

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

NOVEMBER 2023



**CENTRAL NSW
JOINT ORGANISATION**

Bathurst
Blayney
Cabonne
Cowra
Forbes
Lachlan
Lithgow
Oberon
Orange
Parkes
Weddin

PO Box 333
Forbes NSW 2871
Phone: 0428 690 935
Email: jenny.bennett@centraljo.nsw.gov.au
Website: www.centraljo.nsw.gov.au
Chair Cr Kevin Beatty, Mayor, Cabonne Council

3 November 2023

Reference: jb:kb 231103
Enquiries: Ms J Bennett: 0428 690 935

Ms Sue Higginson (GRNS, LC Member)
Chair
Portfolio Committee no. 7 – Planning and Environment
6 Macquarie Street
Sydney NSW 2000

Email: portfoliocommittee7@parliament.nsw.gov.au

Dear Ms Higgins,

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

Joint Organisations (JOs) were proclaimed in May 2018 under the NSW Local Government Act 1993. The Central NSW Joint Organisation (CNSWJO) represents over 177,000 people covering an area of more than 51,000sq kms comprising the eleven Local Government Areas of Bathurst, Blayney, Cabonne, Cowra, Forbes, Lachlan, Lithgow, Oberon, Orange, Parkes and Weddin.

Tasked with intergovernmental cooperation, leadership and prioritisation, JOs have consulted with their stakeholders to identify key strategic regional priorities. The CNSWJO Strategic Plan can be found here: [Strategic Plan & Regional Priorities - Central Joint Organisation \(nsw.gov.au\)](#)

Thank you for the opportunity to provide feedback to the new parliamentary inquiry established to inquire into and report on how the planning system can best ensure that people and the natural environment are protected from climate change impacts and changing landscapes.

This region understands the terms of reference for the committee are to be:

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,*
 - 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*
- 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*
 - iv) *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*

- 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*

For Central NSW, climate change will mean longer, hotter droughts, more bushfire, more intense storm events with corollary flooding and inundation where inundation leads to lands slips and extensive road damage. These impacts are already manifesting in this region while the construction task is at an all-time high primarily to rewire NSW to renewable energy generation.

It is not just the planning system as in land-use planning for development that is not fit for purpose. There are broader systemic problems that this region implores the NSW Government to tackle. These include the broader strategic framework, funding framework and the legislative and regulatory frameworks.

Given the impacts of climate change on water supply, this region has extensive knowledge of the broader systemic failure around water management including planning for water and would welcome an opportunity to explore this critical issue in greater depth with the Committee.

Every regional water strategy in NSW makes the assumption that no town will run out of water. So does the business case for raising the wall at Wyangala. This means that the benefit of the avoided cost of closing communities is not included in the calculations. The conservative modelling for this benefit for Bathurst was \$1.3bn. The earlier regional water strategic work in NSW overlooked urban water entirely, for example the Macquarie Castlereagh had to have the communities along the unregulated Macquarie “back filled” into the drafting. These communities include Bathurst, Orange, Oberon and Molong. Urban water and its value is poorly recognised from the Muray Darling Basin Plan through the Water Act in NSW to drought response. This is a significant problem for regional development.

The better planning for this regional typically involves extensive consultation with councils and community. The plans for this consultation are not codesigned with community and typically have a lot of room for optimisation. This region has an agreed [policy position in engagement](#) with our Regional Leadership Executive. The contents are common sense and align with IAP2, yet it is remarkable how few NSW Government agency led consultations comply.

The more unfortunate planning for this region does not include engagement with community, is not implemented and becomes shelfware. Examples can be provided on request where the NSW Food and Beverage Strategy this region was aligned to has some amusing anecdotes but is an unfortunate case in point.

In the first instance, any NSW Government plans or strategies should be called for under legislation. Sadly, for regional development strategy this is not the case. The Regional Economic Vision developed under the last government has no legislative imprimatur and may not have survived the change of government. All the Regional Economic Development Strategies developed across the State are similarly at risk.

Meanwhile the Central West and Orana Regional Plan (CWORP) needs more support to be what it should be – the jewel in the crown of strategy for the region with a regional development focus. This role has not been enabled and has led to the second and more recent iteration of this plan stepping away from the regional development focus and moving more towards land-use. There is no regional accountability governance in this iteration. These are steps backwards, though the fact that the

process is continuing is timely and includes implementation, making this plan rare and highly valued. Of note is that after nearly a decade of requests from this region, this plan is now looking at the cumulative impacts of renewable energy development.

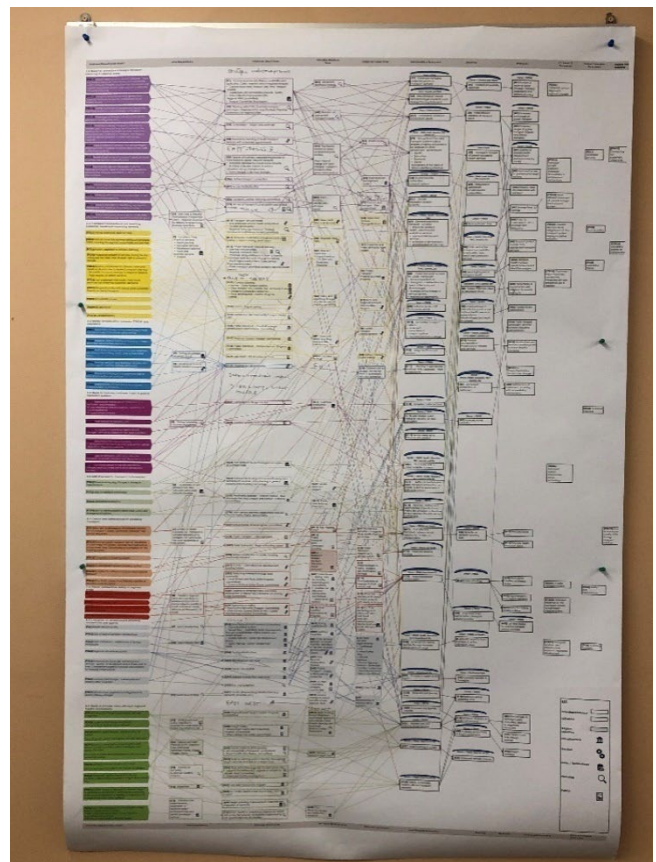
Accountability frameworks are poor if they exist at all. A website-based report is not an accountability framework this region finds acceptable (Planning). Nor is voting by emoji on uninformed priorities (TfNSW). This region does not want a “sense of involvement” or “socialisation” of strategy affecting its communities - it wants its leaders at the wheel in steering committees making decisions that drive us towards a better future.

Regional Water Strategies are mentioned above. They are five years in the making in this region. Happily, they are contemplating in-region governance arrangements for implementation.

The Central West and Orana Transport Strategy is close to seven years in the making, has seen two iterations of development, multiple drafts, significant consultation and will never see the light of day. Meanwhile, there is an urgent need to plan for the freight task in region given the impacts of renewables, the higher than anticipate growth and the post-disaster construction task.

The significant construction task impacting this region is the transition to renewables. The Central NSW Joint Organisation’s position is to support the orderly transition to a renewable energy future, where its member councils are committed to reducing their emissions and impacts on climate change. However, the lived experience in this region is that while the NSW Government has high hopes that the Renewable Energy Zones (REZs) will be a significant part of the emissions and energy security issues into the future, the impacts on the communities outside of the REZ boundaries are, and will continue for many decades to be, severely impacted by the poor development decisions that have been made to date.

Arguably, NSW Government legislation enabling the transition to a renewable energy future has been rushed, will continue to be rushed and its socialisation has been extremely poor. For example, the cumulative impacts on accommodation of the anticipated REZ construction are not considered, councils have not been engaged and assumptions have been made about their capacity and role in managing various issues, for example temporary worker housing and water supply. Other agencies, such as TfNSW, are raising concerns about the transport task where, as Australian Government policy is so far behind in embracing renewables with its corollary lacklustre manufacturing, a significant amount of the infrastructure needed must be imported by sea then transported into region.



This tablecloth sized graphic covered in 9 font text comes from a 2-day benefits realisation workshop across agencies led by TfNSW as part of its Transport Plan for the Central West and Orana Region. The final Plan will never be published, and a new direction is being taken by the incoming NSW State govt.

It is devastating that the poor execution of the rewiring is likely to lead to it stumbling with its ongoing challenges for community. The goal posts continue to change, for example recent advice on doubling the generation capacity at the neighbouring Central West and Orana REZ.

Concurrently, there are risks to the whole region that energy security may get lost as the priority for existing infrastructure is to support the neighbouring REZ and other large-scale generation. There needs to be a significant rethink about what is achievable where distributed energy systems, including storage, would be much more logistically possible than the current effort.

In this region stakeholders are being engaged in accordance with the State Significant Development (SSD) pathway. This is a minimalist approach that sees developers taking the minimalist pathway through. Until this process is amended to be more fit-for-purpose for such large-scale developments, communities will continue to be engaged through a 'tick and flick' approach, with insufficient meaningful consultation with the community being impacted.

The CNSWJO Board has growing the concerns regarding the planning processes relating to SSD with the number of renewable energy projects, in particular the freight impacts. While the Central NSW JO does not physically sit in a REZ, its freight task will impact this region. This region also has a significant number of wind, solar and hydro electricity generation projects, particularly along the transmission lines to the east. This is on top of a growing construction task to meet housing and other needs.

The cumulative transport task is particularly important for this region given the geography of NSW needing imported, oversize overmass renewable infrastructure to be transported over one or two roads. Accompanied over-mass oversized wind turbine blades will be shipped into the Central West¹ (sic) and Orana REZ along the Golden Highway. Where estimates vary, assuming a conservative ten of these movements per working night this will effectively close the Golden Highway to other traffic every working night for ten years. Other estimates suggest the movements will go for twenty years which is the life of a wind turbine blade. This would mean that the transport task for wind turbines into regional NSW, with its corollary impacts, is endless.

These movements are not permitted down the Great Western Highway or Bells Line, however displaced freight and other traffic from the Golden Highway as well as the other freight and transport movements needed for workforce for construction will use these key east west transport links with all their challenges, including safety.

It is for these reasons that we seek to be party to the design of the new approach to the transport plan for this region (the plan for the plan). Bearing in mind that this region has spent countless hours for nearly seven years engaging in the development of the current Draft Central West and Orana Transport Plan, implementation and accountability should be key features of this work where ideally an in-region accountability framework is included.

It is also noteworthy that corridor planning by TfNSW was shelved in recent years. There are a significant number of freight corridors that link to and through this region that lend themselves to a strategic approach. Again, even more important given the changes to the freight task.

The current planning system is failing the communities of regional NSW where the impacts of this failure are being exacerbated by climate change. The Bowden's silver and lead mine in the Central West and Orana Renewable Energy Zone has no secure water for continuous operation yet has

¹ There are no LGAs in the Central West planning area agreed by Treasury in this REZ.

approval through the State Significant Development pathway. Assumptions are made by renewable energy developers that they will be able to access water and accommodation in the same area. Unfortunately, they all count the same beds and make assumptions about access to urban water supply and sewer. Social impacts are poorly considered if they are considered at all. Councils and communities have been shouting loudly about these cumulative impacts since the REZ was announced and are only just beginning to be heard. The existing system is failing both this region and the necessary transition.

Last week, General Managers of the region considered a report on the rewiring effort in NSW in the context of drought and resolved to recommend to the Board it:

1. *call on the NSW Government to, as a matter of urgency;*
 - a. *provide a whole of government approach to the logistics of the infrastructure effort to rewire regional NSW;*
 - b. *review the State Significant Development Process particularly with regard to*
 - i. *cumulative impacts;*
 - ii. *its applicability to the large-scale infrastructure effort in rewiring NSW;*
 - iii. *timeframes for the post consultation period;*
 - iv. *additional compulsory pre consultation requirements;*
 - v. *a fit for purpose mandated planning agreement policy and process; and*
 - c. *identify all cumulative impacts of rewiring of regional NSW including transport and housing;*
 - d. *note development outside the Renewable Energy Zone and Energy Co remit is also substantial;*
 - e. *provide just compensation to communities for these impacts where this compensation includes consideration of the ongoing, cumulative impacts of poor processes to date;*
 - f. *direct NSW Government agencies and State-Owned Corporations to develop and implement policy that better engage and inform community on State Significant Development;*
 - g. *provide assurance for energy security for the communities of Central NSW through the next decade of transition and beyond;*
 - h. *ensure that there is sufficient water for urban communities leading into the next drought and that they have priority over the energy transition effort; and*
 - i. *develop and implement policy that allows for optimal outcomes for agriculture co-located with large scale renewable energy generation;*
 - j. *royalties on power generation from renewable energy productions go to all affected communities including those responsible for and impacted by the transport task;*
 - k. *freight impacts for the Central NSW region be urgently assessed;*
2. *advocate for more funding for distributed energy generation, including seeking support for roll-out in the Central NSW region from Essential Energy, Endeavour Energy and Iberdrola;*
3. *advocate for incentivising domestic battery uptake in region, to help both support the energy transition and energy security;*
4. *note in particular the advice regarding windfarm projects in Forestry Corporation softwood forests in Bathurst, Lithgow, Oberon and Orange;*
5. *update the advocacy policy and the CNSWJO Risk Management Plan in line with the resolve above; and*
6. *ask the Advocacy Subcommittee of Mayors to monitor the situation closely and act in the interest of the region between Board meetings with an ongoing focus on supporting communities through this difficult period including seeking recompense and energy security.*

We thank you for the opportunity to provide a submission on this matter, and we trust that the above information provides insights into our lived experience with the many challenges our region is experiencing in relation to the planning system as it stands. We are always open to working more closely with state agencies to improve the impacts of climate change on our communities.

If you require further information or clarification on comments in this submission, please do not hesitate to contact me on 0428 690 935.

Yours sincerely,

A handwritten signature in black ink that reads "Jennifer Bennett". The signature is written in a cursive, flowing style.

Jennifer Bennett
Executive Officer
Central NSW Joint Organisation (CNSWJO)