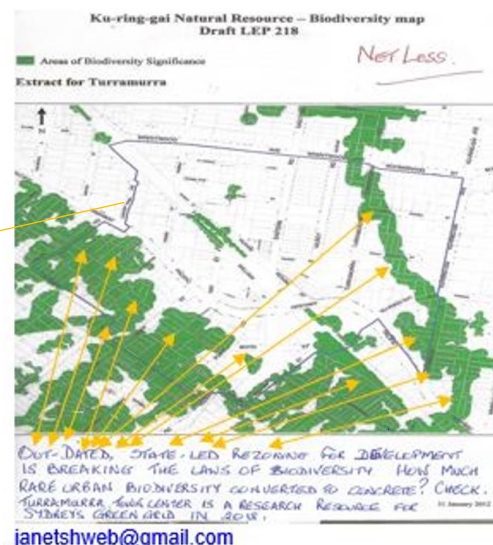
Under the Threatened Species Conservation Act 1995, an ecological community is defined as "an assemblage of species occupying a particular area". Final Determinations therefore comprise, at a minimum, a list of species that are characteristic of the assemblage and a geographic location (such as a Local Government Area or bioregion), representing the particular area occupied by the assemblage. Most determinations also include information about soil type/substrate, community structure and other features designed to assist in the identification of the community in the field. Note that under the Act, there is no minimum number of species specified as defining a community.

Paragraph 9 of the Final Determination notes that the distribution of the community "comprises a series of small remnant patches, the largest of which is less than 20ha. Highly modified relics of the community also persist as small clumps of trees without a native understorey". The Determination, which defines BGHF as a critically endangered ecological community, thus clearly states that small patches of trees with or without an intact understorey may be considered to be included in BGHF. Further, paragraph 3 states that the total species list of the community is considerably larger than the list of flora species given in paragraph 2 and that the community also comprises fauna species and other organisms whose distribution and abundance within the community are poorly documented.

Taken together, these paragraphs in the Determination thus allow for the circumstance that small clumps of trees may constitute an assemblage of species that matches the description of BGHF if they provide habitat for component species of the community (which may include invertebrates, vertebrates and other organisms), regardless of the present state or composition of the understorey. The assessment of whether a clump of trees falls within the definition of the BGHF and whether the removal of that clump or any other effects of a proposed development on that clump is likely to have a significant effect on the critically endangered ecological community are separate questions. Answers to each of these will depend on the particular circumstances associated with that occurrence of the community. These circumstances will require case-by-case consideration, and may include the component plant

20/01/12
ESTABLISHED BY THE THREATENED SPECIES CONSERVATION ACT 1995
Contact Address: C/o PO Box 1067 Narrabeen NSW 2239 Telephone: (02) 9355 8940 Facsimile: (02) 9355 6606

RE-ZONING FOR DEVELOPMENT IS ALLOWING OLD GARDENS AND MAPPED HIGH BIODIVERSITY TO BE CONVERTED TO CONCRETE – FUTURE REGENERATION IS LOST IN SOILS & SEEDBANK OF CRITICALLY ENDANGERED ECOLOGICAL COMMUNITIES (CEEC)



Nature needs places to restore herself for all species. How to achieve Zoning security for Nature?

New Conservation Zones for Eco-Literacy & Public engagement to achieve protection. Prevent zoning to (a) allow human impact and (b) loss of last HCV Reserves.

E-Zones are now C Zones for "Conservation".

How securely will C zones protect Environmental assets for Survival?

Environmental Zones like E5 zones below are urgently needed for security of the future Life-Support.

In 2012 the writer contacted State Department to request secure protection for places of built and natural heritage. This was agreed, and almost achieved. Questions remain for lawful protection of the rare Natural World:

Why was this extra protection blocked? E5 <https://www.planningportal.nsw.gov.au/variations-review>

From: E5zoneandsubzones@planning.nsw.gov.au [<mailto:E5zoneandsubzones@planning.nsw.gov.au>]

Sent: Tuesday, 22 May 2012 1:33 PM

To: janet harwood

Subject: Re: Zone E5 Environmental Protection in NSW

Dear Janet
thank you for your email.

The answer to all your questions is - yes. Proposed E5 zone can include 'manage and restore' - one may assume that all these actions are covered by the verb 'protect'.
Councils may also add their own local objectives to refer to specific conservation plan, locality etc. Mandatory prohibition of agriculture and residential accommodation has been included to absolutely 'close' the zone, unlike existing E2 zone. The intention was to make it clear that it is for areas of very limited development potentials. It is up to councils if and where it will apply this zone, but in most cases it will be suitable for community land in public ownership.

Should you wish to discuss further application of Standard Instrument zones on a local government level I would suggest you to contact our Regional team who is best placed to discuss specific Ku-ring-gai planning circumstances:

Sydney West Region

10 Valentine Ave, Parramatta NSW 2150
GPO Box 39, Sydney NSW 2001 s

Again, thank you for your valuable input.

Kind regards
Tatjana

Senior Planner NSW Department of Planning & Infrastructure | GPO Box 39 | Sydney NSW 2001
Subscribe to the Department's e-news at www.planning.nsw.gov.au/enews

NOTE: Suggested Landscape Museum in the Transition Town for the Future city is an indicator that E5 is highly appropriate and essential to protect rare public assets from corrupt deals. A C/E5 Zone can also be used for Eco-Literacy – to protect & restore rare built & natural inheritance in Australia's last ESAs.

For example: the Council Hut in Sheldon Forest should have new zoning for protection to allow Environmental bodies and citizen groups to undertake urgent academic monitoring, citizen science engagement and ESA record keeping. This in conjunction with a Nursery in St Ives.

Urgent messages in pages from biologist and ecologist Simon Mustoe 2022

Restore wildlife to survive

As a society, we have a loose grasp on ecology. Ecosystems are vastly complex and cannot be fixed by engineers, only by wildlife. One of the most profound ecological oversights of our lifetime might be the failure to acknowledge that animals are essential to balancing Earth's food security, water and climate. The path to a fair climate takes us via the creation of rich soils, healthy oceans, abundant food and a better quality of human life overall.

This should act as a warning that without animals, planting trees to address climate change might remove carbon from the atmosphere but could kill the oceans instead. We may be air-breathing animals, but we cannot survive without healthy oceans, and if we don't start thinking about rewilding the land, planting trees may do more harm than good. A recent study in *Nature* even reveals how decades of tree planting in India has failed to increase forest cover or improve livelihoods.²⁸⁰

A worrying summation from Simon Mustoe

The global conservation community is struggling to define 'nature'. We have not yet accepted the importance of animals as ecosystem engineers, nor do we understand just how much resilience we have lost after killing most of the animals on Earth already. It's hard to know how reliably we can depend on nature, when we've so little wildlife left and we're stacking so much excess carbon into the atmosphere. According to Oxfam, there isn't enough planet Earth to accommodate all the nature-based solutions to climate change that

System Re-design Needed ¹⁶

Warnings cannot be accommodated by current Planning & Development systems. Current E-zone is not strong enough to protect this nationally significant vegetation –

Conservation of Biodiversity needs new concepts and new protection Zoning.

Eg. Critical biological infrastructure (CBI)

- Transition in the TTT can lead the State, to create a new national system of Protection for 30%x2030 to enable a new Ecologically Sustainable Survival Economics (RSSE) to Account FOR Nature.
- Account FOR Nature, using an ecological perspective in audit & risk management.
- C-zones tailored (a) to protect critical habitat for the Green Grid, (b) to establish use of new concepts, to create controls to protect, restore and fund New Biodiversity Conservation and (c) to educate, raise awareness and generate Eco-Literacy.

Urban land	Land in the Sydney Metropolitan Area (excluding Wollondilly and Blue Mountains Local Government Areas) and zoned for urban purposes as follows:	
	R15 Village	IN1 General Industrial
	R1 General Residential	IN2 Light Industrial
	R2 Low Density Residential	IN3 Heavy Industrial
	R3 Medium Density Residential	IN4 Working Waterfront
	R4 High Density Residential	SP1 Special Activities
	B1 Neighbourhood Centre	SP2 Infrastructure
	B2 Local Centre	SP3 Tourist
	B3 Commercial Core	RE1 Public Recreation
	B4 Mixed Use	RE2 Private Recreation
	B5 Business Development	E2 Environmental Conservation
	B6 Enterprise Corridor	E3 Environmental Management
	B7 Business Park	E4 Environmental Living
	B8 Metropolitan Centre	W3 Working Waterways



Above right - Breached E-zone shows how weak the 4 E-zones are - Mature protected tree deaths & loss of last pockets of ESAs need investigation – they and other significant tree losses increase Insect & all Wildlife Extinction.

Why a Heritage Precinct?

Unique parts of Sydney's heritage and environmental assets are already lost without recompense.

The Deferred Matter site is mapped, listed High Biodiversity in the Town Centre – lost to development in KLEP194.

This mapped high biodiversity site is lost to improper zoning for development. One block alone is larger than the size of the Public Land now being pushed into development.

- In areas of environmental sensitivity, where multiple zonings are allowed without recognition of environmental sensitivity: public lands, unused roads and public commons should be zoned for environmental conservation for the future metropolis.
- “Carparks” are future green-space – not just carparks.
- Public Land and Open Space is a legacy for the future – not to be lost to pre-determined, state-led development.

Investigate the Deferred matter site lost to concrete in the Transition Town. It had ecological integrity same as Sheldon Forest: Council's showpiece BGHF.

¹⁶ State Government's 2021 publicly exhibited “A new approach to Rezoning” did not once mention, connect with, and explain the Biodiversity & Climate (B&C) crises.

Suppression of sensitivity is a gift to developers, sport & recreation groups. ¹⁷ Starting from change of government (2011) sensitivity was suppressed and removed in many ways, in the Liberal Heartland of Ku-ring-gai. The result: Land gift & land grab, predetermined loss to rezoning, “zombie DAs” resurrected for mates, without assessment of cumulative impact on rare old gardens, soils and seedbank, needs Investigation by an Integrity Body.

1. Ku-ring-gai was classed and treated as “Greyfield” - and not as nationally significant rare, urban biodiversity, with protected native vegetation preventing local insect extinction. (Strategy for this rare urban forest is not just a tree planting exercise but a serious protection, restoration and job-making strategy for Survival Economics.)
2. Ignorance that native vegetation is nationally significant then allowed sport and recreational Grants (pork barrelling) but denied recovery plans, fauna management plans and the most basic protections and provisions to enable future generations to inherit eco-systems for the security of the future.
3. Rarest and most sensitive reserves, remnant vegetation in Parks, were **not classed as biodiversity refuges** but as “recreational facility asset class”. This allowed Use of rare lands for sport, recreation and leases. It is for this reason *critical habitat and corridor ecology* in the Liberal Heartland is of special concern. ¹⁸
4. Fly-in Fly-out Planning Controls, allow Complying Development Certificates and Code 10/50 to operate without advocating protection from State Government. This encourages Tree removal to enable “Greyfield” status (without protection of CEEC vegetation). This allows re-zoning for development to take effect.
5. Active suppression of sensitivity – Multiple Sensitivity Reports buried. Environmental Baseline report (2000), RZS publication Hotbed of Biodiversity, Council’s Report Biodiversity Riparian Lands (2013) were buried, kept out of view. General Manager had to release; employees not tutored in LGA’s Sensitivity.
6. Development removed rarest urban soils and seedbank & biodiversity. The LGA was opened up to Sport and Recreation not just to local Users but to Regional Users. This showed that Planning & Development system had co-opted/re-negotiated the Greater Sydney Commission’s Green Grid (Blue & Green) to be Open Space for Recreation and Sport. Consequently, Protection and Biodiversity Conservation goals not met.
7. Environment Conservation “played second fiddle” to Socio-Economic Goals. Older goals of recovery plans for critically endangered ecological communities (eg. BGHF, STIF Duffy’s Forest and other), and protection of matters of national environmental significance (MNES) have never been attempted.
8. Newer goals like the protection of 30% of the best ESAs land area (at the very least) by 2030 is the least requirement for Intergenerational Equity in climate extremes.¹⁹
9. The Crown Land Management Act is a pathway to “sell off” leases as freehold - Public Service cronies use the Legal & Economic system to land gift & land grab.
10. The Anthro-po-centric viewpoint surpassed Eco-Centric viewpoints. People who are ignorant of sensitivity are heard and force removal and loss of trees, Older residents in particular women protecting this environment, are ignored, threatened & silenced.

¹⁷ Note: Questions arise from Suppression of the ESA’s Sensitivity and if Sheldon Forest is core critical habitat surrounded by corridor ecology: Was Biodiversity Conservation twisted to become an exercise to sell off biodiversity to a property collecting association – posing as a recreational group for kids? What are the conservation issues arising from Suppression of Sensitivity?

¹⁸ <https://desapublications.un.org/publications/sustainable-development-goals-report-2023-special-edition> The Sustainable Development Goals Report 2023: “Unless we act now, the 2030 Agenda will become an epitaph for a world that might have been”. António Guterres *Secretary-General, United Nations*

¹⁹ It is doubted if eco-literacy was ever there to aim for this goal.