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

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### Inquiring into the Planning system and the impacts of climate change on the environment and communities

Portfolio Committee 7, I am Dave Rowe a resident of Ballina State Electorate in the Northern Rivers. I was reluctant to make a submission. I was under the impression that Ballina, Byron and Lismore Shire Councils would have put forward their concerns, like Tweed has ( submission 155) and many other councils. Especially given the horrendous damage climate damage , logging and the planning system has had on our region, its communities and biodiversity.

Our region has a high level of people sleeping rough, people living in temporary pods, railway infrastructure being destroyed despite the evidence of a viable solar train for transport (and bike path along side) and the change in housing types due to proposed high market developments like Wallum at Brunswick Heads. Many developments in our region have put upward pressure on rates, rentals, traffic movements and infrastructure.

I am heavily involved in a number of organizations focusing on the protection of the environment, addressing climate change, our housing shortage for rental and affordability and the impact draconian planning and biodiversity laws are having on the environment and communities.

This submission is written from my own observations, discussions, limited research and experiences including having been a board member of both Amnesty International Australia and a psychology organization; all but decades ago.

I believe there is much that the State Government must do to ensure that our planning laws are fit for purpose, that our parliament exercises due diligence to ensure peace, welfare and good government which they have a duty to do.

It would be advantageous to have the Sydney and region development panels removed, that authority for decisions are locally based not Sydney Driven. It is the local communities and biodiversity that have to deal with the very real and imminent threats of climate change being imposed on us and disturbing lack of peace due to zombie developments and biodiversity destruction, such as logging.

I have taken the liberty of inserting photos/ clips and links as they give a greater understanding of our plight, the consequences of further inaction by government and the links provide better detailed information.

### How the planning systems and biodiversity laws can ensure that our residents and the natural and built environment can be protected from climate change impacts at present, in particular:

### developments proposed or approved:

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

- a) Of great serious concern is that we are suffering the consequences of governments at all levels in Australia (and abroad) to transition from fossil fuels to renewables, prioritising circular economy renewables, stopping floodplain developments zombie or not like Wallum Brunswick Head, Manyana Matters (submission 109) ensuring the reduction of land clearing especially for unsustainable, non regenerative agriculture and the failure to stop native forest destruction like NZ did years ago. We need urgent action now to avoid the climate change tipping point, addressing planning laws, preserve old growth forest in NSW that contributed to the apocalyptic fires of 2019. Old growth forest that determine the quality of our waterways, contribute to our rainfall, impact on the level of flooding and increase our biodiversity:
  - "The science shows that protecting native forests is one of the most important ways we can try to limit the effects of climate change." Page 173 The Forest Wars by Professor David Lindenmayer. It is important to note after agri business, logging has done the most to reduce the amount of carbon that is stored in vegetation and in the soil's.

b) Professor Lindenmayer research demonstrates that thinning operations of forest, yield poor quality wood and have limited effects on or exacerbated fire risks. This Firebomb is in waiting near Rappville NSW, a town which was almost destroyed in 2019. Braemar will burn, the old growth forest down the road copes with flood and fire.



- Braemar State Forest 2024 vs Old Growth original Big Scrub Booyong down the road.2024
- c) Logging and land clearing for developments have a direct correlation to river and estuary water quality and flooding. The Richmond River Ballina and its tributaries have terrible water quality as NSW Government is aware and is prone to extreme flooding as pictured here by Mark (Ballina Community Notice Board) in 2022. This area, like so many coastal regions of NSW are approved developments. This is the RSL club and surrounds Ballina.



- d) Ballina, Byron and Lismore have been earmarked by NSW Government for further development.
  - "The insurance industry's message on improving disaster resilience is finally getting through millions of dollars are being put aside for mitigation measures and ambitious buy-back and build-back programs have been launched.
  - But an equally important demand is still outstanding the need for radical reforms to land use planning.
  - Even after a year like no other in terms of flood catastrophes, developments on flood-prone land are still getting the nod."
  - 14November 2022 <u>https://www.insurancenews.com.au/analysis/building-on-floodplains-</u> why-is-it-still-happening
- e) Our region has a number of appointed bodies, too far removed from community. This needs to be addressed:
  - This organization talks of sustainable and resilience as we move toward our tipping point. <u>https://www.nsw.gov.au/sites/default/files/2023-</u> <u>06/NRRC\_Resilient\_Lands\_Strategy\_Summary\_Report.pdf</u>
  - North Coast Regional Plan for Developers: <u>https://www.echo.net.au/2023/02/the-north-coast-regional-plan-2041-a-blueprint-for-developers/</u>
  - Planning Panels imposed on us: <u>https://www.planningportal.nsw.gov.au/development-and-assessment/planning-panels/planning-panel-boundaries-and-members</u>
  - https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management/nsw-coastal-council
  - There are many more.

- f) It is important that developments and land use include up-to-date assessment around risk management for bushfire and flood. They must be independent assessment by local Council on todays standards.
- g) I am pleased to see at last acknowledgment from State Government that: "The impacts of climate change in NSW. The climate of NSW is changing due to global warming. The effects of climate change on the people and environment of NSW are expected to become more pronounced as the climate continues to change over this century. Without substantial, concerted action, climate change poses a major threat to humanity and most living systems on earth. Extreme events such as floods, droughts, dangerous fire weather and heatwaves are projected to increase in duration, magnitude and frequency with greater impacts on communities and infrastructure." Page 4 of Submission 189 to this committee by NSW Government. https://www.parliament.nsw.gov.au/lcdocs/submissions/82817/0189%20NSW%20Government.pdf
- h) I seek this committee to inquire if Byron, Ballina and Lismore Councils have undertaken comprehensive, up-todate (2024) flood and bushfire risk studies,
  - Funding could be moved away from subsidies for Forestry Corp, fossil fuels and Sydney and Regional panels (closed down) to assist local Councils with costs.
- i) The New South Wales Bushfires Inquiry and Federal Royal Commission into Disaster preparedness noted the need to incorporate bushfire risk management and prevention measures into land use planning and building standards. Has this been implemented?
  - https://www.abc.net.au/news/2020-02-03/scientists-sign-letter-demanding-climate-action-inaustralia/11922808
- j) I see minimal development in our region into circular economy, little attention to solar passive housing or sustainable fire-resistant products to build with such as Industrial Hemp? Just one example:
  - https://hempblockaustralia.com/ I am not linked to this organization, it's an Australian example
  - An overseas version . <u>https://san.com/cc/eco-friendly-hemp-based-concrete-blocks-provide-sustainable-alternative/</u>
- k) NSW should give serious consideration to a moratorium on any new greenfields development, zombie (historical developments) or upzoning on land which is considered as bushfire or flood prone hazard risk.
- The psychological and physiological impact on your residents, visitors, wildlife, pets and livestock in NSW is horrendous. People are still homeless and the developments like those proposed at Wallum Brunswick Heads, Yamba and Manyana will do little to nothing for the housing crisis. The insurance industry will not insure these type of high risk, state approved developments. See Submission 123 to this Committee by Allianz.
- m) https://www.parliament.nsw.gov.au/lcdocs/submissions/82719/0123%20Allianz%20Australia.pdf
- n) <u>https://www.inqld.com.au/news/2022/10/28/ban-these-planning-disasters-pm-wants-building-on-floodplains-to-stop</u>

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

1) From the photo above and this photo from Ballina Community Notice Board of the devastation:



2) Our region is extremely susceptible to Sea Rise and coastal erosion. With climate changes the potential for cyclones to come further south is foreseeable, even inevitable such as the 1954 Cyclone and others like David that impacted on Tweed. Such a foreseeable occurrence would devastate our region further. The intensity of heavy rain cells like 2017, 2022 x 2 then again in October 2022 are still being felt. We had another even recently but were lucky it didn't continue like 2017 or parts of Ballina and co would have gone under again. Photo October 2022.



- 3) And again, recently make large developments risky in flood and coastal erosion sites in the northern rivers and elsewhere in NSW. Yamba and Save Wallum Brunswick Heads are two examples.
- 4) Here's a video of Wallum Brunswick Heads a few weeks ago flooding. The subject of a zombie DA and outdated approvals. <u>https://www.facebook.com/groups/128325390355435/permalink/319651434556162/</u>?

5) I am not familiar with coastal management legislation and planning legislation and the state of our terrible biodiversity legislation.

- Whose responsibility for compliance with coastal management legislation, is it local councils, the State Government or the Planning Panels?
- What skills do local councils have to deal with these issues, what resources given the foreseeable acts of "Intergenerational negligence "being imposed on us at State and Federal Level.
- 6) This just came through!



Insurance in New Brighton is unaffordable, probably the same for Brunswick

All Australians will foot the bill after climate disasters leave insurance industry on the brink

- <u>https://www.abc.net.au/news/2024-04-30/insurance-industry-urges-government-to-step-in-on-flood-zones/103752652?utm\_campaign=abc\_news\_web&utm\_content=link&utm\_medium=content\_shared&u\_tm\_source=abc\_news\_web
  </u>
- 7) NSW state Government and the Federal Government continue to fail to act seriously on climate change. Their failures to stop fossil fuel expansion, native forest log logging and move to a circular renewable economy is an act of Intergeneration negligence.
  - A term used by Chris Bowen MP stated: <u>https://youtu.be/MH0Rv6nFvwE?si=weea9TSufie20ygQ</u>

#### 3) in areas that are threatened ecological communities or habitat for threatened species

- 1) Our Forest are being purged despite the evidence and community concerns. This impacts on our region and water quality, fire hazards and flooding.
- So much of our coast is subject to development and attacks on threatened species. Wallum Brunswick Heads has 9
  Federally Listed threats species and over a dozen state levels species that need protection.
- 3) The Australian Institute has notified the Premier see below and Manyana Matters have done a submission 109. Today 30<sup>th</sup> April 2024 they got this message from Tanya Plibersek:





- 4) Our dysfunctional 3-tiered planning system is cumbersome, inefficient and not fir for purpose or climate change read.
  - It gives priority to developers and agribusiness land clearing.
  - This system puts pressure on the environment where remnant habitat and tree canopy on private land continues to be eroded through Greenfield's housing development. Our biodiversity legislation is flawed . We should not allow offsets. This concept condones climate disasters.
  - Community has to take a stand against government decisions. The irony is these communities contribute to the salaries of the politicians and government employees. In effect NSW residents are the Employers yet we are subjected to Non Violent action and, corruption and persecution before the court.



- 5) The Henry Review requested.
  - https://www.parliament.nsw.gov.au/tp/files/186428/Independent%20Review%20of%20the%20Biodiversity%20C onservation%20Act%202016-Final.pdf
    - "What the Review Panel would like to see
    - The future wellbeing of the people of NSW rests upon beginning the repair of nature. The Review Panel considers that: •
    - In order to meet its objects, the Act should have primacy over competing pieces of legislation.
    - Aboriginal people should be fully involved in the design and implementation of policy and programs designed to conserve and restore biodiversity.
    - The Act should proactively address climate change impacts on biodiversity and ecosystems and the cumulative impact of biodiversity loss and loss of ecosystem connectivity.
    - The Act should guide and promote investment in conservation and restoration activities and should position NSW to take advantage of an emerging large-scale global investment in nature repair.
- 6) Wallum Brunswick Heads is a perfect example where some 12 + threatened species and 9 Federally listed species are threatened by a zombie DA. <u>https://omny.fm/shows/earth-matters-3cr/earth-matters-28-april-2024?fbclid=IwZXh0bgNhZW0CMTEAAR0Ae0ZiBKCDdBQsvoI38b1t\_GqOgusaqxf7x5fdbnyu2Aaxvu4YkLFkXWs\_aem\_Aac4Nk1Zfc8gAr1AKwdhv-cisiID8NTKICrTs5iELhaaSta0sydQbBEM1Wm7FaJ6GitBIiWPXTNnf4JMQcTUxs-8</u>

7) Frontiers in psychology point out the consequences on all threatened species including ourselves:

- <u>https://www.frontiersin.org/journals/psychology/articles/10.3389/fpsyg.2023.1087078/pdf?isPublishedV</u> <u>2=false</u>
- "Anthropogenic climate change is increasing risk and frequency of natural disasters, with rising global temperatures leading to more devastating droughts, wildfires, and floods, as well as loss of life and agricultural capacity. The climate crisis is a systemic problem contributing to a multitude of socioeconomic, demographic, and political consequences (Kalwak and Weihgold, 2022) moving us toward what has been described as "Hothouse Earth" (McGuire, 2022), a phenomenon that cannot be reversed through human intervention once the tipping point is passed (Ste en et al., 2018). The Power Threat Meaning Framework (Johnstone et al., 2018) provides a lens through which different esponses to climate breakdown including eco-distress, climate trauma and feelings of institutional betrayal may be understood....."
- 8) These problems are also exacerbated by weak biodiversity offset legislation which effectively is greenwashing and counterproductive. The loss of bush land since NSW Government employee Glen Turner was murdered in Moree, and the legislation that followed has been destroying our ecosystems as noted by Henry and team above. The condoning of the destruction of bushland by agribusiness and developer investment for more profit/ greed despite the evidence of climate change tipping point. As detailed by Cameron Murray in Rigged and the Great Housing Highjack:
  - <u>https://www.frontiersin.org/journals/psychology/articles/10.3389/fpsyg.2023.1087078/pdf?isPublishedV</u> 2=false
  - And https://books.apple.com/au/book/the-great-housing-hijack/id6473138451

9) I refer you to concreting the coast : <u>https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:7eb7d97b-798b-381d-a01d-9dbc7a36bce7</u> and the Henry review for in-depth details re this issue.

#### 4) rapidly changing social, economic and environmental circumstances

1) See above.

5) 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 climate conditions, as well as the community's expectation and need for homes, schools, hospitals and infrastructure

- 1) Number 1 priority is to stop making things worse, not adapt, mitigate:
  - take action on climate change in NSW . See above. We need action as detailed above. We cannot sustain government inaction.
  - Stop Native Forest Logging and create genuine carbon capture; no offsets,
  - Stop subsidizing Forestry Corp and Fossil Fuels.
- 2) Community experts to have input into major developments. Consultation is not just putting an add in the paper or on a web page and consulting 77 people out of 48000 odd as Ballina Shire did over its housing strategy.
  - Change development laws to remove Sydney and Regional Panels and fund and support local councils to be climate Zero by 2035, not net.
- 3) NSW government has failed for two years to address recovery, sustainable living, circular economy, biodiversity destruction or flood plain developments. Including zombie DA's.
  - Schools in our region were destroyed and remain so despite this and the previous government choosing to ignore those in plight and support others like forestry Corp or Developers with police resources and subsidies.
  - We see little action on affordable housing, public transport like solar rail, etc.
- 4) There are numerous solutions in the links I provide and warnings of further inaction by so many experts.
- 5) Further information re circular economy, reducing emissions, fireproofing houses, environmental sustainability and economic opportunities etc :
  - <u>https://hempblockaustralia.com/</u>
  - <u>https://hempco.net.au/hemp-cars-benefits-and-examples/blog</u>
  - <u>https://physics.news/2020-10-08-a-truly-versatile-crop-hemp-batteries-can-be-a-more-powerful-alternative-to-graphene-or-lithium-batteries.html</u>
  - <u>https://hempplastic.com/facts/</u>
  - <u>https://captain-planet.net/worlds-first-plane-made-powered-by-hemp-is-10-times-stronger-than-steel/</u>
  - https://cfah.org/hemp-products-list/
  - <u>https://www.xhemp.au/blog/tasmanian-stories-and-lucas</u>
- 6) Imagine these <a href="https://www.ford.com/trucks/f150/f150-lightning/">https://www.ford.com/trucks/f150/f150-lightning/</a> made from hemp and their batteries made from hemp, with bamboo carpets.
- 7) Providing shade over concrete car parking areas and incorporating solar panels in the plan. Example Solar panelled car parks like at Macadamia castle Ballina( now wildlife hospital)
- 8) Urgent attention needs to be given to upgrading existing facilities and ensuring new facilities are built as much as possible on the basis of a circular economy. Heating and cooling devices need to be considered with preferential implementation of thermal building designs. Disability inclusion should be a priority along with viable public transport, solar or fossil fuel free. Northern Rivers are trying to implement a solar train from Lismore to Yelgun which could have a push bike track along side.
- 9) Water and sewerage is a major issue especially in flood prone regions like ours. This is a major issue not addressed at Wallum, Yamba or Manyana.

# 6) 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

- 1) During Covid and the shut down, our population began to fall.
- Immigration levels are not sustainable and put undue pressure on communities, infrastructure and services:

   <u>https://www.homeaffairs.gov.au/research-and-stats/files/migration-trends-2022-23.PDF</u>
- 3) It's time for serious government action:
  - https://youtu.be/fOo2m2vPyKk?si=RLhzUr3nNpr0YpUc
- 4) Local councils could support locals as the State Government to bring back trains in Northern Rivers. The costing are in and feasible to have a solar train and push bike track. Stop the discrimination up here..
- 5) Couldn't Councils undertake strategic planning work to identify suitable places within their LGA like Byron, Lismore, Casino and Murwillumbah which can accommodate additional development, particularly within walking, cycling proximity to high-capacity solar train and environmental bus routes. <u>https://www.facebook.com/100067072994904/posts/pfbid0VG3cid5GCtCYT36amySPV6dcqHiZuJm1ifhiFP6dUr Twk8V1qjcSjeSLPiSHLu2Wl/</u>?
- 6) Planning rules should favour more compact, walking & public transportation development patterns, rather than on greenfield, flood prone expansion of existing sites. See Ballina Island Photo of RSL club above.
- 7) More flexibility should be allowed for owners to build a range of occupancies depending on approvals suitable to that area, suburb or town in our region.
- 8) Rainwater and grey water storage needs to be considered along with greening with indigenous species and removal of pests and introduced weeds.
- 9) A stop to all zombie developments, restructure of the biodiversity act and then development reassessed.
  - I and many others call on your committee to request the Premier, Hon Chris Minns to ensure your Minister uses his Ministerial powers to enact an immediate moratorium for ALL Zombie DAs across NSW, otherwise known as Historically Approved Consents. NSW is the only place they exist.
- 10) "Even after a year like no other in terms of flood catastrophes, developments on flood-prone land are still getting the nod." Premier, Chris Minns, in February 2023 you told our local Echo newspaper:
  - , 'It's increasingly clear that we cannot continue to develop and build on dangerous floodplains, and risk putting more people in harm's way" Wallum is floodprone land!
  - "There are too many government entities responsible for planning, flood recovery and reconstruction, and while all intentions are good, there is often too much buck-passing and a lack of accountability.

# Listening to, and learning from, aboriginal voices, and experiences to better inform planning outcomes.

- 11) The northern rivers has a large indigenous community of the Bundjalung nation. It's made up of different mobs. We have a wonderful close relationship with our indigenous families who are connected to country at Wallum Brunswick Heads. A meeting place. Come and listed to their voice!
- 12) This ABC radio on 28th April 2024 gives insight into Mob. Thanks to Sven and your Chair.
- 13) <u>https://omny.fm/shows/earth-matters-3cr/earth-matters-28-april-</u> 2024?fbclid=IwZXh0bgNhZW0CMTEAAR1NLNICBrQZXOZGrY81XU38g1brpocfZHbNsv9bPfNi <u>Vs8WwtJlBJkidy8\_aem\_Ab2KZxmj5ZSNZJY-</u> <u>UM1ZQj41EeecLYZ5cS2se2LNroDPRB3nBpu1Cu3CsBxSTtAM\_xa9XHYnrBrK4HhwPxgpvWJY</u>

Hopefully this is useful and the links and photos are helpful. Sorry for any typos, I've runout of time . Hopefully you'll get submissions from Ballina, Byron and Lismore Council today.

Maybe you could fit in a hearing up here and speak to the indigenous mob and protesters from Wallum, pod dwellers, school students who have lost their schools, railway groups, rough sleepers and maybe Councils????